

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
NOVEMBER 7, 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
Janet Loving, Administrative Secretary

ALSO PRESENT: Robert Strickland, County Commissioner
Gary Moore, County Attorney

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

Chairman Stewart presented a letter from Mr. Larry Evans, agent for Mr. Jim Robertson, requesting a deferral of a site plan application (Oglethorpe at Beachview). Thereupon, a motion was made by Mr. Richard Parker to defer Agenda Item #3, Oglethorpe at Beachview. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

Due to the number of citizens present and in anticipation of a lengthy discussion, Chairman Stewart asked that organizations designate a spokesperson to represent their group. Also in the essence of time, Chairman Stewart set a 3 minute time limit for each speaker. He further stressed that everyone, i.e., staff, developers, opposition, etc. will be treated fairly and with respect.

Preliminary Plat
Gateway Center, Phase I
Located off Gateway Center Boulevard and
Glynco Parkway, 6.851 acres, zoned Planned
Development-General, 4 commercial lots.

U.C. Realty Corp., Owner/Developer

Mr. Bobby Shupe was present for discussion.

Mr. Mark Schroeder presented the staff's report. He explained that the subject property is currently zoned Planned Development as part of the Golden Isles Gateway Tract. He stated within the Planned Development the tract (CR1) to be subdivided is designated as Freeway Commercial. This preliminary plat creates a cul-de-sac off of Gateway Center Boulevard and the cul-de-sac will serve four lots.

Mr. Schroeder pointed out that approval has been granted by Building Inspections, Planning & Zoning, Engineering, Fire Dept. and Public Works. He stated staff recommends approval subject to the following conditions:

Community Development-Building Inspections:

1. A soil erosion permit shall be issued prior to construction.

Water & Sewer:

1. Written final approval from the Water & Sewer Department.

Mr. Schroeder pointed out that the Water & Sewer Department has done one complete review. He stated Thomas and Hutton Engineers are currently reviewing the requirements and they have no problem with the conditions.

Mr. Juan Saltzgaber of 1500 Demere Road had questions about wetlands in the area. Chairman Stewart explained that Glynn County does not address wetlands. Mr. Schroeder stated the wetlands issue has been reviewed by the Army Corps of Engineers.

Following discussion, a motion was made by Mr. Richard Parker to approve this request. The motion was seconded by Mrs. Glenda Jones. Further discussion ensued. Mr. Lee Noel asked what type of activities will take place on the lots. Mr. Schroeder stated all of the lots are commercial lots. Mr. Bobby Shupe stated that the developers are soliciting clients for commercial type activities, such as hotel/motel, etc. He stated they are also doing a lot of enhancements to maintain a pleasing atmosphere.

After discussion, the motion for approval was unanimously adopted.

Site Plan

Super 8 Motel

Located on the southeast corner of Palisade Drive and South Port Parkway, 1.25 acres, zoned Planned Development-General.

Natv B. and Niru N. Patel, Owner/Developer

Mr. Mark Crapps from John Kern Engineers and Mr. Dwayne Larson, general contractor, were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing a 53 unit motel on the southeast corner of Palisade Drive and South Port Parkway near exit 6. The undeveloped site consists of a high concentration of mature live oaks. Mr. Schroeder stated that company policy for Super 8 Motels requires that each motel development consists of no less than 50 rooms and due to the required development density, only a couple of trees could be saved. He stated the live oaks that are proposed to be preserved include 40", 36", 30", and 24" specimens. The developer has also taken special precautions to not disturb the trees roots by providing large open areas around the base of the trees.

Mr. Schroeder stated that final approval has been granted by Building Inspections, the Fire Department, Planning and Zoning and Public Works. He stated staff recommends approval of the Super 8 Motel site plan, submitted September 31, 1995, subject to the following conditions:

Engineering:

1. Provide new drainage calculations (development without on-site retention) to support pipe sizes in county right-of-ways.

Water and Sewer:

1. Provide a shallow well for irrigation. If not feasible, provide a reason to the Water and Sewer Director for review.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mrs. Iris Touw. Further discussion ensued. Mrs. Touw stated that due to Palisade Drive and South Port Parkway not having adequate street signs, she had difficulty locating the exact spot. She asked staff in the future to provide an arrow on the maps pointing north for better clarification of directions. Chairman Stewart reminded staff of this request to provide all pertinent information for clarification.

After discussion, the motion for approval was unanimously adopted.

GC-26-95

Request to amend the GC-15-72 Planned Development-Residential Zoning Text and Master Plan to allow an existing lot consisting of approximately 10,255 sq. ft. (Lot 1, Block A, Phase I, Country Club Heights), located on the southwest corner of Carteret Road (frontage of 153.09 ft.) and South Palm Drive (frontage of 107.18 ft.) to be developed as a two-family dwelling instead of a single-family residence.

Ashley Courson, property owner, was present for discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to amend Planned Development 15-72, to allow Lot 1, Block A, Phase One of Country Club Heights to be developed as a two-family dwelling/duplex instead of a single-family dwelling. She explained that when the PD Zoning Text and Master Plan were approved, the property along the south side of South Palm Drive between U.S. Highway 17 and Carteret Road (15 lots) was designated to be developed for two-family dwellings. The property between Carteret Road and Village Circle (12 lots) was designated for single-family dwellings, with the exception of a dedicated park area which is still undeveloped. The lots along Village Circle are developed with two-family dwellings. The remaining property within the area is developed as single-family dwellings. A large vacant tract located on the north side of South Palm Drive is designated to be developed for multi-family residential.

Mrs. Taylor stated that the subject lot is an irregular shape with approximately 10,255 sq. ft. and has more frontage on Carteret Road than South Palm Drive. The portion of Carteret Road on which the lot fronts is paved, but the remainder of the road is dirt and serves the City of Brunswick Utility System and additional properties. Mrs. Taylor pointed out that a two-family dwelling requires a lot size of 6,000 sq. ft., the same as a single-family residence. A sketch plan has been submitted which shows that the Zoning Ordinance requirements can be met.

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.

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

No.

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 either approval or disapproval of the zoning proposal;

None that staff is aware of.

Mrs. Taylor stated that the area consists of mixed land uses, i.e. single-family, two-family, and multi-family. She stated staff feels that the proposed use would be compatible with the surrounding area and recommends approval of this request.

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

Mr. Eric Lyons stated he and other residents of Glynn Marsh Subdivision have been combating the traffic problems in their neighborhood for quite some time. He stated if this request is approved it will generate more traffic problems in the area.

After discussion, the motion for approval was unanimously adopted.

At this point, Chairman Stewart gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

GC-27-95

Request to amend the Planned Development (GC-10-95) Zoning Text and Master Plan for Club Elder, a private care home for senior citizens; approximately 9 acres lying north of Beverly Shores Subdivision, east of Heritage Apartments, south of Glynn Marsh Subdivision and west of Glynn Marsh Village, as follows:

- a) To allow the extension of Cornwall Street right-of-way in Beverly Shores Subdivision (to be constructed across an existing 30 ft. drainage right-of-way) to serve as the main entrance to the development; and
- b) To eliminate Lot 7 of Glynn Marsh Subdivision (revert back to PD-R to allow the lot be developed for single-family residential).

Property owned by Holiday Enterprises, Inc.

Mr. John Klinowski was present for discussion. He asked at this time if he would be permitted to hear opposition before

the presentations. Chairman Stewart replied no and reminded Mr. Klinowski of the meeting procedures.

Mrs. Taylor presented the staff's report. She stated that this request is to amend the Planned Development GC-10-95 Zoning Text and Master Plan for Club Elder, a private care home for senior citizens, on approximately 9 acres of land. She stated that on September 7, 1995, the property was rezoned to Planned Development subject to Lot 7 of Glynn marsh Subdivision not being used as access. One part of the request submitted at this time is an amendment to eliminate Lot 7 of Glynn Marsh Subdivision and revert the zoning back to PD-R to allow the lot to be developed for a single-family structure. The second part of the request is to allow the extension of Cornwall Street right-of-way in Beverly Shores Subdivision to serve as the main entrance to the development.

Mrs. Taylor stated staff feels that the main entrance should have access from one of the existing rights-of-way, South Palm Drive, Village Circle and/or Glynn Marsh Court, and should not impact the existing residential subdivisions. Cornwall Street is an existing road with a 50 ft. right-of-way coming off Altama Avenue. There is approximately 500 ft. of frontage on Cornwall Street between the Stafford Road intersection and the subject property. Mrs. Taylor explained that if the right-of-way is extended, a bridge would have to be constructed across an existing 30 ft. drainage right-of-way. The County Engineer has stated that the bridge would be required to be built to Department of Transportation Standards for local roads.

Mrs. Taylor stated that the Planned Development submitted at this time shows the parking, consisting of 90 spaces, is located on the south side of the property adjacent to Beverly Shores Subdivision instead of 79 parking spaces on the west side adjacent to Heritage Apartments, with a 25 ft. setback from the drainage right-of-way between Beverly Shores Subdivision and the subject property. However, Planned Development zoning requires a 30 ft. setback between the subject property and a single-family residential development. The plan would have to be amended to reflect the required setbacks.

Mrs. Taylor stated that the proposed building would consist of 120 units, 4 wings with 30 units per wing. This is the same number of units as the previous plan. The center section of the care home development will have patios and an activity center with dining facilities. The density for the development will be 13 units per acre and the maximum height of the buildings will be 35 ft. Mrs. Taylor pointed out that the previous plan showed a recreation area but the new plan does not; however, there is an open area that does not show any development. The new plan shows the main entrance from Cornwall Street with a service entrance from Glynn Marsh Court. The development will be served by City of Brunswick water and sewer service.

Mrs. Taylor stated that according to the Glynn County Zoning Ordinance, a site plan meeting all requirements of the Ordinance would have to be submitted and approved by the Glynn County

Planning Commission prior to development. She 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 consists of single-family, two-family, multi-family and housing for the elderly.

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

Not if adequate access is provided.

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;

Yes, to have less traffic impact from the development, staff feels that the main access to the subject property should be from an existing right-of-way proposed to serve the tract of land and that a right-of-way within an existing subdivision should not be opened as proposed. Opening the right-of-way would create additional impact on the established single-family residential area. Staff feels that South Palm Drive is the best available access to the property.

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;

As previously stated previously, the area already consists of this type of development.

Mrs. Taylor stated staff recommends approval of reverting Lot 7 of Glynn Marsh Subdivision back to PD-R for single-family use. Staff recommends denial of opening/extension of Cornwall Street right-of-way in Beverly Shores Subdivision. She further stated that staff feels South Palm Drive, which is an existing right-of-way, provides the most appropriate access point.

Mr. Klinowski gave a brief presentation. He stated his request is not a rezoning proposal. He stated the property is already zoned Planned-Development Residential, as part of the overall action of the Planning Commission last month. He further stated that staff's comments about his property being immediately adjacent to Beverly Shores and therefore requires a 30 ft. buffer is also not true. Mr. Klinowski explained that Glynn County owns the 30 ft. strip which is a major drainage canal and he is adjacent to the 30 ft. strip. Beverly Shores is adjacent to the drainage canal on the other side. He stated he has already given the City of Brunswick a 20 ft. easement to run their water and sewer. The

25 ft. in the proposal is for parking, not building. Mr. Klinowski stated he would like to hear staff's rationale for their recommendation.

Mrs. Taylor explained that the 30 ft. buffer is a requirement of the Planned Development zoning and not a condition. She stated for clarification, Lot 7 is zoned for single-family residential because it was originally zoned PD-R.

In order to avoid confusion, Mr. Robert Fell suggested the Planning Commission vote on the two proposed issues separately. Thereupon, a motion was made by Mr. Lee Noel to recommend approval of reverting Lot 7 back to the original zoning classification. The motion was seconded by Mr. Robert Fell and unanimously adopted. Discussion continued on opening Cornwall Street.

Mr. Reuter explained that opening Cornwall Street did not originate from staff. He stated this was brought up at the Board of Commissioners meeting, and at that time, it was requested to come back for review because of another possible means of access to the property. He stated staff determined that since this was a change in the Planned Development, the request had to come back to the Planning Commission for review. Mr. Reuter reiterated that this did not originate from staff.

Chairman Stewart had questions regarding the service entrance and the location of the main entrance of the building. Mr. Klinowski explained that the left side of the building is the front of the building or the main entrance. The lounge, reading area, etc. are all located in the front of the building. He stated that the kitchen is very large and is located in back near the activity center, and therefore a back entrance is needed to avoid bringing supplies in through the front entrance of the building.

Mr. Klinowski stated that most people are not familiar with this type of facility. This is not a hotel/motel that will generate parking and traffic problems. He stated due to the age of the tenants, this concept will reduce the traffic problems. The average age is 84 and the tenants are "frail senior citizens who will not be out driving around." He stressed that this is a care facility and licensed by the State of Georgia. He stated staff's recommendation poses a problem in case of emergencies. He explained that in order to reach tenants in an emergency situation, EMT's would have to come from the north side of Altama Avenue, turn into Glynn Marsh, and make seven 90 degree turns in a space that is less than $\frac{1}{2}$ mile.

Mr. Richard Parker asked for further clarification on the location of the service entrance and the main entrance. Mr. Klinowski explained that the main entrance would be off of Cornwall Street and the service entrance would come off of Glynn Marsh. He stated with staff's recommendation, emergency vehicles would have no choice but to come through Glynn Marsh. Mrs. Taylor explained that according to the Zoning Ordinance, this is a commercial operation and the developer has other access points that he can utilize to serve this tract of land. She stated staff feels that South Palm Drive is the best access because it gives two outlets.

Several property owners were present to oppose opening/ extending Cornwall Street.

Mr. Kevin Walker of 101 Saxon Street stated he does not have a problem with the type of facility proposed, but he is concerned about the "foot traffic" this would generate. He stated a lot of drug activity goes on in the wooded area and he's concerned about the thru-traffic in the neighborhood. Mr. Klinowski stated the area would be well lit and he is also proposing 24 hour supervision. He further stated that "No Thru-Traffic" signs could be posted in the area. However, Mr. Sonny Jones, adjacent property owner, stated that no one pays attention to "No Thru-Traffic" signs. He stated he is concerned about the safety of his family.

Mr. Eric Lyons, resident of Glynn Marsh Subdivision, stated he objects to the developer utilizing Glynn Marsh Court. He stated "Glynn Marsh Circle has gone to the pigs" and this proposal will create more traffic problems on South Palm Drive. Mrs. Taylor explained that according to the Ordinance, Mr. Klinowski has a right to utilize Glynn Marsh Court.

Ms. Glenda Blocker stated she is not opposed to opening Cornwall Street; however, she is opposed to the service entrance. She stated there is already too much traffic on Glynn Marsh Drive and suggested Mr. Klinowski use Altama Avenue as an access point. She stated something has to be done about the traffic problem.

Following discussion, a motion was made by Mr. Richard Parker to recommend denial of opening Cornwall Street. The motion was seconded by Mr. Robert Fell and unanimously adopted.

GC-29-95

Request to Rezone from Conservation Preservation to Planned Development-Residential to allow multi-family and /or single-family residential, 10.344 acres (8.317 acres upland and 2.027 acres wetlands) fronting 577.39 ft. on the south side of the East Beach Causeway, beginning 200 ft. east of the East Beach Causeway and Demere Road intersection, and lying east of Island Townhouse Condominiums, St. Simons Island.

Property owned by North End Partners, L.L.C.

Mr. Frank Deloach was present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is to rezone a 10.344 acre tract (8.317 acres upland and 2.027 acres wetlands) from Conservation Preservation to Planned Development-Residential to allow the development of single-family and/or multi-family.

Mrs. Taylor stated that the property is located west of Island Townhouse Condominiums and north of Island Marshwood Condominiums. She pointed out that these multi-family developments are at a density of approximately 16 units per acre. Located to the north across the East Beach Causeway is a single-family residential subdivision known as Demere Retreat which was developed at approximately 4 units per acre.

Mrs. Taylor explained that the Planned Development Zoning Text submitted is requesting a density of 14 units per acre. The following uses are being requested:

1. One-Family Residential
2. Two-family Residential
3. Multi-Family
4. Cluster Housing
5. Group Dwelling
6. Row House Dwellings

Mrs. Taylor stated that the property has been zoned Conservation Preservation since 1966, which would allow the following as permitted uses:

1. Private non-commercial dock or boat house
2. Government owned or operated use, facility or land
3. Farm for the growing of agricultural products, including timber,
4. Wildlife refuge
5. Swimming beach.

The St. Simons 1981 Plan shows this area as multi-family. The Glynn County Comprehensive Land Use Plan, adopted in October 1989, shows the subject property as part of a larger tract designated as open/marsh area. Mrs. Taylor pointed out that the Glynn County Zoning Ordinance states the following in Planned Development: "Unless otherwise specified in the approved Zoning Text, densities per acre for residential dwelling units shall not exceed those set forth for General Residential Districts." General Residential allows a density of 10 units per acre. The applicant is requesting 14 units per acre. Another issue to be addressed is the maximum height requirement. In this Planned Development Zoning Text the applicant is requesting a maximum height of 45 ft.; however, the applicant has amended the text and is currently requesting a maximum height of 40 ft. Mrs. Taylor explained that staff originally felt that the maximum height should be 35 ft., which is also General Residential standards, but after discussing the elevation of the land and the type of structure, staff feels that 40 ft. would be acceptable.

Mrs. Taylor stated that when the Plan was reviewed by Mr. Richard, County Engineer, he recommended the following changes:

1. Show the road/easement for Demere Retreat Subdivision across from the subject property on East Beach Causeway;
2. Show the 20 ft. utility easement as an existing utility easement;
3. Provide a drainage easement on the south side of the property, by either providing a drainage easement of at least 15 ft. along the high bank to the property line or pipe the ditch and provide a 15 ft. total easement.

Mrs. Taylor stated that a letter was sent to the applicant explaining the above information, but as of this date, staff has not received a revised plan; however, the applicant has advised that the plan is being prepared. (The revised plan will be presented at the Planning Commission's Meeting on Tuesday. The plan included in this package is the original submission.)

Mrs. Taylor stated staff feels that the survey submitted which shows the subject property having high land of 8.306 acres should be allowed for development. She stated according to the survey, there is an area of wetlands consisting of 1.765 acres, lying adjacent to the marsh which staff feels should not be included in this rezoning request. She explained that because the property has been historically conservation, the wetlands cannot be included as part of the calculations for site coverage and development area. She stated that the other non-adjacent wetland areas surrounded by upland and consisting of a total of .273 acres could be included in the density and site coverage calculations.

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;

Adjacent property is multi-family and conservation with single-family zoning across the street. The development requirements should balance these diverse adjacent and nearby uses to minimize harmful impacts on marsh views and single-family developments.

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

The proposal is compatible to adjacent multi-family developments. The property has historically been conservation and the development should seek to preserve intent of conservation, including less density and lower height of structures.

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

The upland area does not have a reasonable economic use as zoned. The wetlands area has a historic and existing economic use as zoned.

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;

Additional traffic will be generated from the development. The ITE Trip Generation Manual states 6.47 total trips per dwelling unit (50% exiting/50% entering) or a total of 547 trips per weekday estimated. There will be additional water and sewer usage.

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

No, the upland is part of a larger tract designated as conservation.

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 wetlands on the tract has historically been conservation and had limited value and should be excluded from the proposal. Rezoning would create value on the wetlands and allow transfer of the development density to upland areas.

Mrs. Taylor stated that staff recommends approval of this request, subject to the Planned Development Zoning Text and Master Plan being amended to reflect the following changes and conditions:

1. Exclude adjacent wetlands, consisting of 1.765 acres. This wetland area is zoned conservation and because it is not buildable, should remain conservation. The wetlands area has never had a value as buildable land and therefore should not be rezoned to allow transfer of multi-family density to upland acreage.
2. Development standards to be amended to allow a maximum density of 10 units per acre.
3. During site planning, size, orientation of buildings, parking areas, roads and other impervious surfaces shall be designed to maximize retention of existing large trees.
4. All exterior lighting shall be designed and directed to not cast on the East Beach Causeway or adjacent property.
5. Adequate buffers and setbacks to be provided to protect the marsh and natural areas, as well as adjacent properties.
6. Buildings to be designed for consistency with an island style of architecture.
7. All traffic improvements to be approved by the County Engineer and County Traffic Safety Engineer.
8. All drainage improvements to be constructed as required by the County Engineer.

It was noted that several citizens were present to oppose this request. Chairman Stewart reiterated that in the essence of time, a 3 minute time limit is set for each speaker/spokesperson.

Ms. Mitty Hendrix was the first citizen to express her concerns. She stated that Mr. A. W. Jones was one of the founders of Sea Island Company. He later sold his property to NEP; however, the property was never expected to be developed. Ms. Hendrix stated that over the years the development of other property in the adjacent area has caused drainage problems on her land. She stated she is afraid of her property being turned into a "mosquito filled bog." She further stated that she does not want to see the marsh destroyed.

Ms. Anna Arbo of Marshwood condominiums stated she is concerned about what a multi-family development would do to the ecology of the area. She stated before this request is approved, perhaps someone should investigate the affects this zoning change would have on the wildlife in the area. She pointed out that she and her husband purchased their property because they were told the area would never be developed. She further stated that this rezoning "would be unsightly to the natural beauty of the marsh."

At this point, Mrs. Taylor presented a list of 8 properties located on St. Simons Island that have been rezoned from Conservation Preservation to other zoning classifications after adoption of the 1966 zoning maps. Chairman Stewart explained that Conservation Preservation is like any other zoning classification. He stated it allows the owner to utilize his property. He pointed out that the NEP could come in at any time, cut down every tree and plant peanuts. However, several property owners stated they would rather take that chance than to have the marsh destroyed by multi-family residences.

Mr. Terry Harrison, resident manager of the Island Townhouse Condominiums, stated opposition to this request due to drainage. He also expressed concerns about the wildlife in the area.

Ms. Mary McKay of Ocean Boulevard stated she is concerned about losing the view of the marsh. She also requested that an environmental impact study be done. Ms. McKay asked "why zone property conservation preservation if we are not going to preserve it."

Mr. Tim Hightower, adjacent property owner, stated that preservation means to preserve and protect; conservation means to care and maintain. Mr. Hightower then pleaded with the Planning Commission to protect the harmonious lifestyle of the residents.

Mr. Jack Kite, president of the East Beach Homeowners Association, stated they are all concerned about the increase of traffic and potential accidents if this request is approved. He also stated that a multi-family project would have a detrimental affect on the visual impact of the marsh. Mr. Kite stated that when he served on the Planning Commission, he and other members of the Commission were often criticized for not paying attention to the needs and desires of St. Simons citizens. He stated this is a chance for the Planning Commission to legally refute some of the arguments by denying this request. Mr. Kite presented a petition of citizens who are apposed to this request.

Mr. Frank Quinby of Residents United for Planning and Action (RUPA) also presented a petition consisting of approximately 738 signatures of citizens opposed to this request.

Mr. David Allison of 1605 Demere Road stated he is concerned about the impact this development will have on wildlife and the environment.

Ms. Connie Brillheart, St. Simons resident, read a letter from her husband who teaches Coastal Biology at Emory University in Atlanta and was unable to attend the meeting. She stated she and her husband are concerned about the biological stress this development would have on the plants and wildlife in the area. She also stated that the Federal Emergency Management Agency (FEMA) maps shows that this tract of land is in a flood zone. Ms. Brillheart stated that "Florida and other states are trying to restore marsh lands. Why are we trying to destroy ours?" She further stated that the damage would remain long after the developer has gone on to other projects.

Ms. Ilene Hutchinson, owner of "Walks in Nature", stated she conducts guided tours of the marsh. She stated tourists of all ages come to see the natural beauty of the Island and to destroy it

will be detrimental to the tourist industry. She further stated that it is "ludicrous to declare St. Simons a bird sanctuary one week and then destroy it the next." Ms. Hutchinson asked the Planning Commission to please consider the big picture and preserve the area for the children.

Ms. Carol Harris stated she is opposed to this request because it will destroy the ambience of the Island.

Attorney Kristi Harrison was present to represent Mr. and Mrs. William Gussman, Demere Retreat Lane, who are both opposed to this request due to traffic and the intrusion into the marsh. She asked the Planning Commission to take all comments to heart, consider them very strongly and deny this request.

Ms. Molly Cook of East Beach stated property owners have a right to a valuable use of their land; however, density must be considered also. She stated perhaps the developer should compromise and come up with another plan. Ms. Cook stated developers should consider more single-family, low density developments rather than high-rise, 14 units per acre projects.

Mr. Taylor Schoettle, a former Marine Education specialist with the University of Georgia Extension Office, stated there is a common misconception about uplands development and its effect on adjacent marsh and wetlands. He stated chemical runoff from grounds maintenance will have a harmful affect on the wildlife that live in the marsh.

It was noted by Chairman Stewart that approximately 5 minutes ago, he was advised that the developer, Mr. Frank Deloach, stated he would like to defer this request in order to meet with the East Beach Homeowners Association and address some of the problems. This was confirmed by Mr. Deloach who further emphasized that he would like to come up with a different proposal to alleviate some of the problems, and then come back to the Planning Commission for review. However, members of the audience were adamantly opposed to this idea. They insisted that they are here today to discuss and resolve the issue.

Following discussion, a motion was made by Mr. Lee Noel to deny this rezoning request. The motion was seconded by Mr. Robert Fell. Further discussion ensued.

Mr. Noel explained that the Comprehensive Plan update will be discussed later in the meeting. He stated one of the sections given to the Planning Commission to read for this meeting was the section on the inventory and assessment of our resources in Glynn County. He then read the following: "Glynn County has an infinite number of scenic views. These views should be protected from needless obstruction." The following scenic views are listed: US 17 Corridor, Kings Way, Sea Island Road, Torras Causeway. Mr. Noel stated that noticeable on the list is East Beach Causeway. He then read the following under Environmentally Sensitive Areas: "New businesses, tourists and residents are attracted to the area in part by the beauty of the natural resources. Therefore, the preservation of natural resources is beneficial to the continued economic development of the county."

Mr. Noel stated that there has been an incredible out-pour of opposition. It has been clearly stated that the upland affect will impinge upon the wetlands and the scenic vista will be hurt badly. Mr. Noel pointed out that according to the Average Annual Daily Traffic Volumes, in 1993 the traffic capacity on Demere Road was measured at 9751 vehicles per day.

Mr. Deloach stated it is not his intention to upset St. Simons residents. He reiterated that he would like a 30 day deferral to meet with the homeowners and re-think his plans.

At this time, Mr. Jack Caldwell, RUPA President, asked Chairman Stewart to excuse himself from voting on this request due to a conflict of interest. He stated that Mr. Deloach, is also part owner of the Culver and Deloach Real Estate firm which advertises on WGIG radio station, of which Chairman Stewart is affiliated. Mr. Caldwell then read the following from the Planning Commission Ordinance, Chapter 2-19-9 Conflicts of Interests: "No member of the Commission or officer thereof shall vote on or otherwise represent or act on behalf of the Commission in connection with any matter pending before the Commission which he is financially interested, either directly or indirectly or in which any person related by blood or marriage has a financial interest. A financial interest as used in this Ordinance shall be construed to include not only present interest, but also possible future financial interest. It shall be the duty of each member of the Commission to disclose any potential conflict of interest which shall be recorded in the minutes of the Commission..."

Chairman Stewart denied having any conflicts of interest in this matter. He further stated he fully understands the Planning Commission Ordinance, and if there were any conflicts of interest he would immediately excuse himself. He stated to his knowledge, North End Partners (NEP) did not advertise on his radio station. He stated he has no financial interest in this matter and he intends to vote on this request. Mr. Deloach stated he was not certain if NEP advertised on WGIG radio station. Attorney Gary Moore explained that Mr. Deloach's connection with both businesses does create a conflict; however, if NEP is not advertising with Stewart's Broadcasting Company, there is no conflict of interest. He stated he does not see anything Chairman Stewart could gain.

After discussion, the vote was taken on the motion for denial. Voting Aye for Denial: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Lee Noel and Mrs. Iris Touw. Voting Nay: Mr. Richard Parker. Abstained From Voting: Chairman Wayne Stewart. The motion carried for denial.

The Planning Commission took a 10 minute recess at this time. The meeting resumed at 11:15 a.m.

GC-28-95

Request to rezone from Resort Residential to Planned Development-Residential (Medium Residential), 52.356 acres fronting approximately 5,000 ft. on the east side of Oglethorpe Drive, beginning at the end of Forest Road (private access easement serving Ocean Forest, paralleling Oglethorpe Drive), at Dunbar Lane, running north to the Hampton River and lying immediately west of Ocean Forest Golf Club, north end of Sea Island.

Property owned by Sea Island Company.

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

Mrs. Taylor presented the staff's report. She stated this request is to rezone 52 acres of land that was rezoned from Forest Agricultural to Resort Residential in 1993. Resort Residential allows the development of the golf club and multi-family residential as well as a motel or hotel, at a maximum density of 16 units per acre for multi-family or 35 units per acre for a motel or hotel. She stated the Planned Development-Residential request at this time is a down zoning of the property as it relates to density.

Mrs. Taylor stated that the PD Zoning Text submitted for this request is for a maximum density of 16 units per acre which meets the requirements of the Medium Residential Zoning District. She explained that the purpose of the rezoning is to allow the developer flexibility with setbacks between structures. The following will state what the requirements are in the Zoning Ordinance and the proposed requirements outlined in the Planned Development Zoning Text:

	<u>Zoning Ordinance</u>	<u>P D Zoning Text</u>
Front Yard:		
One-family	20 Feet	0 Feet
Multi-family	30 Feet	20 Feet
Side Yard:		
One-family	7 Feet	0 Feet
Multi-family	15 Feet	7 Feet
Rear Yard:		
One-family	7 Feet	7 Feet
Multi-family	15 Feet	7 Feet

Mrs. Taylor stated that the regulations which apply within a Planned Development are designed to encourage and permit the greatest latitude possible with respect to internal planning considerations. She pointed out that the Planned Development Master Plan has 28.152 acres as buffer/setback/green space, which is 53.8%, and development area is 24.204 acres, which is 46.2%. All open space shall will be maintained by the Sea Island Company.

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;

No.

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;

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 approval or disapproval;

Yes, the overall development of the golf course/recreation and residential structures. The land uses as proposed would allow the same type development as currently zoned but the PD would give flexibility for interior lot layout.

Mrs. Taylor stated staff recommends approval of this request subject to all requirements of the Planned Development Zoning Text and Master Plan (dated October, 1995) being met.

Attorney Jim Gilbert gave a brief presentation and Mr. Bill Edenfield presented a drawing of the proposal.

Mrs. Iris Touw had questions regarding maintenance. Mr. Edenfield explained that a maintenance easement will be worked into the legal documents.

Mr. Lee Noel asked what percentage of the 52 acres will be cluster homes. Mr. Benefield explained that the market will determine the percentage of cluster homes. He stated the ultimate number of units is 250. Regarding smaller lots being developed in this manner, Mr. Noel stated he is concerned about setting a precedent for future projects. Mrs. Taylor explained that this would not set a precedent because Sea Palms East and West have already had developments allowed on smaller lots; however, approval was subject to fire and safety requirements being met. As the development progresses, Mrs. Touw asked if the developer or staff could arrange for members of the Planning Commission to view the property in order to get a better lay of the land. Mr. Benefield replied that the Planning Commission can view the property at their convenience.

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

At this time (12:00), the Planning Commission took a 1 hour lunch break. The meeting resumed at 1:00 p.m.

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

Review exterior building changes to 204, 206 and 208 Mallory Street; Review changes to the signage and interior building layout for the special use permit previously granted to Island Depot due to change in ownership and name. Property zoned General-Commercial Core, located in St. Simons Village.

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

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to modify the existing facade, install a new sign for the ice cream shop, and revise the existing Special Use Permit. The following modifications are proposed to the facade of the existing building along Mallory Street:

1. Increase the height of the building from 16'-4" to 21'-9" an increase of 5'-5". The height increase of 5'-5" is in compliance with Section 709.5 of the Zoning Ordinance. The existing facade cap will be preserved (tile cap on top of facade for existing and neighboring buildings);
2. Modify the existing brick facade to stucco. The stucco will be a beige color with raised off white bandings. The banding will highlight the existing raised design of the brick (i.e. The raised design above the existing overhang will be retained.) The overall color scheme will be similar to St. Simons Drugs located directly across the street;
3. Remove the existing overhang and replace with an aluminum sloped awning. The proposed color is yellow and white stripes. The awning will be located 12' above the sidewalk (the current overhang is approximately 7' above the sidewalk). The extra clearance above the sidewalk enables the applicant to open additional windows above the doors and windows and to install a sidewalk sign. The awning will extend 5' out from the face of the building;

4. The center and left door will be relocated to the center of each proposed business;
5. No lighting on the face of the building is proposed;
6. Signage is proposed to be mounted above and suspended from the proposed awning. The signs are proposed to be a bright pink, blue, and pale yellow;

Mr. Schroeder stated that all plans of the exterior improvements have been provided in conformance with Section 709.8. He stated in addition to the plans, there are six criteria that shall be addressed. The following outlines the additional criteria and staff comments:

a) Conformity of the plans submitted to the purpose and provision of this Ordinance. The color brightness of the proposed awning, doors, and signage may be out of character with the village. However, the proposed colors are lively and add a tropical and festive appeal to the building. Small highlights of color like the doors and signage is acceptable, but the awning may need to be a paler yellow due to its large scale;

b) Conformity and harmony of external material and design with existing and neighboring structures. The design texture will be similar to that of the St. Simons Drug Store (i.e. stucco and raised bandings). The proposed awning appears to be out of character with the village due to the increased clearance from the sidewalk, the bright colors, and large scale (spanning fifty feet and three store fronts). In comparison, the proposed awning will have a 4'6" greater clearance and extend out from the building one foot (1') greater than Fanto Seas awning (The awning for Fanto Seas has approximately 7'6" of clearance and is made of a canvas material. The awning has soft blue, aqua, and pink stripes.)

c) The effect of the improvements on neighboring structures or sites. The proposed awning height may have an adverse affect on the neighboring business to the right (Fanto Seas) due to the large scale and height of the proposed awning. However, the proposed clearance serves an additional purpose for the applicant by allotting room for a sidewalk sign (sidewalk signs must have a vertical clearance of no less than 9' per Section 804.d. of the Zoning Ordinance);

d) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone. The proposed material is compatible with the Village area. Enhancement of the existing architectural design will add definition and uniqueness to the existing building;

e) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area. The proposed stucco, raised bandings, additional window area, brightly painted doors and signs, retainment and restoration of key architectural elements (i.e. keeping raised brick pattern and opening old windows) improve the compatibility with the Village area; and

f) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites. No landscaping is proposed.

Mr. Schroeder stated staff recommends approval of the exterior modifications and the proposed signage with the exception that the awning brightness be muted by using a pale/classic yellow.

Special Use Permit Modification

Mr. Schroeder pointed out that Section 709.7 Special Uses and Conditional Uses Expiration requires that when a restaurant or drinking establishment changes ownership, a new application for a Special Use Permit shall be submitted. Any changes to the permit will be subject to Planning Commission approval. He stated the new owner, Mr. Abbas Vakili, is proposing to change the name from "Island Depot" to "St. Simons Best". 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. The applicant has provided a floor plan depicting the 400 sq. ft. of patron space and the 16 customer seats.

Mr. Schroeder stated staff recommends approval of the modification to the existing Special Use Permit.

Mr. Lee Noel stated he had difficulty visualizing the roof line. He also stated that the colors are "wild". Mr. Noel stated that there are a lot of important unanswered questions. Thereupon, a motion was made by Mr. Noel to defer this request. The motion was seconded by Mr. Robert Fell. Further discussion ensued. Chairman Stewart stated that he also had problems visualizing the roof line and the contrast. He then suggested that Mr. Vakili provide a sketch proposal for visual clarification.

Mr. Robert Fell commented that the previous owner, Mr. Jim Hargraves, was required to install a grease trap; however, he did not. He then asked if the grease trap had been installed yet. Mr. Vakili replied yes, he recently installed the grease trap. In order to avoid "tackiness", Mr. Fell stated he would like to see the Village merchants get together and coordinate their color schemes so that the Village is an attractive area. Mr. Vakili stated he does not accept changing his colors. He assured the Planning Commission that the colors will look "classy" and will correspond with the Village.

Chairman Stewart asked Mr. Fell and Mrs. Touw to work with Mr. Vakili on the color scheme and sketch plan and report back to the Planning Commission.

The motion for deferral was unanimously adopted.

Adoption of 1996 Planning Commission Meeting Schedule as follows:

MEETING DATES

DEADLINE DATES

	<u>Preliminary Plat or Site Plan</u>	<u>Rezoning or Amend.</u>	<u>Special Use Permits</u>
Jan. 9th	Dec. 12th	Dec. 19th	Dec. 26th
Feb. 6th	Jan. 9th	Jan. 16th	Jan. 23rd
Mar. 5th	Feb. 6th	Feb. 13th	Feb. 20th
Apr. 2nd	Mar. 5th	Mar. 12th	Mar. 19th
May. 7th	Apr. 9th	Apr. 16th	Apr. 23rd
June 4th	May. 7th	May. 14th	May. 21st
July 2nd	June 4th	June 11th	June 18th
Aug. 6th	July 9th	July 16th	July 23rd
Sept. 10th	Aug. 13th	Aug. 20th	Aug. 27th
Oct. 1st	Sept. 3rd	Sept. 10th	Sept. 17th
Nov. 5th	Oct. 8th	Oct. 15th	Oct. 22nd
Dec. 3rd	Nov. 5th	Nov. 12th	Nov. 19th

Due to the July 4th Holiday, it was the consensus of the Planning Commission to change the July 2nd meeting date to July 9th. Mrs. Taylor stated the deadline dates would be changed accordingly. Following discussion, a motion was made by Mr. Richard Parker to approve the 1996 Planning Commission meeting schedule with the July date change. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

Upon a motion made by Mr. Lee Noel and seconded by Mr. Richard Parker, the minutes of the October 3, 1995 Planning Commission meeting were approved and unanimously adopted.

Presentation by Tiffany Lutterman on Georgia Coastal Management Program

Ms. Lutterman, Program Manager for the Georgia Department of Natural Resources, stated she is present to ensure that the Planning Commission is aware of the proposed management program. She stated the program is currently in a public comment period. There will be several more public hearings for discussion and a question/answer period.

Ms. Lutterman explained that the program is based upon the recommendations of the GA Department of Natural Resources Advisory Committee which is comprised of 27 people representing various coastal interests both professionally and geographically. Through this committee, nine public task forces were created to identify the program's management strategy. The committee has been in place for approximately 3 years, and together with over 200 people who volunteered to contribute their thoughts and ideas about the

program, they have provided the basis of the management plan. One year ago, the committee submitted approximately 350 recommendations of what the coastal issues are and what needs to be addressed in Georgia. Staff took the recommendations and compiled the management program document. This document is currently available for review at a number of sites in Glynn County, i.e., Brunswick City Hall, Coastal Georgia RDC, Glynn County and St. Simons Regional Libraries.

Ms. Lutterman explained that the Coastal Management Program would make available approximately \$1 million per year in dedicated funds and \$800,000 in discretionary grants.

Ms. Lutterman distributed copies of an executive summary, followed by a slide presentation. Afterward, a general discussion followed.

Chairman Stewart asked who appointed the Coastal Advisory Committee. Ms. Lutterman replied that Governor Zell Miller appointed the original committee in 1992. The original appointment was for two years because a federal grant was received to develop the program; however, it took longer than two years to develop the program and the appointment expired. In November of 1994, Commissioner Joe Tanner re-appointed the committee.

Commissioner Strickland had several comments regarding local funding. He also had questions about the 401 certification, state permits, and expressed his views on the \$800,000.00 grant money. Ms. Lutterman presented samples of grants used in other areas for clarification. Commissioner Strickland urged everyone to "be ware of grants, they often come back to haunt you." Ms. Lutterman further explained that 30% of the funds would be passed directly to local governments for coastal projects.

Commissioner Strickland questioned where the money would come from for additional staff, offices, etc. and stressed that the funding should not come from local tax payers. In closing, Commissioner Strickland expressed concerns about additional powers given to DNR under this program. He also stated that in his opinion, this is an additional layer of government which would be involved and attempting to influence local government affairs on the coast.

Chairman Stewart had questions regarding the inland counties being included in the Coastal Program. Ms. Lutterman stated that these counties had tidally influenced rivers.

Ms. Lutterman distributed a list of common questions and answers about the Coastal Management in Georgia. She thanked the Planning Commission members for their time, and again stated that several more public hearings will be scheduled to discuss the Management Program.

Under Staff Items, a worksession was scheduled for November 28, 1995 at 1:30 p.m. in Room 234 of the Office Park Building to discuss the status of the Comprehensive Plan.

Under Commission Items, Chairman Stewart appointed Mrs. Glenda Jones and Mr. Jerome Clark to serve on the Nominating Committee.

There being no further business to discuss, the meeting adjourned at 3:10 p.m.