

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
APRIL 4, 1995 9:00 A.M.

MEMBERS PRESENT: Jack Kite, Vice-Chairman
Jerome Clark
Robert Fell
Glenda Jones
Lee Noel

ABSENT: Richard Parker
Wayne Stewart

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

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

**Preliminary Plat
Sunbury Court
Located off Stevens Road (off Frederica Road)
St. Simons Island, 2.351 acres, zoned
Planned Development-General
Cumberland Contractors, Inc., Owner/Developer**

Mr. Michael Thomas was present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated that the subject property is currently zoned Planned Development as part of the Sea Palms West Planned Development. The zoning text for the Sea Palms West Development permits a density of 13 single family units for parcel 33.

Mr. Schroeder stated that Sunbury Court Subdivision consists of 7 single family lots which is below the permitted density. The smallest lot (lot #7) is 8,092 sq. ft. in area. This lot size exceeds the permitted minimum lot size of 4,000 sq. ft. The setbacks have been modified slightly from the approved zoning text, specifically for the side setback which is proposed at a minimum of 5 feet.

Mr. Schroeder stated that the area on the west side of the entrance will be dedicated as county right-of-way. He stated that the applicant had originally considered dedicating this area as a county park area or private common open space; however, the Engineering Department feels that this area may be beneficial for future right-of-way activities (i.e. drainage, public facilities, etc.)

Mr. Schroeder explained that the Department of Natural Resources boundary line, as determined by Brad Williams in May of 1994, shall represent the rear property line for all of the properties in Sunbury Court Subdivision. He stated the required setback for principal structures from the DNR line shall be 15 ft.

Mr. Schroeder stated that staff recommends approval of this request subject to the following conditions:

1. A soil erosion permit shall be issued prior to construction.
2. Applicant to receive a variance from the Department of Natural Resources for the construction of the road within 25 ft. of the upland/marsh boundary line; applicant to provide a non-access easement along Stevens Road; provide cost sharing for the sidewalk. (Sunbury Court's share = \$456.52 (\$12,000/184 lots)x 7)
3. Owner to coordinate with Commons at Frederica to install inside drop manhole for sanitary sewer where it discharges to manhole at lift station.

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

Following review, a motion was made by Mr. Lee Noel to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Jerome Clark. Further discussion ensued.

Mr. Robert Fell commented that the 5 ft. side setback is very close. Mr. Schroeder pointed out that the zoning text permits a zero side yard setback and requires a minimum separation of 5 ft. between housing units. He stated the applicant decided to make 5 ft. the side yard. Mr. Schroeder stated that the fire department did not have a problem with the separation. Mr. Michael Thomas explained that the lot configurations are unusual in size, and his reasoning is for more flexibility. He stated he anticipates developing all of the lots. Mr. Thomas stated it would be difficult, but he is willing to amend his request, if necessary, to a minimum separation of 14 ft. between dwellings.

Ms. Glenda Jones asked if drainage and utilities would be addressed on the final plat. Mr. Schroeder replied yes, this is indicated in the zoning text.

Following discussion, the motion for approval with conditions was unanimously adopted.

**Preliminary Plat
Ashley Marsh Subdivision, Phase II
Located off Blythe Island Drive, Blythe Island
60.38 acres, zoned R-20 One-Family Residential
Blythe Island Developers, Owner/Developer**

Mr. Roger Purcell and Mr. Larry Bryson were present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated that Ashley Marsh Subdivision Phase II consists of 59 lots. The subject property is zoned R-20 One-Family Residential which requires a minimum lot area of 20,000 sq. ft. The area of the smallest lot (lot 42) is 21,079 sq. ft.

Mr. Schroeder explained that all lots within the proposed subdivision exceed the minimum lot area of 20,000 sq. ft. required in an R-20 district, and several lots have a lower net acreage due to wetlands. The lot with the smallest net land area (gross area minus wetland area) is lot 11 at 14,413 sq. ft. No lots within the subdivision fall below 12,000 sq. ft. net land area which is the minimum area required for lots served by community water and individual septic systems.

Mr. Schroeder stated that an existing well located just outside the southeast corner of this development will provide community water to the proposed lots. He stated that a permit for the use of this well to serve the lots in Phase I and the proposed Phase II has been issued by DNR Environmental Protection Division. A future well site is depicted on the north boundary of Phase II adjacent to lot 56. Mr. Schroeder pointed out that once this well is approved it will be tied into the existing and proposed water system to create a looped water system and to serve future development phases.

Mr. Schroeder stated that portions of several rights-of-way within the Ashley Marsh development (Phases I, II, and III) were approved for abandonment by the County Commission on April 5, 1990. The approval was subject to compliance with Planning Commission requirements, indemnification of wetland violations, approval of the final plat and dedication of new rights-of-way.

Mr. Schroeder further stated that several wetlands are scattered throughout the development. The wetlands have been verified by the Army Corps of Engineers for accuracy in a letter dated February 6, 1995 and is valid for five years. He stated that only the wetlands depicted within future right-of-ways are proposed to be filled by the developer. The area of wetlands to be filled totals .5896 acres. Mr. Schroeder stated that a permit is required from the Army Corps of Engineers prior to placement of dredged or fill material into any waterways and/or their adjacent wetlands or mechanized land clearing of those wetlands pursuant to Section 404 of the Clean Water Act (CWA). The developer has not obtained a 404 Permit.

Mr. Schroeder stated that a small park consisting of .3698 acres is proposed at the entrance to the subdivision off of Blythe Island Drive. The park will be owned and maintained by the developer and/or the homeowners association. He stated staff recommends approval of Ashley Marsh Phase II subject to the following conditions:

1. A soil erosion permit shall be issued prior to construction.
2. The proposed 60 ft. right-of-ways are not sufficient in many cases to contain the typical section on the plans. The maximum ditch depth, relative to the centerline finished grade, is 3 ft. for a 60 ft. right-of-way. If adjacent drainage easements are proposed, they must be exclusive and separate from the standard 10 ft. utility easement. Add the following to note 12, "These easements will be shown on the final plat after approval from the County Engineer." Where these drainage easements are required the standard 10 ft. utility easement shall run in addition to and behind these

easements; any existing side drain or cross drain pipes within 500 ft. of the intersection of Blythe Island Drive and Captain Butler Drive shall be located with inverts and shown on the plans; construction signage plan shall be provided for review; and final detention pond design to be approved by the County Engineer.

3. One dry hydrant shall be located within the right-of-way between lots 22 and 46 (as required by the Fire Department).
4. The Health Department submitted a letter of approval dated March 30, 1995.
5. Developer to place a wetland hold harmless statement on the preliminary plat; Place the following recommended Corps of Engineers statement on the final plat, "Wetlands shown on this plat are under the jurisdiction of the Corps of Engineers. Lot owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization"; Developer to provide additional clarification of the adjacent zoning, i.e., M-12, R-20, etc. (Mr. Schroeder explained that in some cases the zoning is R-20 and in other cases it is M-12. Clarification is needed to define the locations for future reference); **Only** depict the lots within the proposed phase of development and reference adjacent subdivisions or property owners; Remove notes 2, 5, and 8. Instead of note 8, depict adjacent zoning for clarification; Developer to provide a proposed/existing street layout for all phases; Rename Scarlett's Drive and Major Wilkes Drive.
6. Developer to provide accel/decel lanes at Blythe Island Drive; provide street identification signs at all intersections; provide street lighting at the intersection of Blythe Island Drive and Captain Butler Drive (as required by Public Works Department).

Mr. Schroeder pointed out that Blythe Island is not in the service area of Glynn County or Brunswick Water and Sewer.

Mr. Lee Noel asked if all of the conditions are acceptable to the developer. Mr. Bryson replied yes.

Following review, a motion was made by Ms. Glenda Jones to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Lee Noel and unanimously adopted.

**Preliminary Plat
Cart Subdivision at Musgrove
Located off North Harrington Road, St. Simons
12.08 acres, zoned R-6 One-Family Residential
Ben Cart, Owner/Developer**

Mr. Roger Purcell was present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated that the development proposes 10 lots. Lot 7 is the smallest lot and consists of 33,264 sq. ft. in area. He stated that the proposed setbacks adhere to the minimum setbacks for an R-6 district. Lots that backup to the marsh areas shall observe a minimum setback of 15 ft. from the marsh/upland boundary.

Mr. Schroeder stated that the proposed lots are large enough to meet the minimum standards of 20,000 sq. ft. for lots served by private wells and individual septic tanks. He stated that the nearest public water and sewer service is approximately 2,400 ft. west on North Harrington Road. Mr. Schroeder stated the county is hoping to have water service available to that area by the end of this year. The developer would be required to hook-up to the public system at that time. Mr. Schroeder stated that the developer intends to install the necessary improvements, meeting water and sewer and fire department guidelines, prior to the final plat submission.

Mr. Schroeder stated staff recommends approval of this request subject to the following conditions:

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

Mr. Schroeder read the following comments from the County Engineer, as part of the conditions:

"The construction plans indicate that the existing 24 inch RCP along North Harrington Road is to be extended. It doesn't indicate the existing limits of this pipe. Furthermore, the existing culvert may have to be removed, depending upon its condition. Finally, drainage watershed upland of this pipe shall be determined to confirm that the size is adequate."

Mr. Schroeder explained that a 60 ft. right-of-way from North Harrington Drive terminates at the western boundary of Mr. Cart's property, and there is a 22 ft. access easement that ties into the property. In discussing this with Mr. Richard, it was determined that there will have to be a 60 ft. access easement up to this point so that the owner will have legal access and proper right-of-way width to the entrance of Cart Subdivision. Mr. Schroeder stated that all other requirements from the County Engineer have been met.

2. Planning & Zoning staff to receive a letter from the Department of Natural Resources verifying the upland/marsh boundary; developer to provide additional clarification of the adjacent zoning (i.e. R-6, R-20, etc.); provide a wetlands hold harmless statement.
3. Approval of utility plan for water from the Water & Sewer Department.

Mr. Roger Purcell stated that the owner would be willing to give up the additional right-of-way.

Following review, a motion was made by Mr. Robert Fell to approve this request subject to the conditions stated by staff. The motion was seconded by Mr. Lee Noel. Further discussion ensued. Mr. Dan Reuter asked if Mr. Purcell had any comments

regarding water and sewer. Mr. Purcell stated that the owner has agreed to install the system on his property. He stated he has no problem with any other comments from the Water and Sewer Department.

Following discussion, the motion for approval with conditions was unanimously adopted.

**Preliminary Plat Revision
Gateway Center Boulevard; Located off
Glynco Parkway at Spur 25,45.253 acres
Zoned Planned Development-General
U.C. Realty Corporation and Friendly
Minit Market, Owner/Developer**

Mr. Cameron Bland was present for discussion.

Mr. Mark Schroeder stated that this plan was approved last month with the right-of-way in a different location. He stated that the revision results in a 200 ft. shift to the north of the proposed Gateway Center Boulevard. This shift will align the road with a future median cut in Glynco Parkway. After Glynco Parkway is 4-laned, the Department of Transportation will require a 660 ft. distance between each median cut.

Mr. Schroeder stated that the acreage will increase from 4.571 to 4.801 acres. The conditions of approval of this request are the same as the March 7th conditions. Mr. Schroeder stated staff recommends approval of this request subject to the conditions stated at the March 7th meeting and two additional conditions: 1) revised construction plans to be reviewed and approved by the County Engineer; and 2) revised construction plans to be reviewed and approved by the Water and Sewer Department.

Following review, a motion was made by Mr. Jerome Clark to approve the revised preliminary plat subject to the two conditions stated by staff and in addition to the conditions stated at the March 7th Planning Commission meeting. The motion was seconded by Ms. Glenda Jones and unanimously adopted.

GC-7-95

Request to Rezone from R-12 One-Family Residential to Mh-6 One-Family Residential Mobile Home, an existing lot consisting of 6,612 square feet, fronting 68.53 feet on the east side of Mills Road, located off Scranton Road and lying immediately north of Halveston Oaks Subdivision.

Mr. Bobby Worth, Sr. property owner, was present for discussion.

Mrs. Deborah Taylor explained that this request was presented at the March 7th meeting and at that time, staff recommended denial of the request to rezone the property to mobile home (Mh-6), but would support a rezoning to manufactured home (M-6). The Planning Commission deferred this request until today's meeting so that the area could be studied for compatibility. Mrs. Taylor stated staff's recommendation is the same. Staff recommends denial of the request but would support a rezoning to manufactured home.

Mrs. Mertice Howard, adjacent property owner, stated she is opposed to this request; however, she would not oppose a double-wide or a manufactured home. Mrs. Taylor explained that according to the Glynn County Zoning Ordinance, a mobile home is classified as a single-wide unit and a manufactured home is considered a double-wide unit.

Following discussion, a motion was made by Mr. Lee Noel to recommend denial of the request for a rezoning to mobile home (Mh-6). The motion was seconded by Ms. Glenda Jones and unanimously adopted.

Mrs. Taylor explained that this request will go to the County Commission; however, in the meantime, Mr. Worth could amend his request to a manufactured home rezoning, which would then be re-advertised as such. Mr. Worth concurred with this.

GC-8-95

Request to Rezone from Highway Commercial to Office Commercial, an existing lot (portion of Lot #5 Sherwood Subdivision), consisting of 11,664 sq. ft., fronting 50 ft. on the north side of Cypress Mill Road, beginning 263.56 ft. east of Carteret Road.

Mr. Ralph Wade, property owner, was present for discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone an existing lot from Highway Commercial to Office Commercial. She explained that the property was rezoned as part of a 8.14 acre tract rezoning to commercial. In 1978, the rezoning was approved with the condition that all requirements of the Glynn County Zoning Ordinance are met. Mrs. Taylor stated the remaining property has been developed and rezoned over the last 16 years, with this parcel remaining. She stated that according to the Glynn County Zoning Ordinance, a 60 ft. lot width is required for Highway Commercial; however, the survey shows that the property has a lot width of 50 ft. The requirements of the Ordinance cannot be met, and therefore the applicant is seeking a down-zoning to Office Commercial, which requires a lot width of 30 ft. The request at this time is to allow the property to be sold and developed for office use.

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 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;
No, due to zoning condition placed on the subject property.
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;

Several commercial rezonings and developments have been approved along this section of Cypress Mill Road over the years. The road improvements that have been made to Cypress Mill Road makes the area more desirable for commercial development.

Mrs. Taylor stated staff recommends approval of this request.

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

GC-9-95

Request to Rezone from Forest Agricultural to Highway Commercial, 1 acre tract located on the southeast corner of Highway 32 (fronting 181.84 feet) and Post Road (fronting 181.84 feet).

**Property owned by Carol Ardythe Belle Isle;
David Sellers (Paige's Minit Market, Inc.), Agent**

This request was withdrawn by the applicant.

GC-10-95

Request to Rezone from Medium Residential to Planned Development to allow a private care home on approximately 9 acres (involving vacant property and Lot 7 of Glynn Marsh Subdivision) with frontage on Village Circle, South Palm Drive, Glynn Marsh Circle and Glynn Marsh Court, lying immediately east of Heritage Apartments, south of Glynn Marsh Subdivision, west of Glynn Marsh Village and north of Beverly Shores Subdivision.

Property owned by Holiday Enterprises, Inc.

Mr. John Klinowski was present for discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone 9 acres from Medium Residential to Planned Development in order to allow a private care home. The current zoning would allow the development of multi-family residential. She stated that the Glynn County Zoning Ordinance permits a private care home as a commercial and medical type use instead of multi-family, therefore a rezoning is required.

Mrs. Taylor pointed out that the Planned Development Zoning Text and Master Plan (Club Elder, a private care home for senior citizens) shows the development of a 120 unit private care home with 4 wings and 30 units per wing. She stated that the center section of the development will have patios and an activity room with dining facilities. The density will be 13 units per acre and the maximum height of the buildings will be 35 ft. The development will be served by City of Brunswick water and sewer service.

Mrs. Taylor explained that a 30 ft. buffer that is not cleared will be provided along the property lines. She stated that there will be landscaped and grassed areas within the project, as well as a recreation area to be located adjacent to the 30 ft. ditch behind the lots in Beverly Shores (creating 60 ft. area between the subdivision and the development).

Mrs. Taylor further explained that access roads will remain private and are shown on the Master Plan with the main entrance to be constructed across Lot 7 of Glynn Marsh Subdivision, located off Glynn Marsh Circle. She stated that a service entrance driveway will be located off Glynn Marsh Court. 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. Glynn Marsh Subdivision is an existing single-family residential subdivision and should not be impacted by an entrance drive being located on the existing residential lot between two single-family homes.

Mrs. Taylor stated that according to the Glynn County Zoning Ordinance, if this rezoning is approved to Planned Development, a site plan will have to be submitted and approved by the Glynn County Planning Commission prior to development. She stated 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 apartments and housing for the elderly (Glynn Pines).

2. Whether the zoning proposal will adversely affect the existing use 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, but would have more impact if developed as zoned for multi-family, allowing 16 units per acre.

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;

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

Mrs. Taylor stated staff recommends approval of this request subject to the main entrance being provided from the extension of the existing rights-of-way and not across Lot 7 of the residential subdivision.

Mr. John Klinowski gave a brief presentation. He stated that he disagrees with staff's condition regarding the entrance and he has not heard any good arguments or basis for this condition. He explained that the development is not a medical facility or a nursing home. It would be a well lighted, congregate living facility with staff members in the building 24 hrs. a day, 7 days a week to ensure the safety and welfare of the tenants.

Mr. Klinowski stated there is no other facility like this in Glynn County and it is very important to have proper visibility for emergency vehicles. He explained that elderly people are reluctant to give up their homes and independence to move into a congregate living facility, therefore he has to do everything possible to have an attractive, residential type facility with good care, good service and good visibility. "Any other type entrance would not afford this opportunity." He stated there will be a separate service drive for trucks making deliveries to the kitchen.

Mr. Klinowski stated that the average age of the tenants is 82 and most of them do not drive, therefore traffic would not be a problem. The most possible traffic would hopefully be visitors.

Mrs. Pearlie Brown, a local nurse and adjacent property owner, stated she is in favor of caring for the elderly and she thinks the facility is a great idea; however, the entrance access will take away her privacy. Mrs. Brown stated her bedroom is located near the proposed road. She also expressed concerns about the increase of traffic in the area if this request is approved. Mr. Klinowski stated that if he were to put a house on the property instead of the proposed facility, there would be a lot less privacy. He stated he is only using 24 ft. of the lot.

Vice-Chairman Kite had questions regarding the size of the lot. Mrs. Taylor pointed the area out on the map and stated that the lot is located on a cul-de-sac with three different frontages. (37 ft., 31 ft., 44 ft.) She stated the basis for staff's condition is that the type use proposed is a commercial use which encroaches into a residential subdivision. The single-family residence should be protected. Mrs. Taylor stated as an alternative, Mr. Klinowski could make the service road the main entrance or he could utilize one of the existing rights-of-way. Mr. Klinowski stated the proposed request is not a commercial use. He stated he applied for a Planned Development Residential zoning, and a driveway is not a development; however, Mrs. Taylor explained that the request is a Planned Development and not a Planned Development Residential. She stated that according to the Glynn County Zoning Ordinance, a private care home is a commercial use. Mr. Klinowski stated the facility would offer a unique service that would save the taxpayers money by decreasing Medicaid costs.

Mrs. Brown reiterated that this is a fantastic idea, but she strongly opposes the entrance access.

Mr. Klinowski pointed out that other property owners in the area were only concerned about the impact this would have on their property taxes. He stated they like the idea of not having a house on the property.

Following discussion, a motion was made by Mr. Lee Noel to recommend approval of this request subject to the main entrance being provided from the extension of the existing rights-of-way and not across Lot 7 of the residential subdivision. The motion was seconded by Mr. Robert Fell. Further discussion ensued.

Ms. Glenda Jones asked if some of the trees could remain in place to produce a more natural buffer. Mr. Klinowski stated that some under brush would be removed but the trees would remain. He stated that without the proposed access, the project would not be feasible. He further stated that the \$3 million dollar project is needed in Glynn County and he has already gotten approval from the State. Mr. Klinowski stated it has already been established that there is a need for the facility; however, "he cannot service that need without proper access."

Mr. Lee Noel stated he is a great believer in these types of facilities, but the entrance access is a "needless intrusion into a residential area."

Following discussion, the motion for approval subject to the main entrance being provided from the extension of the existing rights-of-way and not across Lot 7 of the residential subdivision was unanimously adopted.

GC-11-95

Request to Rezone from General Industrial to M-6 One-Family Residential Manufactured Home, Lot 3 of Harlem Farms Subdivision, consisting of 15,597 sq. ft., fronting 75 ft. on the east side of Southern Road (118 Southern Road), beginning approximately 607 ft. south of Community Road.

Property owned by Diane Reid, Rose Reid, Mary Reid, Sandra Reid, Sandra Reid, James Lee Reid, Jr., and Pauline Barnard.

There was no one present to represent this request, therefore a motion was made by Mr. Robert Fell to defer this request until a representative is present for discussion. The motion was seconded by Mr. Jerome Clark and unanimously adopted.

GC-12-95

Request to Amend Planned Commercial GC-24-94 Zoning Text and Master Plan, 2.535 acres fronting on the south side of Demere Road, 248.81 ft. of frontage, beginning approximately 2,926 ft. west of Retreat Road and approximately 500 ft. east of Mary Wan Road, St. Simons Island, to allow a restaurant as a permitted land use.

Property owned by Palm Coast Associates, Inc.

Mr. Paul Sanders was present for Discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to amend the Planned Commercial Zoning Text and Master Plan for GC-24-94, 2.5 acre tract located on the south side of Demere Road, approximately 850 ft. west of Demere Village and approximately 750 ft. east of Charter Medical Hospital. Directly across Demere Road is the entrance to Brockinton Plantation.

Mrs. Taylor stated that during review of the GC-24-94 rezoning request, staff felt that the permitted uses should be limited, the public health, safety and general welfare would be at risk by allowing uses that would increase traffic and turning movements onto Demere Road, and that the residential area nearby could be adversely affected by certain commercial uses. She stated the uses staff felt should be excluded are restaurants, bar or drinking establishment, gas or automobile service station, grocery store, liquor store and movie theatre. The applicant followed staff's recommendation at that time and eliminated all of the above as permitted uses for the site.

Mrs. Taylor stated that the property was rezoned to Planned Commercial in October, 1994 subject to meeting the requirements of the Zoning Text dated August 5, 1994, which outlined the following as permitted uses:

1. Business involving the rendering of a personal service.
2. Retail and wholesale business with the exception of bars, restaurant, grocery store, gas station, liquor store or movie theater.
3. Public utility installation or other essential service.
4. Office building or office for governmental, business, professional or general purposes.
5. Accessory in compliance with the provisions of Section 609.3.

Mrs. Taylor stated approval of the rezoning at that time was subject to the following conditions:

1. The buffer on Demere Road to be maintained as 50 ft. undisturbed area. All other rear and side yard buffers shall be maintained as undisturbed area and additional plantings shall be designed, planted and maintained on the interior line to meet requirements of Section 717.6 "Planned Commercial District" of the Zoning Ordinance. Any vegetation lost in this area will be replaced. This condition will be shown during site plan approval process. Additional landscaping may be permitted in first 25 ft. along the road only to supplement existing vegetation.

2. Developer will be required to design entrance and exit driveway onto Demere Road per recommendation of County Engineer and County Traffic Safety Engineer, which would be in alignment with entrance to Brockinton and be designed in such a way to be shared entrance and exit with adjoining Planned Commercial parcel. It will be developer's responsibility to obtain any easement or additional properties to achieve proper alignment with Brockinton entrance.
3. Prior to any site clearing, grading or construction, a site plan will be reviewed by the Planning Commission, and the County Board of Commissioners approval will be required. As part of site plan review, a detail drainage plan must be approved by the County Engineer which limits post-development runoff to pre-development conditions.
4. All exterior lighting on the site shall be designed, constructed, and maintained so as to have no source of light visible from Demere Road and no light directed towards any residential property.

Mrs. Taylor stated that the revised Zoning Text submitted with this request (dated March 14, 1995), adds a full service restaurant as a permitted use. According to the Zoning Text, the full service restaurant proposed for the back portion of the site is an Outback Steakhouse. The Zoning Text also indicates that the Outback Steakhouse is open limited hours, evening hours only. However, Mrs. Taylor stated that if the Zoning Text is amended, it would allow any full service restaurant and would not just be limited to the proposed. A copy of a letter from the Water & Sewer Department regarding available services was included in the packages for the Planning Commission's review.

Mrs. Taylor pointed out that the County Engineer stated it appears that changing the Zoning Text to allow a restaurant could adversely impact traffic on Demere Road. She explained that as previously stated in 1994 and presently, staff feels the permitted uses for this tract of land should be limited, the public health, safety and general welfare would be at risk by allowing uses that would increase traffic and turning movements onto Demere Road. She stated that a restaurant being opened during the evening hours could adversely affect the nearby residential area.

Mrs. Taylor stated that in order to further evaluate this request, the following 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, nearby property is residential and less intensive retail uses (landscape center). Existing retail and office uses in this area generate less traffic, have standard hours of operation (9:00 a.m. - 5:00 p.m.), etc. A full service restaurant serving alcohol at this site would change the residential/office character of the area.

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

Yes, a full service restaurant will adversely affect current and future residential uses across Demere Road (Oak Forest Subdivision, Cottages at Brockinton, etc.). Hours of operation, traffic, noise and lighting associated with this use are a significant change to the area.

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

Yes, currently the Planned Commercial Zoning Text allows Business involving the rendering of a personal service - retail and wholesale business with the exception of bars, restaurant, grocery store, gas station, liquor store or movie theater; public utility installation or other essential service; office building or office for governmental, business, professional or general purposes.

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The increased traffic generated by a restaurant will increase turn movements on Demere Road. Demere Road currently operates above the designed capacity. The traffic flow on Demere Road at this site will be impacted and could require a traffic signal. Demere Road currently operates as the main transportation arterial on St. Simons.

The Institute of Transportation Engineers 1991 Trip Generation Manual estimates 96.51 trips per 1,000 sq. ft. gross floor area for this type restaurant. Based on a 6,000 sq. ft. building, the total daily trips generated by the proposed use would be 579. Demere Road currently operates at 12,817 vehicles per day.

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

No, Table I-10, Priority III of the Glynn County Comprehensive Plan, Functional Land Guidelines for the location of particular land use types states the following for commercial:

Clustering: Establishments should be developed in compact clusters or in planned shopping centers and not allowed to penetrate residential areas or strip-out along roadways.

Transitional Uses: Sites surrounding retail shopping centers are appropriate for professional office buildings and planned office parks which can buffer lower density land uses from the shopping center.

The existing less intense retail and commercial areas west of Demere Village Shopping Center establish a transitional use zone between the residential areas on Demere Road and the more intense commercial shopping areas at the intersection of Demere and Frederica Roads.

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

The less intense retail and office uses west of Demere Village are so designated to protect residential areas, limit the impact of intense commercial uses on traffic flow and maintain the existing character of a tourist area.

The property is currently marketable as commercial with the uses allowed. The Zoning Text states that the proposed Outback Steakhouse Restaurant would operate at night only and building size be limited to 6,000 sq. ft. Zoning could not restrict building size or hours of operation. Therefore, the applicant could build a larger structure and operate any hours.

The applicant also proposes to allow the sale of alcohol in the full service restaurant, which staff feels may not be appropriate to the area.

Mrs. Taylor stated that staff feels the existing Planned Commercial Zoning Text and permitted land uses are appropriate for the area. She stated staff recommends denial of the request to amend the Zoning Text to allow a full service restaurant.

Mr. Paul Sanders gave a brief presentation. He stated the property is zoned Planned Commercial and has the most restrictive buffers than any other property in Glynn County. He stated there is an existing 50 ft. natural buffer along the front of this property. Mr. Sanders stated the restaurant would only be open at night, and would have no impact on daily traffic at Demere Road. He also stated that this development has less environmental impact than any other use. Mr. Sanders pointed out that the restaurant could be enlarged. He would voluntarily restrict to daylight operating hours and would include this in the Zoning Text.

Mr. Sanders further explained that the restaurant will be approximately 300 ft. off of the street. He stated staff failed to mention that as part of the Zoning Text, he previously agreed not to have any direct lighting on Demere Road. He stated there are several restrictions on the property to protect the adjoining owners. Mr. Sanders stated he feels that this is the best use of the property vs other types of businesses. He stated it will not impact public health, safety or welfare and will not be detrimental to surrounding property value.

Mrs. Ruthie Cobb, Jewtown resident, stated she is opposed to this request due to potential increase of traffic and noise. She stated that at a previous meeting, Mr. Sanders presented a proposal to place a cabinet shop on the property. She and other members of the Jewtown community were against that proposal; however, they finally gave in to the idea. Mrs. Cobb urged Mr. Sanders to "stick with his original plan for a cabinet shop."

Mrs. Berthinia Gibson, Jewtown resident, explained that she is not opposing Mr. Sanders coming into the neighborhood, but she is opposed to what he is bringing into the neighborhood. She cited traffic safety as one of her main concerns and also the encroachment into a residential area. Mrs. Gibson pleaded for sensitivity and compassion for her neighborhood. She stated there are other areas already zoned for commercial developments, and finally, Mrs. Gibson expressed concern about alcohol being brought into a residential neighborhood.

In rebuttal to the traffic concerns, Mr. Sanders stated he agrees that there is a lot of traffic in that area, however, he stated the restaurant would not be open during rush hours.

Mr. Reuter explained that previously when the request was presented in 1994, the 50 ft. buffer was not recommended by staff or the Planning Commission. When the request was reviewed by the County Commission, the County Attorney felt that was not the agreement reached and therefore, the County Attorney recommended that the 50 ft. buffer be placed on the property. Mr. Reuter stated that if Mr. Sanders feels this is not appropriate, perhaps it should be addressed rather than addressing the use of the property.

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

Request for approval for the installation of a directory sign for the Wayne-Gables Office Building, located within the St. Simons Village Preservation District, 601 Beachview Drive, St. Simons Island; zoned General Commercial.

**Property owned by Taj Enterprises;
Mr. Lloyd Grider, Grider Signs, Agent.**

Mr. Grider was present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated that the applicant is proposing a free-standing directory sign for the Wayne-Gables Office Building located at 601 Beachview Drive. The sign will list each tenant (business) on individual plaques. Mr. Schroeder stated that the total area of the sign is 12 sq. ft. and the overall height of the sign is 6 ft. He stated that the color scheme, dark bronze background and post with ivory lettering, will match the existing building color.

Mr. Schroeder explained that Beachview Drive has a 100 ft. right-of-way which puts the right-of-way boundary approximately 1 ft. from the face of the building. The applicant is requesting a variance to the setback requirement of 10 ft. from the right-of-way. The proposed placement will in no way hinder the visibility at the intersection of 13th Street and Beachview Drive.

Mr. Schroeder stated that the proposed sign characteristics, height and dimensions, with the exception of setbacks, conform with the St. Simons Village Preservation District. He stated that due to the size of the right-of-way and the placement of the existing structure, it is not possible to meet the 10 ft. setback requirement. Mr. Schroeder stated staff recommends approval of the application as submitted and recommends approval of the variance for the sign location. Pictures were distributed for the Planning Commission's review.

Following review, a motion was made by Mr. Robert Fell to approve this request. The motion was seconded by Mr. Lee Noel. Further discussion ensued. Ms. Glenda Jones asked how far would the sign be from the utility pole. Mr. Grider replied that the sign would be 7 or 8 ft. from the utility pole and 3 ft. behind the sidewalk. Ms. Jones expressed concern for the safety of utility workers climbing the pole. Utility companies must be contacted before digging commences, in accordance with the law. She stated that in the future, a law suit could be filed as a result of the sign falling on one of the workers. Ms. Jones stated it would be to Mr. Grider's advantage to move the sign over to avoid this problem. Mr. Grider concurred.

Following discussion, the motion for approval was unanimously adopted.

Request for approval to mount a wall sign for a new business, to be known as Southeast Adventure Outfitters, located within the St. Simons Village Preservation District, 313 Mallory Street, St. Simons Island; zoned General Commercial-Core.

**Property owned by Charlie Williams;
Business owned by Mike Gowen.**

Mr. Lloyd Grider, agent, was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant proposes to place a wall sign at 313 Mallory Street. The sign has a proposed area of 20 sq. ft. and will have a white background with blue-green lettering. Mr. Schroeder pointed out that natural colors to match a live oak tree will be utilized for the tree logo. He stated that the remainder of the building, not covered by the sign, will be painted the existing blue (currently on the wall face below the awning). Pictures were distributed for the Planning Commission's review

Mr. Schroeder explained that the maximum sign area for this building is 20.65 sq. ft. (10% of 206.55). He stated that the proposed sign conforms with the St. Simons Village Preservation District requirements, and therefore staff recommends approval of this request.

Following review, a motion was made by Mr. Jerome Clark to approve this request. The motion was seconded by Mr. Robert Fell and unanimously adopted.

Request for approval for an additional exterior entrance door at Nature Gifts, located within the St. Simons Village Preservation District, 217 Mallory Street, St. Simons Island; zoned General Commercial-Core.

**Property owned by Gordon Strother;
Business owned by Kathy Lockhart.**

Ms. Lockhart was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to replace an existing 52" x 117" window with a glass door fronting on Mallory Street. A computerized photo provided by the applicant, was included in the packages for the Planning Commission's review. Mr. Schroeder pointed out that the new door will match the appearance of the existing door. He stated this proposal is in harmony with the standards of the St. Simons Preservation District, and therefore staff recommends approval of the installation of an additional entrance to Nature Gifts.

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

Request for approval of changing a sign, "Village Grille", to read "Dairy Queen"; located within the St. Simons Village Preservation District, 501 Mallory Street, St. Simons Island; zoned General Commercial. Property owned by James F. Watson.

Mr. Buster McDonald, business franchise owner, was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the applicant is proposing to change the copy of an existing internally lit sign to read "Dairy Queen". He stated that the existing sign area (Village Grille) is 60 sq. ft. with an additional 40 sq. ft. sign area for marque purposes. Also, the applicant is proposing to enhance the site by repainting the existing structure's roof red and the exterior walls white.

According to Section 816.3 of the Ordinance, Mr. Schroeder stated that freestanding signs in a General Commercial zoning district shall not exceed 10 ft. in height, 12 sq. ft. in area, and shall not be located closer than 10 ft. to a right-of-way. He stated the existing sign does not meet any of the above criteria.

Mr. Schroeder stated staff recommends that the existing sign be removed and replaced with a sign conforming to Section 816.3. The applicant may wish to propose signage mounted on the building for additional signage. Mr. Schroeder pointed out that the proposed exterior color modifications appear to be in conformance with the Village Preservation District.

Mr. McDonald gave a brief presentation. He stated that the sign has been on the site for several years, and was previously a "Tasty Freeze" sign. Mr. McDonald stated he has operated Dairy Queen on Demere Road for approximately 5 years and he has a long-term lease to relocate to an area suitable for a walk-up and drive-thru. He stated his request to change the face of the sign is not out of the ordinary and it should not create any problems.

Mr. Dan Reuter commented that this request is similar to one that was presented at last month's meeting regarding the 60 day time period. According to the Ordinance, re-establishing of a non-conforming condition shall be prohibited after discontinuance for a period of 60 days. Mr. Reuter stated that the discontinuance in this location has been much longer than 60 days, which is the basis for staff's recommendation. Mr. McDonald stated that due to litigations regarding the previous business in that location, he could not immediately get the property. There was a continuous lease on the property and when litigations were resolved, he assumed the property at the end of December. Mr. McDonald stated payments have been made on the property throughout that time.

Mr. Lee Noel asked Mr. McDonald if he wants to change the old sign and keep the existing marque. Mr. McDonald replied yes. He stated it would be easier to change the face of the sign and not disturb the area. However, Mr. Noel pointed out that the existing marque does not conform to the village area.

Mr. Schroeder elaborated on the section which states, "re-establishing of a non-conforming condition shall be prohibited after discontinuance for a period of 60 days within the St. Simons Village Preservation District." He stated if the business has not been discontinued for that period, the sign could be considered conforming. Mr. Schroeder stated that there is no phrase or exemption in Section 814 of the Ordinance to allow non-conforming signs to continue. As a median, 24 sq. ft. would be the maximum on St. Simons Island.

Vice-Chairman Kite stated that last month the Island Pet Shop sign request was similar to this and it was approved. He stated this request is the same. Mr. Schroeder explained that the Island Pet Shop sign conforms to St. Simons size requirements of 24 sq. ft. but it does not conform to the village requirements. Mr. Kite stated that the issue is "being clouded by bringing in the 60 day time period question."

Following discussion, a motion was made by Mr. Lee Noel that the existing sign be removed and replaced with a sign conforming to Section 816.3 of the Glynn County Ordinance. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Ms. Glenda Jones and Mr. Lee Noel. Voting Nay: Mr. Jack Kite. The motion carried 4 to 1. (Absent: Mr. Richard Parker and Mr. Wayne Stewart)

At this point, the Planning Commission took a 10 minute recess. The meeting resumed at 10:40 a.m.

MINUTES

Upon a motion made by Ms. Glenda Jones and seconded by Mr. Jerome Clark, the Minutes of the **February 7th** Planning Commission meeting were approved and unanimously adopted.

Upon a motion made by Mr. Lee Noel and seconded by Ms. Glenda Jones, the Minutes of the **March 7th** Planning Commission meeting were approved and unanimously adopted.

STAFF ITEMS

A) Comprehensive Plan Status

Mr. Reuter distributed a memo to the Planning Commission outlining a brief update of each sub-committee of the Glynn County Comprehensive Planning process. All meetings will be held in Room 234 of the Office Park Building and are scheduled as follows:

Land-Use/Housing Sub-Committee
April 19th - 5:00 p.m.
Third Wednesday of each month

Community Facilities & Services
April 5th - 4:00 p.m.
First Wednesday of each month

Economic Development
April 12th - 6:00 p.m.
Second Wednesday of each month

Conservation/Preservation
April 26th - 5:00 p.m.
Fourth Wednesday of each month

Mr. Reuter informed the Planning Commission that Mr. Mike Gleaton, Director of the Georgia Department of Community Affairs Office of Coordinated Planning, will give a presentation regarding the 1989 Georgia Planning Act and Comprehensive Plan requirements on April 24th, 5:00 p.m. in Room 234 of the Office Park Building.

B) Planning Notebooks

Mr. Reuter explained that in an effort to reduce paper costs and to provide easier viewing, three ring notebooks have been provided for each member and staff, with double-sided copies of staff reports, maps, etc. The Planning Commission has the option to; 1) use a different standard three-ring notebook each month; or 2) use a permanent binder each month requiring the members to remove the contents and leave the binders on the table. Mr. Reuter stated the cost for the standard three-ring notebook is \$1.72 each and the members would keep the notebook and contents. The Planning Commission chose option #1 (standard three-ring notebook each month).

COMMISSION ITEMS

Ms. Glenda Jones had comments regarding a letter submitted to the County Commissioners in reference to application #GC-30-94; more specifically, a petition presented at the February 7th Planning Commission meeting. Ms. Jones stated the letter was submitted by Mr. Fell and Mr. Noel. Paragraph #4 of the letter states, "one of the points that we feel should be recognized is that a petition containing 340 signatures of Island residents was basically ignored..." Ms. Jones stated that members seated at her end of the table did not ignore the petition. She stated she and the others looked at every name on the petition. Also at that time, one member commented that the petition contained the same names that were involved in the Castelio rezoning. Ms. Jones stressed that she looks at all petitions, she listens to everything and she never ignores anything that goes on in the Planning Commission meetings.

It was noted in the petition that the residents were opposed to the development; however, the letter submitted by Mr. Fell and Mr. Noel indicated opposition to the density. Ms. Jones stated that density of the development was not mentioned in the petition. She reiterated that she listens to everything and she respects everyone's opinion. Ms. Jones stated she has a right to her opinion and offered an apology if she offended anyone. Again she stated that she looked at the petition, as well as where everyone lived.

Mr. Fell pointed out that a petition should not necessarily be looked at in terms of where people live, but the fact that they live on the Island. He stated if they are a resident of St. Simons, then they should be allowed to sign a petition, for or against an issue. Ms. Jones stated her only point is that she did not completely ignore the petition.

Mr. Noel explained that Mr. Fell wrote the letter and he co-signed it. He stated what he agreed with when he signed the letter is that St. Simons is a neighborhood and people's attitude about activities on the Island should have weight. He stated some resident's ideas and thoughts may not carry as much weight as the immediate neighbors of the development, but he understands that. Mr. Noel stated to Ms. Jones that he appreciates her comments and "he stands corrected."

Also under Commission Items, Ms. Jones had comments regarding traffic flow on Demere Road. She stated almost every month there is some type of development request for that area. She asked if there are any long-term plans for Demere Road. Mr. Noel stated that this issue came up at the last meeting and at that time, Chairman Stewart commented that it might be better addressed at a worksession. Also mentioned was an engineering study. Vice-Chairman Kite stated there was once a very nice Demere Road Study. Ms. Jennifer Detloff explained that the 6-year short-term plan does not address Demere Road at this time; however, she stated Demere Road is included in the long-range plan for 2015. Mr. Reuter stated perhaps the County Engineer, Public Works Director and Planning needs to get together on the improvements to Demere Road. He stated Demere Road is not included in the TIP due to lack of local funding. Mrs. Taylor stated she would search for the detailed Demere Road Study.

There being no further business to discuss, the meeting adjourned at 10:55 a.m.