

M I N U T E S

GLYNN COUNTY PLANNING COMMISSION
OCTOBER 1, 1996 9:00 A.M.

MEMBERS PRESENT: Wayne Stewart, Chairman
Jerome Clark
Lamar Cole
Robert Fell
Glenda Jones
Iris Touw

STAFF PRESENT: Keith Flanagan, Director
Dan Reuter, Planning Official
Mark Schroeder, Planner
Deborah Taylor, Zoning Administrator
Janet Loving, Administrative Secretary

Chairman Wayne Stewart called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

Chairman Stewart stated that items 13,14,and 15 on the agenda could be approved by consent, provided no one is present to oppose. However, due to the applicant of item #15 (Mr. Ace Harris) being on the agenda to give an explanation of the changes made to his request which were not approved by the Planning Commission,Chairman Stewart advised that item #15 would be discussed pending the arrival of Mr. Harris. Thereupon, a motion was made by Mrs. Glenda Jones to consent approval of agenda items 13 and 14. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

Site Plan
Golden Isles Marina
Located on the south side of the F. J.
Torras Causeway on Lanier Island, zoned
Planned Development-General
Golden Isles Marina, L.L.C., Owner

Attorney Bob Miles and Mr. Boyce Mann were present for discussion. Also present were Mr. Bill Barker and Mr. Robert McCall of the Georgia Department of Transportation.

Mr. Mark Schroeder presented the staff's report. He explained that the applicant is proposing to add a dry stack boat storage (200 boat capacity), a new boat launching dock (including two boat slips) and 40 new wet slips. The following are comments from staff:

1. **Improvements to the intersection with the F.J.Torras Causeway and to the Causeway:** (to be addressed by DOT representative)

2. **Additional traffic generation by the proposed improvements:** The re-opening of the larger restaurant (St. Simons Brewery 8,000 + sq.ft.of patron area) has generated an increase of the traffic entering and exiting the Golden Isles Marina site. The addition of the proposed boat storage and wet slips will introduce additional traffic entering and exiting the site.
3. **Parking:** Currently, 330 parking spaces are available to serve the Golden Isles Marina. (not including parking owned by the Riverwatch Condominiums The location of the proposed boat storage area results in a net loss of 61 parking spaces. Boyce Mann has produced a parking study supporting the need for approximately 260 parking spaces as provided on the revised plan dated 9-20-96. (Layouts from other counties on parking requirements were included in the packages for the Planning Commission's review.)

The Glynn County Zoning Ordinance does not specifically address parking needs for marinas and associated commercial establishments. The Ordinance only addresses parking needs based on restaurant patron area and office/retail space.

The total required parking at build out is 335 spaces. The current site plan depicts 269 parking spaces after the boat storage is installed. The availability of 269 is 66 parking spaces short of the recommended 335 spaces. According to the Ordinance, the available parking exceeds the minimum requirement of 263 spaces by 6 spaces.

4. **Engineering:** Required engineering plans regarding drainage calculations and drainage patterns have not been submitted to the County Engineer. In addition, approval for a Sedimentation and Erosion Control Permit has not been received from the Natural Resources Conservation Service.
5. **Planning & Zoning Division:** The location of any free-standing sign is not provided. Substantial existing landscaping is preserved providing an adequate buffer between the Riverwatch Condominiums and the proposed boat storage. The storage units will be clearly visible from the Torras Causeway; however, the vegetation along the causeway is being retained which should provide an adequate buffer.

Mr. Schroeder stated that staff recommends approval of the proposed improvements subject to the following:

1. The Georgia DOT recommendations be incorporated into the Planning Commission's motion. Staff supports, at a minimum, an acceleration lane west bound on the F.J. Torras Causeway being established as stated in the 1982 conditions.
2. Re-stripe entire parking lot to clearly delineate the parking spaces.
3. If parking problems occur (i.e.parking within the right-of-way or a negative impact on Riverwatch Condominiums owners ability to park) the Planning Commission may require additional parking spaces be added in the open area near the Riverwatch Condominiums.
4. The large planting islands shall be retained to preserve the healthy and mature vegetation buffer between the dry storage and the Riverwatch Condominiums subject to minimal impact if conditions warrant for additional parking.

5. Receive approval, in writing, from the County Engineer of the drainage plans.

Mr. Bill Barker gave a brief update of the improvements. He stated that a recent traffic study conducted by Mr. Robert McCall confirms that 1500 to 2000 cars entering and exiting the marina (as reported by staff) is not uncommon. He stated that based on the fact that only 20 accidents occurred between 1988 and 1992 and due to the low fatality rate, DOT has determined that a traffic signal is unnecessary at this time. He stated that only two collisions occurred within approximately two years. Mr. Barker stated DOT is proposing that a west bound acceleration lane be constructed for traffic exiting the marina to Brunswick. Also, there are plans to resurface the causeway beginning January, 1997. During this time, the road will be widened on the north side to accommodate the acceleration lane.

Mr. Barker stated that a west bound traffic count was conducted between 5:00 p.m. and 6:00 p.m.; 80 cars per hour. Other counts were conducted between 7 a.m. to 9 a.m.; 11 a.m. to 1 p.m.; and 4 p.m. to 6 p.m. The count is broken down per hour.

Mr. McCall noted that the majority of the traffic turns right on to the Island. Mr. Fell asked if the entrance to Marina Village could be raised to eliminate the optical illusion at the intersection. Mr. McCall replied yes, an adjustment can be made from the driveway.

Attorney Bob Miles, representing the property owner, was on hand to answer questions.

Mr. Richard Parker stated that this project will be an asset to Glynn County, and the owners should be commended for restoring the property. Mr. Parker stated that most people who store their boats may visit twice a month, day time only, and therefore parking should not be a problem. He urged the Planning Commission to approve this request.

Attorney Tom Lee, representing the Riverwatch Condominium owners, stated that the developers have prepared another site plan which meets the parking needs. They have also agreed to preserve the green space and aesthetic consideration. He stated that the Riverwatch owners are convinced that the project has been well-planned and they urge their support 6 to 1.

Mrs. Nancy Rittgers, president of the Riverwatch Condominium Association, stressed that there is no need to wipe out the green space for additional parking. She pointed out that the Riverwatch owners have no objection to the Marina customers using some of their parking spaces.

Chairman Stewart stated for the record, Residents United For Planning and Action (RUPA) submitted a letter of opposition to this development.

Mrs. Ilene Hutchinson, chairperson for RUPA's Natural Resources Committee, stated there are no guarantees that trees in the area won't be removed. She also expressed concerns regarding storm water drainage and the negative visual impact this industrial type complex will have on visitors to the Island. She stated that RUPA is unanimously opposed to this project and requests that it be denied.

Mr. Frank Quinby, president of RUPA stated that this development would generate a significant increase in traffic at the most dangerous intersection along the Causeway. He stated that in a 1992 report by Jimmy Horton, Traffic Safety Engineer, 35% of accidents occurred at the Marina Village Drive Intersection. Mr. Quinby stated that it would be a mistake to propose more traffic before resolving current traffic problems.

Rev. Zack Lyde stated that none of the safety factors have been addressed. He stated real deaths have occurred that no one wants to be liable for. He also expressed concerns about the overflow of parking. Rev. Lyde stated that people need to be assured of their safety. He then asked, rhetorically, is it important to submit approval for selfish reasons, or is it more important to deny for safety reasons.

Mr. Quinby had questions regarding the cost of these improvements. He stated the boat storage should be funded 100% by the developer. Attorney Bob Miles stated the developer will contribute to the cost. He then distributed the following suggested language as a condition upon approval: "That the Georgia DOT's recommendation be recommended to the county for immediate implementation. That the owner contribute 50% of Glynn County's cost of the improvements to the intersection of the F.J.Torras Causeway and Marina Drive, but not in excess of \$25,000..."

Mr. S. C. Anderson, St. Simons Island resident, stated that due to the development being on private property, he feels that the county should not contribute to the cost.

Mr. Bill Barker stated that for the record, the Georgia Department of Transportation has no vested interest in this development.

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

Mr. Fell stated he is not opposed to this project but he is concerned about safety factors. He reiterated that he would like to see the entrance to Marina Village raised to avoid an optical illusion. Mr. Clark stated he is also concerned about safety, specifically, motorists existing the Marina. He commented that he is glad to see Georgia DOT making recommendations for improvements. Mrs. Touw stated she is still concerned about parking and traffic improvements. Mr. Flanagan pointed out that it would be advantageous to the owner to improve signage where the additional parking will be located. He stated the Planning Commission may wish to include this in the motion.

After discussion, the following vote was taken on the motion for approval: Voting Aye: Mr. Jerome Clark, Mr. Lamar Cole, Mr. Robert Fell and Mrs. Glenda Jones. Voting Nay: Mrs. Iris Touw. Abstained From Voting: Mr. Wayne Stewart.

For the record, the motion for approval is subject to the following conditions.

1. As recommended by the Georgia DOT, an acceleration lane west bound on the F.J. Torras Causeway shall be constructed. This was a condition of a 1982 Planned Development amendment. The installation of the acceleration lane also requires the closing of the access drives to the park and ride lot and public boat ramp. Access to these areas shall be provided as

per the final DOT plan. The owner, Boyce Mann, shall contribute 50% of Glynn County's cost of the improvements to the intersection of the F.J.Torras Causeway and Marina Drive (including access to boat ramp and parking), but not in excess of \$25,000.00, by depositing \$25,000.00 in funds or a Bank Letter of Credit with the county (or other form of security acceptable to the county) at the time of issuing a building permit.

2. Re-stripe entire parking lot to clearly delineate the parking spaces.
3. If parking problems occur (i.e. parking within the right-of-way or a negative impact on Riverwatch Condominiums owners ability to park), the Planning Commission may require additional parking spaces be added in the open area near the Riverwatch Condominiums.
4. Provide signs in the parking lot clearly identifying "additional parking" back towards Riverwatch Condominiums.
5. The large planting island shall be retained to preserve the healthy and mature vegetation buffer between the dry storage and the Riverwatch Condominiums subject to minimal impact if conditions warrant for additional parking.
6. Receive approval, in writing, from the County Engineer of the drainage plans.

Site Plan

**St. Simons Paints & Wallcoverings
Revisions to existing site plan and
building, convert existing second
floor storage area to building square
footage and add additional paved
parking, located on the south side of
Demere Road, zoned Planned Commercial**

Douglas and Janice Taylor, Owners

Mr. Douglas Taylor was present for discussion.

Mr. Reuter explained that Mrs. Touw asked him for his opinion on whether this request is a PD Amendment or a site plan. He stated the applicant has a second floor that is currently unfinished; however, when it is finished, additional parking will be created within the setback, continuing the same use upstairs. Mr. Reuter stated that the applicant is not expanding the footprint of the building and the buffer will not be impacted.

Chairman Stewart stated that the Planning Commission did not put a stipulation on the original approval of this plan; however, Mrs. Deborah Taylor (no relation to Douglas and Janice Taylor) stated that the County Commissioners did. She explained that there was a plan submitted with this rezoning which included a condition that the development shall meet all requirements for setbacks and buffers. She stated this refers to the plan that currently shows the parking as an open area.

Mrs. Iris Touw stated that for the record, she would like to make a statement regarding process prior to presentation of this request. She stated this has nothing to do with Mr. Taylor's application, pro or con. Mrs. Touw feels that this is important because Planned Commercial is a Planned Development, and this request is being presented as a site plan. She then made the following statement: "This is a Planned Commercial District and the ordinance states that any material change shall be treated as an amendment. Material change is defined as a change in land use, increased density, street access, public or common areas, building setbacks or buffers. In this case, we have, in my opinion increased density and change in use. To have made this an amendment would not in this case have created a hardship on the applicant, nor delayed consideration by this Commission. It would, however, ensure that we follow the process outlined in our ordinance in each and every case."

Chairman Stewart asked Mr. Flanagan to confer with staff and perhaps resolve this issue at a worksession. Mr. Flanagan concurred.

Mr. Schroeder presented the staff's report. He stated that the applicant is requesting to renovate 400 sq. ft. of storage area on the second floor and convert it to retail/office space. The physical therapy business located on the first floor is in need of additional space. To accommodate the medical use, the applicant is proposing to relocate the St. Simons Paints and Wallcoverings upstairs.

Mr. Schroeder explained that a medical use requires one parking space for every 100 sq. ft. of gross floor area. The gross area of the medical use downstairs is 1,600 sq. ft. The renovation upstairs of 400 sq.ft. will require one space per 200 sq.ft. of retail/office area. The combined parking requirement for the two uses is 18. In order to provide the required parking spaces, the applicant is proposing a small parking area (5 spaces) on the east side of the access easement. All parking areas must be paved.

Mr. Schroeder stated that staff recommends approval of the revised site plan for St. Simons Paints and Wallcoverings. Building plans and all proposed signs must be reviewed prior to construction. Also prior to construction or installation, permits must be issued. Mr. Schroeder pointed out that the Planning Commission's recommendation will be forwarded to the County Commissioners as part of the condition placed on the original plan. Mr. Douglas Taylor was under the impression that his request would be settled today by the Planning Commission. He stated he was not aware of this condition. Mr. Reuter explained that the condition was included in the approval letter from the County Clerk. Chairman Stewart stated to Mr. Taylor that this process may delay his request, but all efforts will be made to get him on the County Commissioners agenda as quickly as legally possible.

Mr. S. C. Anderson was present to oppose this request. He then referred to a letter submitted to Mr. Reuter dated January 9th expressing his concerns about zoning, traffic, permitted use, etc. He also stated that if medical use is allowed upstairs, handicap access needs to be addressed in this plan.

Mr. Douglas Taylor explained that the facility upstairs is not a medical use. He stated the original site plan allows him to use the space for rental and he can certainly lease the space to anyone he chooses to. He stated he has a total of 15 spaces. His original site plan only required 9 spaces and he has installed 6 additional

spaces. He stated that when he leased the space to Physical Therapy Plus he did not know that they were under a different parking ordinance. Mr. Taylor stated he feels that it is excessive to question the landlords parking whenever a tenant moves in the business; however, he is willing to work with the county and install additional spaces. He further stated that he has met all handicap requirements.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mr. Jerome Clark. Further discussion ensued. Mr. Fell asked if it is possible to approve this request and not require Mr. Taylor to install additional parking spaces. Chairman Stewart replied yes. Thereupon, Mrs. Jones amended the motion for approval with no additional parking. Voting Aye: Mr. Jerome Clark, Mr. Lamar Cole, Mr. Robert Fell, Mrs. Glenda Jones and Mr. Wayne Stewart. Abstained From Voting: Mrs. Iris Touw.

Site Plan

St. Simons Best Inn

**Request extension of site plan approval,
35 unit motel approved September 12, 1995
Located on the northeast corner of Oak St.
and Beachview Drive, 557 Beachview Drive,
St. Simons Island, zoned General Commercial
St. Simons Village Preservation District**

Abbas Vakili, Owner/Developer

Larry L. Bryson, Agent

Mr. Vakili was present for discussion.

Mr. Schroeder stated that the applicant is requesting a 12 month extension for the approved multi-family site plan. The site plan was approved by the Planning Commission on September 12, 1996. The extension would made the site plan valid through September 12, 1997. A letter from the applicant requesting the extension was included in the packages for the Planning Commission's review.

Mr. Schroeder stated that according to Section 619.6 Period of Validity, "No site plan approval by the Planning Commission shall be valid for a period longer 12 months, unless within such period a building permit is obtained and construction commenced. The Planning Commission may grant extensions not exceeding 12 months each upon written request of the original applicant if the application is substantially the same as the initial application. However, the Planning Commission has the power in such cases to attach conditions to its re-approval. Where the application for re-approval contains changes which the Planning Commission concludes materially alter the initial application, a new site plan review procedure shall be initiated."

Following discussion, a motion was made by Mrs. Glenda Jones to grant the 12 month extension. The motion was seconded by Mr. Jerome Clark. Further discussion ensued. Mr. Fell asked that a provision be added that the weeds, etc. will be kept under control. Thereupon, the motion was amended to include that the construction site will remain clean and attractive. The motion was unanimously adopted.

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

Preliminary Plat
Hamilton Island Subdivision
Located off Sea Island Road between
Frederica Road and Arthur Moore Drive,
10.540 acres, zoned R-12 One-Family
Residential; 11 Lots

Sea Island Company, Owner/Developer

Mr. Bill Edenfield was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the developer is proposing to construct an 11 lot subdivision which will be provided access from the south side of the Sea Island Causeway. He stated that all of the lots comply with the minimum area and width standards for an R-12 zoning district, and they are served by public water and sewer.

Mr. Schroeder pointed out that the 11 lots are separated from the Sea Island Causeway by a marsh and a buffer area. The buffer area shall be owned and maintained by the homeowners association and/or the developer. He stated the following departments have approved the preliminary plat for Hamilton Island: Fire Department, Public Works (Engineering and Traffic Safety), and the Water and Sewer Department.

Mr. Schroeder stated that staff recommends approval of this preliminary plat subject to the following:

Building Inspections:

1. Obtain a Sedimentation and Erosion Control Permit.

Planning & Zoning:

1. Provide approval letters from the Department of Natural Resources and the Corps of Engineers on the jurisdictional delineation.

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

Mrs. Touw asked why the flood zone statement was not included on this preliminary plat. Mr. Bobby Shupe, County Surveyor, replied that in this case, the entire subdivision is in one flood zone.

Mr. Fell stated that the entrance is located on a curb and he wanted to know if this would cause any problems. Mr. Shupe stated that there are current improvements for the entire intersection and the county has been involved in securing the permits. He stated there will be by-pass lanes going each way, with the center turn lane using the RPM raised pavement medians which will allow traffic to move in both directions. This will also protect the people in the deceleration lane. He stated the fully improved intersection has been approved by Mr. Ray Richard.

After discussion, the motion for approval was unanimously adopted.

**Preliminary Plat
McKinnon Court
Located at Malcolm McKinnon Airport,
St. Simons Island, 1.850 acres,
Zoned Planned Development-General**

**Glynn County, Owner
Airport Commission, Developer**

Mr. Gary Moore, Airport Director, was present for discussion.

Chairman Stewart asked if this is being presented for informational purposes due to the owner being Glynn County, or should the Planning Commission take action. Mr. Flanagan stated that in discussing this with the County Administrator, staff feels that because this is part of the subdivision property, it should be reviewed by the Planning Commission. However, Mr. Fell noted that when renovations were done to the Casino in the Village Preservation District, it was stated that such items do not have to come before the Planning Commission. Chairman Stewart stated perhaps this question should be addressed at a staff meeting.

Mr. Schroeder presented the staff's report. He stated that the developer is proposing to construct a cul-de-sac to serve future commercial development. Lots will be created on an as needed basis fronting on McKinnon Court. All future lots created will be in conformance with the Planned Development Text for the McKinnon Airport.

Mr. Schroeder pointed out that the length of the cul-de-sac was limited by the existence of an abandoned landfill on the site (located southeast of the cul-de-sac). He stated staff recommends approval subject to the following:

Building Inspections:

1. Obtain a Sedimentation and Erosion Control Permit.
2. If McKinnon Court is located in more than one flood zone, (elevation) the flood zone boundary shall be graphically shown on the final plat.

Engineering

1. Graphically depict the approximate boundary of the abandoned landfill.
2. Prior to the issuance of a building permit, a master or area drainage plan shall be developed to handle post-development runoff increment through detention.

Water and Sewer

1. If a 10 inch water line is installed along Airport Road prior to the distribution line for the proposed development, the development shall tap into the 10 inch water line.

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 asked if the motion includes just the roadway. Chairman Stewart replied yes, the motion includes the change in the road. Mr. Fell asked if the proposed road will serve all of the platted building sites. Mr. Gary Moore explained that he was aware of the identified landfill, but was not aware of the depth. Based on the geotechnical work done, the depth is 23 ft. in some areas. He stated that due to the identification of the boundaries of the landfill, the Court will primarily serve the hanger site. Also, based on the identification of the landfill, they won't be able to develop much beyond that point. He stated that approximately \$6,000 dollars were spent to identify the boundaries of the landfill.

After discussion, the motion for approval was unanimously adopted.

**Preliminary Plat
Coconut Grove Subdivision
Located on Old Belle Point Road
between Troupe Creek Drive and
Stuart Road, 2.6 acres, 6 Lots,
zoned R-12 One-Family Residential**

Allen Barr, Owner/Developer

Mr. Barr was present for discussion.

Mr. Schroeder presented the staff's report. He stated that the proposed development includes six (6) residential lots. The lots will be served by a community water system and individual septic systems. The property is zoned R-12 which permits a minimum lot area of 12,000 sq. ft.

Mr. Schroeder pointed out that all or portions of the development lie within the 100 year flood hazard area and all structures will be elevated to the minimum floor elevation as noted on the Federal Insurance Rate Maps (FIRM).

Mr. Schroeder stated that the following departments have approved the preliminary plat: Community Development (Building Inspection and Planning and Zoning with minor comments), Fire Department, Health Department, Public Works (Traffic Safety). He stated recommends approval of the Preliminary Plat for Coconut Grove subject to the following conditions:

Building Inspections:

1. If the subdivision is located in more than one flood zone (elevation) the flood zone boundary shall be graphically shown on the final plat.

Planning & Zoning:

1. Revise subdivision name depicted on plat.
2. Remove surveyor's notes 1 and 3.
3. Provide a location map on plat.

Engineering:

1. Drainage area map and drainage calculations are currently being reviewed. Approval of Preliminary Plat shall be subject to final drainage plan approval in writing.
2. Provide the location of the proposed permanent benchmark.

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

Preliminary Plat

Thornhill Creek Subdivision

Located on the west side of U.S.

Highway 17 north, between Deerfield

Drive and Thornhill Creek, 18 Lots,

Zoned R-20 One-Family Residential,

10.78 acres.

Thornhill Development, Owner

Mr. Keith Boone and Mr. Charles Johnson were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the proposed subdivision consists of 18 residential lots. The property is zoned residential (R-20) which requires a minimum lot area of 20,000 sq.ft. All lots, with the exception of lots 14 and 15, meet this criteria. The lots will be modified accordingly to make all lots meet or exceed the minimum area requirement. Mr. Schroeder explained that the minimum area is based on the net area of a lot, therefore, lots 14 and 15, which contain a significant amount of marsh (jurisdictional wetland), do not currently meet the 20,000 sq.ft. minimum lot area. Other areas of the development (i.e. the pond) may be filled without a permit because the state or federal government does not claim jurisdiction on that body of water.

Mr. Schroeder pointed out that the property is bounded to the north by Thornhill Creek, to the east by US 17, and to the south and west by the proposed Glynn Forrest Subdivision. The portion of Thornhill Creek adjacent to the property is tidal, therefore, a .41 acre sliver of jurisdictional wetland area is located along the northern property boundary. The developer has received approval of the marsh/upland boundary demarcation by the Department of Natural Resources. Also, the applicant has received a permit from the Georgia Department of Transportation to allow a driveway connection to serve the 18 residential lots. Section 602.2 d) of the Glynn County Subdivision Regulations requires a minimum separation of 660 ft. between streets intersecting with an arterial street (i.e. US 17). The separation achieved with approved connections by DOT is approximately 205 ft.

Mr. Schroeder stated that all of the property depicted hereon is within an AE-14 Flood Hazard Zone, and all finished floors within subdivision must be located a minimum of 14 ft. MSL. He stated recommends approval of the Preliminary Plat for Thornhill Creek Subdivision subject to the following:

Planning & Zoning:

1. Revise applicable lots (14 and 15) so that the net area (developable area) exceeds the 20,000 sq.ft. area minimum required in an R-20 zoning district.
2. Recommend connecting to Hardwood Drive (constructing, if necessary) to comply fully with the Glynn County Subdivision Regulations, Section 602.2d), or receive a variance from the Planning Commission.
3. Provide a copy of the nationwide permit letter approving the filling of the .05 acres of wetlands (or portion thereof) where Bird Bay Drive will impact jurisdictional wetlands.
4. Clearly depict the non-access easement along US 17.

Health Department:

1. The pond must be filled on Lot 5 to be considered developable.

Engineering:

1. County Engineer checking to ensure the use of 4 inch of graded aggregate will be sufficient as a base thickness.

Mr. Charles Johnson, surveyor, gave a brief presentation. He stated the developer does not have any objection to moving the lot lines on Lots 14 and 15, but prefers the layout as it is now. Mr. Johnson stated he was advised by staff that it was just practice to have a 20,000 sq. ft. requirement; however, he has not seen this specifically in the ordinance. He stated that being fairly new to this area, he was not aware of this practice.

Chairman Stewart stated in his opinion, if someone owns a piece of property and is paying taxes on the property, and if we tell them they cannot count that piece of property, then we have confiscated the property.

Mr. Keith Boone stated that he is aware that the property is not usable property, but DNR advised that he could put a dock on the property, and he now wonders if a dock makes the property usable.

Chairman Stewart stated in early 1995 in the State of California, the Supreme Court ruled that a required easement cannot be counted into the lot size. He reiterated that if a person owns a piece of property and has been paying taxes on the property, we cannot say the property does not exist. That is not fair. He stated if wetlands or a flood zone prohibits a person from using the property, then that's different. Otherwise, we cannot confiscate the property.

Mrs. Touw stated that in order to have a septic tank and an individual well, doesn't the Health Department require 20,000 sq. ft. or better. Mr. Reuter stated the Health Department requires 100 ft. separation. Mrs. Touw asked if this could be done on a 12,000 sq. ft. lot. Mr. Reuter stated that would be up to the Health Department to decide. He stated besides, that is unrelated to this issue. Mr. Boone stated that 20,000 sq. ft. is required for a dwelling in this zone, and he has that. He pointed out that this has been done in the past. Mrs. Touw explained that she was only asking the question because Mr. Boone is requesting individual wells and septic tanks. She stated she was trying to clarify if the Health Department had rules that would require 20,000 sq.ft., and if so, were those all uplands. She stated she understands that her question has nothing to do with what Chairman Stewart was talking about; however, it is relevant.

Chairman Stewart stated that the applicant is willing to work with the county. He again stated we cannot take property away from people, and this needs to seriously be addressed.

Mr. Reuter explained that the applicant has the ability to get smaller lots. He stated we are not taking any lots away from him. He just has to change his lot lines so that he has 20,000 sq. ft. of upland on each of those lots. Mr. Johnson explained that shifting the lots over to get the required square footage would create two very large lots and would make one lot fairly slender. He pointed to the lots on the plan that would be attractive due to being located along the water. Mr. Johnson stated the water is a selling point.

Chairman Stewart asked if the applicant is willing to accept staff's recommendations for voting purposes. Mr. Boone replied yes, if the Planning Commission tells him that he has to. He stated if it is in the zoning, then he would be glad to. Chairman Stewart stated in his opinion, which has nothing to do with any other Planning Commission member, he is not about to tell the applicant that he has to accept the recommendations. He stated this is his personal belief. Mr. Boone pointed out that he just does not want the recommendations to hold up the Planning Commission's decision for approval.

Mr. Gene Allen, Century 21 Island Development Company, stated he is the listing agent for Willow Creek Plantation which is an R-20 Subdivision on the south end of the county. He stated several lots are in a wetlands which reduces the sizable space on the lots. Mr. Allen stated that if Mr. Boone has to change his, then how many more subdivisions with wetlands are going to have to be changed. He stated there is a ruling that states something to the affect that once property is bought, the purchaser, on an individual basis, can alter wetlands. Mr. Allen stated he is in favor of Mr. Boone's request.

Mr. Johnson stated staff's recommendation (Item #2) to connect to Hardwood Drive, would not be a simple shifting of lines. It would require a total redesign of the subdivision. He stated this is just a proposed subdivision at this point and is not in place. Mr. Johnson stated that they have a permit from DOT to enter the property where they are working on now. They have to have access to the property, and he doesn't think that they can be required to get an additional access from adjoining property owners. He stated the preliminary plat that was approved did leave an access point along the south line.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request with the stipulation that Item #1 under Planning & Zoning recommendations be reviewed prior to going to the County Commission in order to obtain a legal ruling. Also, subject to deleting Item#2 under Planning & Zoning recommendations. The motion was seconded by Mr. Robert Fell. Discussion continued. Mrs. Touw stated she would like for the Planning Commission to be advised of the review and the outcome (of Item #1). She stated "just because we've made mistakes in the past does not mean we have to continue making mistakes." The motion was then unanimously adopted.

**Preliminary Plat
Serenoa Cove
Located on Buck Swamp Road between
Live Oak Lane and Laurel Grove
Plantation Drive, 38 Lots, zoned
Forest Agricultural, 61.85 acres**

Dream Maker Development, Inc.

Mr. Steve Stan and Mr. Roger Purcell were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the proposed development includes 38 residential lots. The property is currently zoned Forest Agricultural which requires a minimum lot area of 20,000 sq. ft. The lots will be served by individual wells and septic systems.

Mr. Schroeder pointed out that the majority of the lots are in excess of one acre in area. Ponds will be scattered throughout the site providing an attractive setting for residential development. The small pocket of wetlands on the eastern property boundary will be undisturbed.

Mr. Schroeder stated that the following departments have approved Serenoa Cove: Building Inspections, Planning/Zoning Division (minor comments), Fire Department, Health Department, Engineering and Traffic Safety. He stated staff recommends approval subject to the following comments:

Planning & Zoning:

1. Restrict access to lot 38 to within 200 ft. of the eastern property boundary.
2. Provide a completed Service Provider and Other Agency Review form.
3. Obtain a Sedimentation and Erosion Control Permit.

Engineering:

1. Provide a request in writing for a variance to the cul-de-sac length.
2. Final drainage approval in writing.

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.

Mr. Flanagan had questions regarding the variance request to the cul-de-sac length. Mr. Schroeder stated that Mr. Richard has recommended approval but staff needs written approval. Also, the Planning Commission would have to grant the variance.

After discussion, the following vote was taken: Voting Aye: Mr. Lamar Cole, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Wayne Stewart and Mrs. Iris Touw. It was noted that Mr. Jerome Clark was out of the room at this time and did not participate in the discussion.

**Blue Water Cafe
Discuss deviation from site plan
approved by the Planning Commission
on February 6, 1996**

Mr. Ace Harris, property owner, was present to give an explanation of the changes made to the site plan. He explained that problems occurred with the gable roof due to the location of a large tree. He stated the change in the roof line was done in an effort to save the tree.

Mrs. Jones stated this situation is a technicality due to the changes not being what was previously approved by the Planning Commission. Mrs. Touw stated that when the Planning Commission approves something and the owner/developer comes along and make changes and obtains a permit before bringing the plans back to the Planning Commission, is no way to do business. Mr. Flanagan advised that this is an in-house problem and it is currently being addressed. Mrs. Touw stated it would have been easier for Mr. Harris to bring the plans back to the Planning Commission. Mr. Harris stated that this happened as a result of turning the plans over to an architect. Chairman Stewart thanked Mr. Harris for the explanation and stated that no further action is required from the Planning Commission at this time.

GC-22-96

Request to rezone from MH Mobile Home Park to General Commercial, 1.04 acre tract fronting 354.13 ft. on the north side of Harley Circle and 233 ft. on the west side of Old Jesup Road, consisting of Lots 20, 21 and 25 Chapel Crossing, address known as 709 - 711 Old Jesup Road.

Mr. Larry C. Rentz, property owner, was present for discussion.

Mr. Reuter presented the staff's report. He explained that this application was originally submitted by the Estate of J. M. Rowland, for a rezoning to General Commercial and presented at the August 6, 1996 Planning Commission meeting. At that time, action was taken by the Commission to defer the request until such time as additional information and documentation could be obtained. The new owner, Larry Rentz, has amended the application and is requesting a rezoning to Local Commercial.

Mr. Reuter stated that the subject property is located northwest of the intersection of Old Cypress Mill Road and Old Jesup Road. He stated there have been other rezoning requests to commercial in the area that were denied due to being an intrusion into a residential area. The need for basic retail services in the residential area appears to be met by the existing commercial properties.

Mr. Reuter pointed out that Old Jesup Road, which has a narrow roadway (50 ft. right-of-way), is used as a cut-through between US 341, Spur 25 and Community Road. The intersections of Walker Road, Scranton Road, Old Cypress Mill Road and Habersham Street into Old Jesup Road create many vehicle turning movements at non-signalized intersections. Old Jesup Road currently has a traffic count of 8,165 vehicles per day (AADT) just south of Walker Road. Encouraging additional traffic into the area is not desirable.

Mr. Reuter explained that the general area is predominantly residential in character with two churches in the immediate area (Taylor Methodist and New Testament Baptist) and two Local Commercial properties rezoned in 1967 and 1969, (Lil Champ and north of Harvey Circle). If the current request is approved to commercial, other rezoning requests to commercial may be proposed. Therefore, this request should be evaluated with regard to the intended future characteristics of the area.

Mr. Reuter stated that currently, the structures located on the subject property are an existing one-story block residential structure and 2 block buildings. One of the block buildings being used as a garage sits on Lot 25, the same as the residence, and has been utilized as a body shop for many years. This is considered a non-conforming use within the zoning district. The owner proposes to use these structures for a showroom/retail floor area, office and storage.

Mr. Reuter stated staff feels that rezoning Lot 25 could be compatible with the surrounding area since there has already been a business on the property. The additional required parking could be provided on this lot to meet the requirements of the Ordinance. However, the remaining two lots, known as Lots 20 and 21, should remain as zoned. If these lots remain as zoned, there would be no further commercial encroachment into the residential area to the north and west.

Mr. Reuter 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;

The proposal is in character only with the existing Local Commercial zoned property and nonconforming commercial uses in the area, but is not in character with the overall general area.

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

The rezoning request will generate additional traffic in an existing congested area. The number of turning movements, narrow right-of-way and lack of sidewalks for pedestrians could make the additional traffic a safety hazard.

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;

Would be an introduction of additional commercial traffic in an already congested area.

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

Property depicted as low density residential.

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.

None that we are aware of.

Mr. Reuter stated that staff recommends approval of rezoning Lot 25 which consists of the existing structures. However, staff recommends denial of rezoning Lots 20 and 21 which would allow further encroachment into the residential area and would generate future commercial uses and traffic.

Mr. Rentz stated that he appreciates the staff's recommendation to rezone Lot 25, but he does not understand why staff is recommending denial of Lots 20 and 21. He stated there is residential property adjacent to Lot 20 and on the other side of the property is a tackle shop, laundry mat and barber shop. To the south of his property is a commercial business. He stated that the property across the street is R-9 One-Family Residential but it is being operated commercially. To the east of his property is a Lil Champ Convenient Store. Mr. Reuter stated that the Lil Champ is located in a Local Commercial zoning.

Ms. Linda Runyan, Ronnie Perry Realty, gave a brief history of the property. She stated that she knew the previous owner, Mr. Rowland, for approximately 5 years. Ms. Runyan stated she listed the property on May 13th and stated she has known it to be commercial for at least 21 years. Also, the tax card has it listed as commercial property. She pointed out that when Mr. Rentz put a contract on the property, his surveyor determined that the property was being taxed commercially but it was never actually rezoned. Ms. Runyan stated she later discovered that Lots 20 and 21 were accidentally, without Mr. Rowland's request, zoned Mobile Home at the time Harley Circle was rezoned. She stated that Lot 20 in particular is not zoned residential, but accidentally, it is zoned Mobile Home.

Ms. Jackie Sanders of 115 Harley Circle stated she is not opposed to this request, but she would like to know what the property will be used for. She stated Mr. Rentz explained to her that in the future, he would like to add a warehouse to the rear of the property. Her main concern is the deliveries of the products and materials to this warehouse, more specifically, work crews and heavy trucks coming in and out of the area. Ms. Sanders stated she would like the corner where her mother's home and business is located and also where she lives to be protected. She does not want the area congested. Additionally, she would like to know if the road will continue to be maintained. Mr. Flanagan stated that Harley Circle is on SPLOST priority paving list scheduled to begin January 1, 1997.

Ms. Sanders had further questions about the proposed warehouse. Mr. Rentz stated there will be a storage area on the rear of the property, not a warehouse. Chairman Stewart asked Mr. Rentz if he would be opposed to putting up a privacy fence. Mr. Rentz stated he would have no problem with putting up a fence. However, Ms. Sanders pointed out that the privacy fence is not really her concern. She's concerned about the entry and exit of trucks on Harley Circle.

Mr. Rentz pointed to the area on the map where he plans to install a 16 ft. drive and culvert. He stated the trucks would come in to the back of the building. He stated due to the small number of deliveries, he does not anticipate a lot of traffic. He

only expects a couple of deliveries per week. Mr. Rentz stated there will be no retail or across the counter sales. It will simply be a showroom for his products.

Chairman Stewart stated the Planning Commission does not have the authority to pose restrictions on a public street. He stated Mr. Rentz is willing to put up a privacy fence for the outdoor storage. Mr. Rentz clarified that there will be no outdoor storage. The building will be enclosed for storage.

Mr. Reuter explained staff's reason for recommending denial of Lots 20 and 21. He stated in the future, there is nothing to keep the owner from locating another use on the frontage area. Currently, Mr. Rentz does not have a proposed use to justify rezoning the two lots at this time.

Chairman Stewart asked Mr. Rentz if he would be opposed to coming back to the Planning Commission for a rezoning when he decides to develop Lots 20 and 21. Mr. Rentz replied no, he would not have a problem with that.

Following discussion, a motion was made by Mr. Robert Fell to approve this request subject to staff's recommendations. The motion was seconded by Mr. Jerome Clark. Voting Aye: Mr. Jerome Clark, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Wayne Stewart and Mrs. Iris Touw. Abstained From Voting: Mr. Lamar Cole.

GC-26-96

Request to rezone from R-6 One-Family Residential to Planned Commercial, Lot 65 of Glynn Haven Estates, consisting of approximately 3,000 sq.ft. and fronting 30 ft. on the south side of Oak Street (an existing unopen right-of-way) to be incorporated into Planned Commercial(7-96), located on the south west corner of Sylvan Drive and Oak Street; and Request to amend the Planned Commercial(7-96), proposed development of mini-warehouses, to eliminate the required setback on the south property line.

Property owned by Catherine S.Fitzgerald

Attorney Robert Cunningham, agent, was present for discussion.

Mr. Reuter explained that Mr. Cunningham is withdrawing the request to amend the Planned Commercial; however, the rezoning request to include Lot 65 is still desired at this time. He stated staff recommends approval of rezoning Lot 65 to be incorporated into Planned Commercial, subject to setback requirements of the Zoning Ordinance being met and included on the Development Plan and in the Planned Commercial Zoning Text.

Mr. Cunningham presented a survey for the Planning Commission's review. He explained that the applicant wants to add Lot 65 to pick up a little more high ground in order to maintain the same economic opportunity that the County Commission already approved.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Lamar Cole. Discussion continued. Mrs. Touw wanted to know if there is a 10 ft. setback on the perimeter of the property, and also, will there still be a 10 ft. setback requirement on Lot 65

even if it is filled. Mr. Cunningham replied yes. He stated that all previous plans will be thrown out. The new plan will show the 10 ft. setback around the perimeter of the property with the exception of Sylvan Drive which has a 25 ft. setback.

After discussion, the motion for approval was unanimously adopted.

GC-2-96 C

Consider amending Article VI General Provision, Section 617. Exceptions to Height Limits, of the Glynn County Zoning Ordinance, to place additional requirements on location of cellular and other transmission towers.

Initiated by the Glynn County Board of Commissioners.

Mr. Reuter stated that a survey was included in the September planning packages, along with a sample ordinance; however, nothing has been drafted for the county's ordinance at this time. Also, additional information is needed on FCC and FAA requirements. Following a brief discussion, it was the consensus of the Planning Commission to defer this item and schedule a worksession for further discussion.

GC-2-96 D

Consider amending Article X Appeals, How Taken, Section 1009. Appeals from Decisions of Board of Appeals, of the Glynn County Zoning Ordinance, to allow appeals from the Board of Zoning Appeals to the Board of Commissioners.

Initiated by the Glynn County Board of Commissioners

It was the consensus of the Planning Commission to defer this item until a written explanation is submitted by the County Attorney regarding the amendment. Chairman Stewart stated that this item will be discussed further at the worksession.

MINUTES

A motion was made by Mrs. Iris Touw to approve the Minutes of the July 23, 1996 Called Meeting, and the Minutes of September 10, 1996 Regular Meeting. The motion was seconded by Mr. Robert Fell. Voting Aye: Mr. Jerome Clark, Mr. Lamar Cole, Mr. Robert Fell, Mrs. Glenda Jones and Mrs. Iris Touw. It was noted that Mr. Wayne Stewart was not in attendance at these meetings and therefore did not vote.

STAFF ITEMS

Mr. Reuter gave a brief update on the Comprehensive Land Use Plan. He stated that the plan is still in the review process at this time. Staff received comments from Georgia RDC and from the Department of Community Affairs (DCA). He stated upon receiving approval from DCA, the plan will be presented back to the Planning Commission for review.

Also under Staff Items, Mr. Flanagan reminded the members that the next Planning Commission meeting is scheduled for Tuesday, November 5th which is on election day. He suggested changing the date to November 12th; however, it was noted that the day after is a legal holiday (Veteran's Day). Therefore, the Commission decided on Wednesday, November 6th, the day after the elections. (The time and place will remain the same.)

COMMISSION ITEMS

Mr. Fell stated that in an effort to express displeasure of the Board of Commissioners overriding decisions made by the Planning Commission, a meeting was suggested in July for this discussion; however, the meeting never took place. Mr. Fell stated he feels that the meeting is still necessary. Chairman Stewart noted that due to the recent appointment of new County Commissioners, perhaps it would be better to meet and discuss this issue with the new Commissioners. Mr. Fell agreed.

Regarding signs, Mr. Fell pointed out that the sign companies agreed to work with the Planning Commission and confer with the Garden Clubs on landscaping, pruning, etc.; however, if they are not going to do this, he thinks the Planning Commission should continue with the moratorium on the height of interstate signs.

Mr. Fell also commented that as previously stated, an egress lane is needed through Redfern Village to help alleviate potential traffic problems at Tabby Plaza. Mr. Reuter advised that he had spoken with the primary owner of Redfern Village who is interested in meeting with Mr. Tommy Stuart. Mr. Reuter will report back to the Planning Commission with an update.

In making presentations to the Board of Commissioners, Mr. Fell commented that instead of just reporting the Planning Commission's vote, he suggested that Mr. Reuter state the reason for the vote.

Also under Commission Items, Mrs. Jones quoted an article from the Islander concerning the Comprehensive Plan as follows: "...According to Reuter, the Planning Department staff propose district planning for Glynn County during the Planning Board Comprehensive Plan process. It was turned down by the planners and not included in the Comprehensive Plan...The districts are based on the 10 district planning map...Reuter said he was going to submit the district planning proposal one more time in hopes that the county board will include it in the Comprehensive Plan."

Mrs. Jones stated that she is not familiar with a 10 district planning map, and she doesn't remember this being presented to the Planning Commission to be included in the Comprehensive Plan. Mr. Reuter stated he thinks that it is a 13 district map. He stated Mr. Gilmour developed the map and refers to it as planning districts. It was also referred to as planning districts when the Board of Commissioners made the motions. Mrs. Jones stated the Planning Commission approved the map as a tracking map. She stated according to the article, this was presented by staff and turned down by the Planning Commission. Mrs. Jones stated she does not recall this being the case. Mr. Fell stated this was brought to the Planning Commission, but it was in the context of "micro planning" for a given area, as opposed to planning for the entire county as one area.

Chairman Stewart pointed out that the Planning Commission changed the wording from planning map to tracking map because of the general concern expressed by this board and audience members. He stated the Planning Commission has never refuse to go along with anything that is good planning. He stated they were trying to avoid individual planning districts because planning for the entire county is preferable. Mr. Gilmour stated this was important due to funding, etc. Chairman Stewart stated that the Planning Commission chose the term tracking map and Mr. Gilmour agreed.

Mrs. Touw reiterated her opinion on process. She stated it is very hard to separate the site plan from the text because when the site plan is approved, it is approved as a whole. Many times a site plan has information which becomes part of the text.

Mrs. Touw stated that Mr. Lee Noel (a former Planning Commission member) made a very aggressive argument when El Potro's came up for review. Mr. Noel wanted that to be brought to the Planning Commission for discussion and for a vote, but instead, the Planning Commission was given the initial information regarded as Hardee's. She stated the signage does not meet the Planned Development Text in this case. The information stated that staff would follow the letter from the Board of Commissioners. Mrs. Touw stated the letter is very explicit on signage. "They have the signage, it's in place, it's been permitted, and we can't change that." She stated had it come up for discussion with the Planning Commission, this might not have occurred. Mrs. Taylor stated the applicant does not have sign permits.

Mr. Reuter explained that the approval letter that was given to Hardee's many years ago, (prior to amendments to the sign ordinance) stated they were allowed to be permitted one sign. It was interpreted that the sign would be the one sign out on the road. Mr. Reuter stated he doesn't think that it meant the one sign limitation would limit their sign on the road and that they would have no signs on the face of the building. Mrs. Touw stated the letter said they would be allowed one identification sign; all other signs shall be directional. She stated that she doesn't know what they meant, but that's what it says. Mrs. Touw stressed that the Planning Commission needs to be very careful and more specific when approving and permitting things in Planned Development.

Chairman Stewart stated a meeting needs to be scheduled to review the different plans submitted on the possible revamping. He stated he is very concerned that it is apparently a foregone conclusion that we are going to re-do the planning board. He stated the Board of Commissioners asked that the Planning Commission review plans from Mr. Tullos, Mr. Parker and any other plans. He stated since the last meeting on St. Simons Island, another plan has been submitted but he has not seen it. Mr. Reuter stated that the plan Chairman Stewart is referring to came from Ms. Nancy Thomason and was distributed to the members at the September 10th meeting. (Mr. Stewart was absent for that meeting.)

Chairman Stewart pointed out that he does not recall the Board of Commissioners saying to go forth and revamp the Planning Commission. They asked that the different plans be reviewed. He stressed that nothing has been adopted. Mr. Dick Wiederhorn of Residents United for Planning & Action (RUPA) submitted a letter stating his opinion and the press has a right to print the letter. However, Chairman Stewart stated it disturbs him to read in the papers that "already the campaign is underway. The Island will have its own planning board and will have an architectural review board." Chairman Stewart stated he doesn't know who promised this to Mr. Wiederhorn, but the perception of promises can cause problems. He stated nothing has been written or adopted that says the Planning Commission will be divided. Chairman Stewart urged citizens to "look at the job that has been done by the Planning Commission and don't listen to rumors."

A worksession was scheduled for Wednesday, November 13th at 12:00 to discuss various plans for the Planning Commission and to address the towers issue.

There being no further business to discuss, the meeting adjourned at 12:55 p.m.

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