

MINUTES

GLYNN COUNTY PLANNING COMMISSION
JULY 1, 1997 9:00 A.M.

MEMBERS PRESENT: Wayne Stewart, Chairman
Richard Altman
Lamar Cole
Hal Hart
Glenda Jones
Iris Touw
Jonathan Williams

STAFF PRESENT: Keith Flanagan, Director
Ron Milburn, Planning Official
Dick Newbern, Planner
Janet Loving, Administrative Secretary

ALSO PRESENT: Lee Gilmour, County Administrator
Ray Richard, County Engineer
Jim Bruner, Asst. County Engineer

Chairman Wayne Stewart called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. He then introduced and welcomed Mr. Richard Altman as the new member of the Glynn County Planning Commission.

At this time, Chairman Stewart presented a plaque to Mr. Robert Fell in appreciation of dedicated service as a member of the Planning Commission. Mr. Fell thanked staff and the Planning Commission for their support during his three-year term.

Chairman Stewart gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items. He also announced that the Glynn County Board of Commissioners adopted a motion to have all Planning Commission meetings video taped due to controversial issues discussed. He then introduced and welcomed Ms. Sandy Jones of the Lone Star Film & Video Company.

**Preliminary Plat
Brampton Subdivision, Phase II
7.77 acres, located off U.S.
Highway 17 at Exit 6, zoned
Planned Development**

Robert C. Bryan, Owner/Developer

Mr. Robert Ussery and Attorney Tom Lee were present for discussion.

Mr. Dick Newbern presented the staff's report. He stated that the applicant is proposing to develop a Planned Development Commercial parcel. Each development in the Planned Development will be reviewed for individual site plan approval. Access for the site will be via US Hwy. 17.

Mr. Newbern stated that staff recommends approval of Brampton Phase II subject to the following:

Building Inspections:

1. Flood demarcation line between Zone X and Zone AE-14 should be shown on the final plat drawings.

Engineering:

1. Phase I drainage structures should be designed and installed to accept water flow from Phase II.

Water & Sewer:

1. Need design data on 10" sanitary sewer. Sewer slope must be .28% and not .25%
2. Need profiles from Manhole #7 on Brampton Drive South.

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

**Preliminary Plat
Hartford-By-The-Sea, Opening
Portion of Wilson Circle, Phase II
Open existing right-of-way to access
10 lots-of-record, located off Demere
Road, St. Simons Island, zoned R-6
One Family Residential**

**J.C. Strother Co., Inc., Owner
Sea Oaks, Inc., Robert Jenkins, Developer**

Mr. Robert Jenkins and Mr. Don Hutchinson were present for discussion.

Mr. Dick Newbern presented the staff's report. He stated that the applicant is proposing to develop 10 lots in the Hartford By The Sea Subdivision, and dedicate Wilson Road to Glynn County. He stated staff recommends approval of this request subject to the following:

Planning & Zoning:

1. Need to note on map where the area is shown that Lots 15-21 are existing lots-of-record (not 15-22).

Engineering:

1. Minor unresolved drainage issues need to be addressed.

Water & Sewer:

1. Need provision for 8 inch sewer (not 6 inch).
2. Need sewer services for Lots 33 & 16.

Mr. Ray Richard stated that the developer has agreed to redesign the detention pond due to the previous method not being acceptable. He pointed out that if this request is approved, the approval should be subject to the County Engineer's approval of the final drainage plans.

Mr. S. C. Anderson, St. Simons Island resident, commented that the Planning Commission needs to be sure that all projects have adequate water and sewer before recommending approval.

Mr. Flanagan stated he would confer with Mr. Benson of the Glynn County Water & Sewer Department regarding the number of water meters in place and report back to the Planning Commission.

Following discussion, a motion was made by Mr. Hal Hart to approve this request subject to the final drainage plans being approved by the County Engineer. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

**Little Oaks Subdivision
60.92 acres, located off Buck Swamp
Road, zoned Forest Agricultural**

Lloyd Tolar & James Langford, Jr., Owners

Mr. Roger Purcell and Mr. Tolar were present for discussion.

Mr. Newbern presented the staff's report. He stated that the applicant is proposing to build a 12 parcel one-family residential subdivision, which is permitted in the FA zoning district. He stated that the development will have access only to Buck Swamp Road with a private road that dead ends at two points.

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

Building Inspections:

1. Final plat should visually indicate location of subdivision signage.

Planning & Zoning:

1. Lots 6 & 7 must access Buck Swamp Road.

2. Need precise measurements and circumferences on the end of both dead end streets.
3. Specify access for unspecified lot to the north of Lot 5.

Water & Sewer:

1. Subdivision must connect to county water & sewer if and when such facilities become available and water withdrawal permit limitations are not exceeded.

Health Department:

1. Soil Science maps have been reviewed and area has been approved by Environmental Health.

Fire Department:

1. Owner has agreed to install Dry Hydrant at his expense and according to county specifications. Location of dry hydrant must be indicated on final plat.

Mr. Roger Purcell stated that all conditions have been addressed and included on the final plat.

Mr. Flanagan pointed out that this is a private dirt road that dead-ends, and for this reason, staff is asking that the access of the lots be shown. Only 10 lots may access a private dirt road or private easement. There are more than 10 lots in this development; however, there are also access points on other roads.

Following discussion, a motion was made by Mr. Richard Altman to approve this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

**South Point Subdivision
10.271 acres, located off East
Beach Causeway, zoned Planned
Development**

**North End Partners, L.L.C., Owner
DKK Development Co., Developer**

Messrs. Frank Deloach, Bill Foster, Jr. and Bobby Shupe were present for discussion.

Mr. Newbern presented the staff's report. He stated that the applicant is proposing to build a 20 parcel (PD) residential subdivision. This type use is permitted in the PD text dated June 4, 1996. Mr. Newbern stated that the development will have access only to East Beach Causeway. As part of the request, the Army Corps has authorized filling of up to .49 acres of wetland as shown on the plat.

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

Building Inspections:

1. A Sedimentation & Erosion Control Permit has been applied for but not yet granted by the Natural Resources Conservation service.

Planning & Zoning:

1. Change "common area" on south side of property to "buffer zone."
2. As recommended by the Army Corps, final plat should include a bold statement that "wetlands shown on this plan are under the jurisdiction of the Corps of Engineers. Owners may be subject to penalty by law for disturbance to these wetland areas without proper authorization."

Water & Sewer:

1. Grinder pumps not recommended here, the developer/engineer must investigate the option of connecting to private sewer in the easement along the west end of the development. Obtain invert elevations of sewer in easement to see if gravity service is available.
2. If developer/engineer insist on grinder pumps, the entire sewer system should be owned by the developer and/or its successors and maintained by them.

Mrs. Iris Touw asked for the definition of a grinder pump, will it be used or will there be a connection to public water and sewer. Mr. Newbern stated that Mr. Benson has determined that grinder pumps are acceptable in this particular area. Mr. Richard stated that a grinder pump is a pump that sewage goes into, it then grinds it up so that it can pass through a smaller pipe to be pumped out.

Mr. Bill Foster, Jr. explained that a grinder pump is a type of sanitary sewer pump commonly used when there are low flows and a few number of lots. The pump station will pump to a county owned and maintained gravity sewer system.

Mr. Bobby Shupe pointed out the area on the preliminary plat that is delineated as a buffer, which is part of the Planned Development Text. He explained that it is labeled as a common area because it becomes an area that the Homeowners Association will own. He stated staff wants to be sure that everybody knows that this is a buffer; however, the developers labeled this as a common area so that the documentation will convey that the Homeowners Association will own this as an entity and will be responsible for it. Mr. Shupe stated that in this area, they are also going to deed to Glynn County an easement over a drainage ditch.

Mr. Flanagan stated that the details have been worked out, but there is still the concern about the buffer. He stated this could also be worked out by including the statement that it is going to be a "buffer area/common area maintained as a buffer by the Homeowners Association." Mr. Shupe concurred. Mr. Richard stated that the same buffer area/common area is also a drainage easement. It is

very important that the county is able to access and maintain drainage on this particular ditch because it does drain a large area upstream. He stated there will be some under brushing required, and although the roads are private, Mr. Richard stated the developers have agreed to give the county ingress and egress through the private roads to get to the easement.

Mr. S. C. Anderson pointed out that the applicant did not submit a covenant, which would clarify a lot of the language. Mr. Anderson feels that the covenant should go along with this approval. He further commented that Mr. Benson has stated in the past that grinder pumps were very high maintenance items for water and sewer. The county may never recover the cost because of the small number of houses in the subdivision. Mr. Flanagan explained that Glynn County does not enforce covenants. He stated covenants would have to be resolved in court as a civil matter.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Regarding the common area adjacent to East Beach Causeway, Mrs. Jones asked if the wording would be changed to undisturbed buffer/common area. Mr. Shupe replied that it would state buffer/common area; however, for further clarification, they could include undisturbed buffer/common area on the final plat.

Mr. Williams stated that due to Mr. Anderson's comment regarding the high maintenance equipment, he wanted to know who would be responsible for maintaining the grinder pump. Mr. Deloach stated that the grinder pump would be dedicated to the county. Chairman Stewart asked if Mr. Benson had already approved the grinder pump. Mr. Newbern replied yes. Chairman Stewart expressed his appreciation for Mr. Anderson's input; however, he stated they have to rely on the staff who deals with these kinds of things daily. He stated if Mr. Benson says that the grinder pump is acceptable, then it is not an issue. "We have to go with what they tell us."

Mr. Hal Hart stated that he is concerned about access to Lot 17. He asked if the fill area would include Lot 17 and Lot 7. Mr. Shupe stated there are a lot of wetlands in the area, but they have permits to fill the wetlands. He then pointed out all areas to be filled, which would give them access to Lot 17.

Mrs. Touw stated the reason she and others ask so many questions about approval or change of mind on the grinder pumps is because Mr. Benson has stated that "if they insist on grinder pumps, he recommends that the grinder pumps be maintained by the developer." However, now we've been told that he has already approved the grinder pumps and the county will be responsible for maintenance.

Mr. Flanagan apologized for there not being a water & sewer representative present to answer questions. He stated he would submit a letter to the director requesting his attendance (or his assistant) at future meetings.

Mr. Roger Purcell stated that in the past two years, he tried to get grinder pumps accepted. He'd get an approval from the Environmental Protection Division, but the county would not accept them.

Mr. Flanagan stated that with the Chairman's permission, he would try to contact Mr. Benson and get him to the meeting to comment and answer questions. Permission was granted by Chairman Stewart.

Mr. Foster explained that Mr. Benson was trying to make sure that all efforts were made to tie this subdivision into the gravity system so that there would not be a pump station. He stated that due to the elevation of the gravity system and the elevation of the property, gravity sewer connection is not possible. After meeting with Mr. Benson, he determined that the only way this could be served is with the pump station. Also, due to the low number of units in the subdivision, a grinder pump is preferred. Mr. Foster stated that Glynn County has grinder pumps in other areas of the county.

At this time, Chairman Stewart reserved voting on this item until after Mr. Benson's arrival.

Minor Plat

**Redivision of a Portion of Block 84
Sea Island Subdivision, No. 1
5 lots, located between Butler Drive
(aka 33rd Street) and Kemble Drive
(aka 34th Street), Sea Island**

William Larry Singleton, Owner

Mr. Bobby Shupe, agent, was present for discussion.

Mr. Newbern presented the staff's report. He stated that the applicant is proposing to reconfigure 5 existing lots on original subdivided land. (Lots 1 & 2 attached survey already exists.)

Mr. Newbern pointed out that the new configuration will not increase the number of lots. It will change the size and frontage. Lots 4 & 5 have frontage on Kemble Drive, and Lots 6, 7 & 8 have frontage on Butler Drive.

Mr. Newbern stated that this application meets the requirements of the Glynn County Zoning Ordinance and the Subdivision Regulations for minimum lot size and width. He stated staff recommends approval of this request subject to the following:

Planning & Zoning:

1. Indicate on survey when buildings will be removed.

Mr. Shupe stated the owner anticipates that the buildings will be removed within the next week to 10 days. He stated this could be handled by placing a note on the plat. Mr. Robert Ussery stated it is the owners intent to

remove the buildings as soon as possible, but from an enforcement standpoint, he suggested making a contingency that no building permits will be issued on the other lots until the buildings are removed. Chairman Stewart stated he understands that this would stop the building, but in doing this, we are creating a lot-of-record and forgetting the setbacks. Mr. Ussery stated the plat shows the new setbacks and the buildings that will be removed. It also shows the encroachments that would be on the lots.

Chairman Stewart stated for clarification, no building permits will be issued for any lots until the buildings are removed and the lots are in conformance with the setbacks. Mr. Ussery agreed.

Following discussion, a motion was made by Mr. Richard Altman to approve this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

SUP-1-97

Request for Special Use Permit in a General Commercial Zoning District located within the St. Simons Village Preservation District, to permit a restaurant at 549 Ocean Boulevard, which is currently operating as "Gourmet To Go and Catering." Subject property located between Neptune Way and Oak Street (portion of Lots 4 & 5, St. Simons Park Subdivision.

Teresa Laxamana & Ellen Miller, Business Owners

Ms. Laxamana and Ms. Miller were present for discussion.

Mr. Ron Milburn presented the staff's report. He stated that this request is for a special use permit for the location of a restaurant in a General Commercial Zoning District located within the St. Simons Village Preservation District. The property is the site of the existing "Gourmet To Go & Catering" located at 549 Ocean Blvd.

Mr. Milburn stated that in 1996, the Planning Commission approved the signage for the food catering business for compliance with the St. Simons Village Preservation District. At that time, a special use permit was not required in that the business owners were not providing seating and serving. During discussion, it was pointed out that if seating and serving were to be provided at a later date, the owners would be required to submit a request for a special use permit.

Mr. Milburn explained that recently, staff received complaints that the business was advertising and operating as a restaurant. An inspection was made and found this to be true. A letter was sent to the owners outlining this matter, upon which the subject application was filed.

The concept plan submitted shows the location of the building, signage, landscaping and parking. Access to the parking area will be from the existing drive off Ocean Blvd. Mr. Milburn pointed out that the plan does not show the location of the dumpster. Staff recommends that the dumpster be placed in a location that will not be detrimental to the adjacent residential property (visual, noise or odor) or encroach into the parking area.

Mr. Milburn stated that the documentation submitted with this application and the previous submission outlines the requirements for compliance with the St. Simons Village Preservation District. He stated staff recommends approval of this request.

Ms. Laxamana stated she is not clear on staff's comment regarding the dumpster. Chairman Stewart explained to Ms. Laxamana that she should keep her dumpster close to her business and away from her neighbors. Mr. Milburn illustrated the location of the dumpster and the parking. He stated that if the dumpster interferes with the aesthetics in any way, the owner could install a fence to prevent the dumpster from being an eyesore to adjacent properties. Mrs. Touw stated she feels that someone on staff needs to go out to the property and really look at it to determine the best location for the dumpster.

Following discussion, a motion was made by Mr. Hal Hart to approve this request. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mrs. Touw stated that according to the Ordinance, the applicant should submit a plan that shows overall dimensions, total number of seats, number of employees, parking and hours of operation. She stated this application is very incomplete for a restaurant.

Chairman Stewart stated he also has some problems with this request. He stated he is in favor of small businesses, but in this case, some things were not done correctly. This request started out as a special use permit for catering and now it's turned into a restaurant, but the applicant is not in compliance with the Ordinance for a restaurant. (More information is needed as referenced by Mrs. Touw) He stated he is always willing to help small businesses, but everyone has to comply with the Ordinance. Chairman Stewart then suggested a deferral and advised staff to work with the applicant and bring this item back to the next Planning Commission meeting. Thereupon, Mr. Hart withdrew the motion for approval and offered a motion for deferral. The motion was seconded by Mr. Williams and unanimously adopted.

At this time, Mr. Flanagan returned to the meeting and discussion continued on Item #4, South Point Subdivision.

Mr. Flanagan stated that Mr. Benson is unable to attend the meeting due to a personnel conflict; however, he did relay his comments. Mr. Benson stated that he has been

working with Mr. Bill Foster, Jr. and the owners of this development. He commented that he would not prefer to have a grinder pump if at all possible, but advised not to hold up approval of this development based on that point. He and Mr. Foster would work toward looking at another system known as a pneumatic injector that would eliminate the need for grinder pumps if that is practical. He further stated that if they were unable to work this out, then he would concede to accepting the grinder pumps. He stated he has at least four in the water and sewer system in Glynn County.

After discussion, the following vote was taken on the motion for approval: Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Wayne Stewart.

**Minor Plat
Village at Glynn Place, Phase III
Create a 2.679 acre parcel, to be
known as Tract 2, having access
via existing easement**

**Thomas W. Wheeler, Jr., Applicant/Developer
Attorney Tom Lee, Agent**

Mr. Wheeler and Attorney Tom Lee were present for discussion.

Mr. Flanagan presented the staff's report. He stated that an 801 Minor Subdivision Plat has been submitted. Staff reviewed the information and determined that the plat was not in order to be signed based on the access involved. He stated it is staff's understanding that access to the parcel that the applicant proposes to subdivide is to be served by a road with a right-of-way of 85 and 60 ft. (to be known as Scranton Connector Extension). The subject road would be a connection road from Altama Connector to Altama Avenue.

The following documents were included in the packages for the Planning Commission's review:

Letter to Mark Schroeder from Tom Wheeler	March 12, 1996
Memo from Tom Wheeler to Ray Richard, etc.	March 18, 1996
Memo to Lee Gilmour from Dan Reuter	March 22, 1996
Memo from Lee Gilmour to Dan Reuter	March 25, 1996
Letter to Lee Gilmour from Tom Wheeler	March 27, 1996
Letter to Lee Gilmour from Tom Wheeler	March 29, 1996
Memo to Ellis Carter from Lee Gilmour	March 29, 1996
Minutes of Planning Commission Meeting	April 2, 1996
Memo to Lee Gilmour from Dan Reuter	April 2, 1996
Letter to Lee Gilmour from Tom Wheeler	April 4, 1996
Site Plan, Phase II	April 4, 1996
Letter to Tom Wheeler from Dan Reuter	April 8, 1996
Letter to Tom Wheeler from Mark Schroeder	May 8, 1996
Plat, Phase III	May 23, 1997
Letter to Keith Flanagan from Tom Wheeler	June 17, 1997

Mr. Tom Wheeler stated that he has come to the Planning Commission before on the 85 ft. right-of-way. For the benefit of the new planning members, he gave a brief history of the proposal.

Mr. Wheeler stated that in May 1982 he filed a zoning text with the County Commission, which showed the major roads proposed for the Mall, roads that he wanted to dedicate to the county, and roads that he would possibly do in the future. However, the road in question was not shown on the plan because he did not own the piece of property at that time.

Mr. Wheeler stated that in 1986 he acquired the property and wanted to sell a couple of pieces, so he filed a preliminary plat, which showed where the road would be built. He stated the fact that this has been in the record for some time has caused him a lot of problems in his efforts to expand the shopping center.

Mr. Wheeler then presented a traffic study that he had done and submitted to the county in 1982, which showed the plans for roads. Again, the road in question does not appear on this study. He stated when he came in early last year to get a permit to build onto the shopping center, staff effectively refused to let him to do so unless he showed the 85 ft. right-of-way. Mr. Wheeler stated in order to get his plat, he made a commitment then that he would show this as a right-of-way, but he was going to come back in and try to get it removed. He stated that he has always said that he would build a two-lane private road, but he has never made a commitment to an 85 ft. right-of-way that he thought would be a public road to hook back into the little stub section.

Mr. Wheeler pointed out the proposed 85 ft. right-of-way and stated that if it were to become a public road in the future, it would effectively eliminate most of the development opportunities of what could become Phase III of the shopping center. Not only is there an 85 ft. right-of-way, but there would also be a 25 to 50 ft. setback.

Mr. Wheeler stated that he met with Mr. Flanagan at the end of March 1997 to talk about this problem and eliminate the need for the 85 ft. right-of-way and possibly go with the two-lane road. Mr. Wheeler stated that he has lost his lease because he could not get started. He is particularly aggravated about this because in February 1996, without his knowledge, another branch of the company sold the piece of land to Wal-Mart, and the Planning Department authorized the filing of the plat.

Mr. Wheeler presented the 1986 preliminary plat, which shows the right-of-way, and the property now owned by Wal-Mart. He stated that this is the original plat. Mr. Wheeler felt that staff made a mistake by allowing the plat to be filed. Chairman Stewart asked Mr. Wheeler if his company sold the land to Wal-Mart. Mr. Wheeler replied yes. Chairman Stewart stated then perhaps Mr. Wheeler's company also made a mistake. Mr. Wheeler agreed, but stated he was not involved in the transaction.

At this time, Mr. Wheeler presented a letter dated December 12, 1986 and read the following: "Enclosed is a copy of the application for Preliminary Plat approval of the extension of Scranton Connector. This approval will be for the entire length of the extension from Altama Connector to Altama Avenue and will be good for two years after the date of approval. This will be presented to the Planning Commission for approval on January 6, 1987."

Mr. Wheeler stated he thinks the right-of-way went away about two years after approval in early 1987. He stated he would rather not win on this point but would rather win on the fact that the right-of-way is not needed.

Mrs. Touw stated that previously when Mr. Wheeler came to the Planning Commission the discussion was totally on the road because he wanted to put Goody's in and he had a time limit. Mr. Wheeler stated that he did not want to build a road at that time. However, reflecting back at the April 2, 1996 Minutes, Mrs. Touw stated when she asked Mr. Wheeler if the road had been there on the original plan, his response was yes. She pointed out that the Minutes also reflect that Mr. Wheeler stated "he would build the road, but it's just a matter of timing, he would build the road when Phase III is developed." Mrs. Touw stated this was confirmed to Mr. Gilmour on April 4, 1996.

Chairman Stewart stated there is no doubt in his mind, it was very clear that this road would be built, "it was just a matter of timing." He stated he is sorry that Mr. Wheeler's company sold the piece of property to Wal-Mart, but that there is no doubt in his mind that this road was promised, and there is a paper trail saying it was promised.

Referring to the March 12th letter, Mr. Wheeler read the following: "...for reasons discussed, we intend to re-file the zoning text in an attempt to eliminate this connector from Altama across the ditch through the shopping center..." Mr. Wheeler stated he made a commitment that he would build 325 ft. of road. He stated he would probably build closer to 500 ft. of road. He reiterated that he would build a two-lane road to nowhere, but he has no use for an 85 ft. right-of-way.

Mr. Flanagan pointed out that this is being discussed at this time because it is complicated and has a long history. He stated Mr. Wheeler and the entire county staff worked very hard to try and find a solution to provide access to the lot. In reviewing the preliminary plat on file, staff could not find an access that would not interfere with the proposed roadway. He stated we need to determine if the road is needed, and if so, what type of road is needed to accommodate traffic.

Mr. Ray Richard stated the road is necessary. Several months ago Mr. Wheeler asked him what would convince him that the road is not needed. He told Mr. Wheeler to provide a traffic study with engineering figures indicating that the facility could be reduced to two-lanes,

or eliminate it all together. Shy of that traffic study, Mr. Richard stated in his opinion the road is necessary. It would help alleviate a lot of traffic problems on Altama Connector.

Attorney Tom Lee stated that the county wants the road but the county does not want to pay for it, the county is not going to build the road, and the county is not going to participate. He stated it is not fair for Glynn County to say, "build us a four-lane road." He pointed out that Mr. Wheeler is willing to build a road to service the internal shopping center, but he should not be obligated under law to build a four-lane road to serve off-site property for the benefit of Glynn County. He stated the county wants the road, but the developer does not need the road.

Chairman Stewart stated we really don't know what the county wants to do at this point. The County Commission will make the final determination because he doesn't know if the road needs to be 85 ft. or 60 ft. He stated he agrees with Mr. Richard that a traffic study is needed. Chairman Stewart then suggested deferring this item for additional information and forwarding it to the County Commission for final action.

Mr. Wheeler stated he would like for the Planning Commission to accept his plat with the stipulation that the 85 ft. right-of-way would continue to be shown. He stated he is presenting the same plat, and the only difference is the proposed right-of-way is taken off and the lots have been subdivided.

Mrs. Jones wanted to know if the width of the right-of-way was discussed prior to the discussion on the 85 ft. right-of-way. She doesn't remember the right-of-way width being addressed when Goody's was discussed. Mr. Wheeler stated he doesn't remember discussing the right-of-way width, but if the county wanted a 25 ft. right-of-way he could live with that. Chairman Stewart stated he is not sure if the width was discussed, but he is sure the road was discussed, and in that discussion Mr. Wheeler stated he would build the road when Phase III is developed. Chairman Stewart advised staff to check the tape recordings of those meetings and have them available for review (along with other pertinent information) possibly at the July 17th Board of Commissioners meeting.

Following discussion, a motion was made by Mrs. Glenda Jones to defer this request. The motion was seconded by Mrs. Iris Touw and unanimously adopted. It was suggested that a worksession be held to further discuss this item. Staff was advised to coordinate the date and time and possibly schedule a worksession prior to the July 17th meeting.

GC-21-97

Request to rezone from Forest Agricultural to Planned Development, 19.76 acres located on the west corner of the U.S Highway 17 and Andy Tostensen Road/Half Moon Road Intersection, having frontage of 1,544.90 ft. on the north side of U.S. Highway 17 and approximately 325 ft. on the west side of Andy Tostensen Road.

**Robert C. Bryan, Owner
Ussery/Rule Architects, Agent**

Mr. Robert Ussery and Attorney Tom Lee were present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is to rezone a parcel of vacant land to Planned Development. A Planned Development Zoning Text and Master Plan has been submitted, outlining the development standards.

Mr. Milburn stated that the property is located at the corner of U.S. Highway 17 and Andy Tostensen Road/aka Half Moon Road, beginning approximately 2,000 ft. south of I-95 Exit 6. Directly across Highway 17 from the subject property is a 7 acre parcel (also owned by the applicant) that was rezoned to Planned Development last month (to be known as Brampton Phase II). The land uses that were approved for that PD are the same uses outlined to be permitted on this property, which are uses allowed in Freeway Commercial Districts. The Zoning Text further indicates that the following uses would not be permitted: adult entertainment and drinking establishments.

Mr. Milburn explained that a 50 ft. natural buffer will be provided between the subject property and the property located to the east, zoned Forest Agricultural and also owned by the applicant. There will be one new curb cut off Highway 17. The Georgia Department of Transportation has approved this curb cut, which will serve a frontage road for the commercial establishments. The other access point will be from an existing 50 ft. right-of-way (Andy Tostensen Road).

Mr. Milburn further stated that the master plan shows that additional right-of-way for intersection improvements will be granted by the applicant, along with access requirements. The Zoning Text also indicates that the developer proposes to dedicate the frontage road to Glynn County with all interior roads and circulation roads to remain private, and access easements to be given to the county. Mr. Ray Richard, County Engineer, has reviewed the plans and states that he does not feel the frontage roads should be dedicated to the county but should remain as part of the overall development road design.

Mr. Milburn stated that the Zoning Text outlines the minimum development standards for the commercial lots to be a minimum of 6,000 sq. ft., lot width of 60 ft., and the maximum building height would be 35 ft. He stated that in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

The properties on the west, toward I-95 will be developed for non-residential uses. This proposed development, Planned Development (Commercial), will serve the needs of the existing and future residential development.

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

The zoning proposal will enhance the residential development by providing commercial needs.

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

The current zoning is FA Forest Agricultural District. It is the intent that the FA Zoning District be utilized and reserved for general farming, tree growing purposes and residential. The subject property, because of its location, should be developed instead of utilizing it for general farming and tree growing.

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

The zoning proposal will not cause an excessive or burdensome use on existing streets due to U.S. 17 being designated as a "Highway" in the Functional Classification System and Levels of service section of the Comprehensive Plan. The designation of Highway is similar to limited access roadways, therefore U.S. 17 will be able to provide the level of service needed to serve the residential and commercial traffic volume.

- **Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan.**

Glynn County, through its Comprehensive Plan has adopted the concept of Urban Service Districts. Within these districts, land use guidelines have been established for particular land use types as follows:

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.

POLICY I-3.1: Innovative land use development patterns including PUDS and cluster zoning shall be permitted and encouraged.

POLICY I-3.5: Neighborhood commercial uses may be permitted within areas designated for residential development provided these activities are compatible with adjacent land uses and adequately landscaped and buffered.

POLICY I-3.6: Minimize scattered commercial development by encouraging the development of shopping centers and clustered commercial development as designated on the future land use maps.

POLICY I-3.7: All commercial development shall be adequately buffered from non-commercial use.

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

The changing conditions in this area are the residential development and the commercial development that serves residents and the I-95 travelers.

Mr. Milburn stated that the proposed rezoning is in conformance with the policies and intent of the Comprehensive Land Use Plan. After reviewing the other five considerations as outlined in Section 1103, staff recommends approval of this request.

Mr. Robert Ussery commented that when planning the site, the intent was to provide local commercial areas that would service the residential areas located further off the highway, and to also provide office opportunities for industrial areas located closer to Brunswick, i.e., Colonel's Island.

Attorney Tom Lee pointed out that after submitting this request, he spoke with residents in the area who were concerned about drinking establishments and adult entertainment centers. In order to accommodate their concerns, he prepared an amendment deleting those two uses from this tract of land.

Mr. Joseph Iannuzzelli of Satilla Shores was present to oppose this request due to potential traffic problems. He stated there is already a hazardous traffic problem with trucks in the area and this development would add to the problem.

Chairman Stewart commented that there was some discussion at the Board of Commissioners meeting regarding trucks pulling in and out at that location. Mr. Lee Gilmour stated that per the Board, all truck stops in that area were contacted and asked to advise the drivers to exercise caution; however, the response has been poor and the problem still exists, particularly with the larger 18 wheelers and the logging trucks. He stated that the Board has also authorized illumination lighting at that particular exit. The Board has further asked staff, in conjunction with Georgia DOT, to examine some type of signalization.

Following discussion, a motion was made by Mrs. Iris Touw to recommend approval of this request subject to the zoning text being amended to further define trucks, i.e., tonnage and number of wheels. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

The Planning Commission took a 10 minute recess. The meeting resumed at 11:30 a.m.

GC-23-97

Request to Rezone from R-20 One-Family Residential to Forest Agricultural, 1.17 acres fronting 439.17 ft. on the west side of Canal road beginning 1,015 ft. north of the Canal Road and Cate Road Intersection.

Diversified Investments, Inc., Owner

Mr. Ralph Lackey was present for discussion.

Mr. Milburn presented the staff's report. He stated that this request is to rezone a parcel of vacant land from R-12 Residential to Forest Agricultural to allow the placement of a mobile home. The subject property was a portion of a larger tract of land (20 acres) which was rezoned to R-12 One-Family Residential in 1994. A portion of this tract has been developed as a single-family residential development, Timber Ridge Subdivision.

Mr. Milburn explained that the property is divided from the remaining property due to wetlands, which cannot be developed. Therefore, the developer is requesting to revert the zoning back to Forest Agricultural, which would be compatible with the surrounding area. (The area consists mainly of undeveloped agricultural land and mobile homes.)

Mr. Milburn stated that in order to further evaluate this request, the following matters were considered in developing staff's recommendation:

- **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 property to the north and west is zoned FA and vacant, except for one mobile home.

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

No.

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

Yes.

- **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, the use will not change (just the type of structure).

- **Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Land Use Plan;**

Yes, as stated above, the use will change.

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

No.

Mr. Milburn stated that staff recommends approval of this request.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

MINUTES

A motion was made by Mrs. Glenda Jones to approve the Minutes of the June 3, 1997 Planning Commission meeting. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Lamar Cole, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Wayne Stewart and Mr. Jonathan Williams. Mrs. Iris Touw was absent for the June 3rd meeting and therefore abstained from voting. Mr. Richard Altman was not a member at that time and also abstained from voting.

STAFF ITEMS

a) Buffers & Screening of Public Utility Substations

Mr. Flanagan stated that staff had been working with the utility companies on requiring them to have certain types of fences, buffers and/or planted vegetation; however, it is unclear as to whether or not staff has the authority to make such a requirement.

Mr. Lee Gilmour pointed out that two issues have come to his attention that require direction or a recommendation from the Planning Commission. He stated the first issue is the concerns that a portion of the current code relating to power sub-stations is being interpreted to apply to the digital loop or slick boxes. If this interpretation is correct, this would not be just a Bell South issue, but it could also be applied to the cable company, GA Power, Glynn County or the City of Brunswick for the water and sewer facility.

Mr. Gilmour stated he would first recommend that the Planning Commission concur that the fencing requirements only apply to power sub-stations and not to digital loop or slick boxes. Secondly, he would recommend that until there is further study by the Planning Commission and/or staff, the arrangements for these types of utility systems should remain between the property owner and the utility company.

Chairman Stewart agreed that if the ordinance is interpreted in this manner, there are a lot of underground boxes in subdivisions that would probably require a cyclone fence. He stated if an underground utility box is placed on private property, he feels that the property owner or the Homeowners Association should address it.

Mr. Flanagan stated staff began receiving complaints from residents and citizens asking if we have a requirement for screening, fencing and/or buffering utility sub-stations. He stated that when he and Mr. Gilmour examined the ordinance, they were in agreement that this would only apply to power sub-stations. Mr. Flanagan stated that from a safety standpoint, fencing is basically for the public's protection. He stated that when staff tried to respond to the complaints, the question was raised that we should include something in the ordinance which requires screening, fencing or buffering. Mrs. Jones explained that anytime a utility company does anything on county right-of-way, a permit is required from the County Building Inspections Office, but the main state routes require a permit from Georgia DOT.

Regarding the power sub-station, Mr. Williams wanted to know if there were any stipulations regarding safety and aesthetics. Mr. Gilmour explained that private property concerns would have to be researched further due to the permitting process. However, from the county standpoint, the vendors confirm that the boxes are clearly marked and are safe, therefore whatever screening is done is primarily from an aesthetics view.

Chairman Stewart suggested that either a committee be appointed to review this further, or the Planning Commission could vote to continue the process as currently done. Mr. Flanagan stated both suggestions are needed. He stated direction is needed from the Planning Commission to interpret that buffer requirements apply to power sub-stations only at this time as the current ordinance is written. Thereupon, a motion was made by Mr. Hal Hart to recommend that the buffer requirements, including fencing, be applied only on electric power sub-stations. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

Mr. Flanagan suggested that he and Mr. Gilmour review staff's recommendation, afterward; Mr. Flanagan would submit a recommendation to the Planning Commission for consideration of requirements. The Planning Commission concurred.

At this time, Mr. Flanagan distributed information from the existing ordinance and from DeSota County, Florida on landscape buffers, comprehensive plan requirements, and landscaped buffer strips, along with the definition of a

buffer which states: "A space (width) or portion of land that contains a landscape barrier or an opaque barrier such as a wall made of brick, stone, block or wood.." Based on the information presented, Mr. Flanagan suggested that the Buffer Landscaping Committee be re-appointed to further review buffers in Glynn County. He stated Mrs. Glenda Jones made an interesting comment that not only should proper buffering and landscaping be required, but proper maintenance of those buffers should also be required.

Chairman Stewart then appointed the following persons to serve on the Buffer Landscaping Committee: Mr. Lamar Cole (Chairman), Mr. Richard Altman, Mr. Ron Milburn and Mr. Keith Flanagan. He advised them to review this information and submit a recommendation to the Planning Commission at a later date. Mrs. Touw asked that the committee also review the information submitted on lighting & landscaping.

b) Proposed Revisions to Glynn County Zoning Ordinance

1) Towers, Requirements and Regulations

Mr. Flanagan stated that a consensus has not been reached at this time. Staff will continue to review the outstanding issues and report back to the Planning Commission. Chairman Stewart advised Mr. Flanagan to coordinate a meeting with the members, staff and the County Attorney and submit something in writing to the Planning Commission.

2) Exemptions to Height Requirements

Mr. Flanagan distributed information on height limitations. He asked the members to review this information and return their written comments to him. Mr. Flanagan will forward all comments to the County Attorney for further review.

3) New Zoning District

Information on new proposed zoning district, Section 721. II Intense Industrial District, including permitted uses, special uses, etc. was distributed for the Planning Commission's review and a general discussion followed.

COMMISSION ITEMS

Chairman Stewart advised that due to the county's workload, the Building Review Committee will be addressed upon completion of the budget process.

Regarding water resources, Mrs. Touw asked if the Planning Commission could possibly obtain a statement from Mr. Bob Benson as to the number of users we have, what he anticipates in the cap over the next 5 or 6 years, exactly where we stand, and what problems we face. She stated this information would be helpful in the decision making process.

As chairman of the Long-Term Water Resource Committee, Mr. Gilmour advised that the committee has recommended the firm of Jordan, Jones & Goulding to the Board of Commissioners to begin a study, which will be addressed by the Board of Commissioners tonight at their regular meeting. The completion time for the study is estimated to be in December or January.

Mr. Gilmour stated he would have Mr. Benson submit to the Planning Commission what the available permitting capacity is with the cap that we have for St. Simons Island, the information for Exit 6, and the status of what EPD refers to as Mainland North, which is the Spur 25 pumps and the Ridgewood System on the other side of I-95.

There being no further business to discuss, the meeting adjourned at 12:25 p.m.