

# MINUTES

GLYNN COUNTY PLANNING COMMISSION  
MARCH 4, 1997 9:00 A.M.

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

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

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

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Chairman Stewart stated that items 1, 2, and 3 on the agenda could be approved by consent, provided no one is present to oppose; however, the applicant for item #2, Ms. Lynn Phipps, advised that she would like to discuss staff's opposition to the sign at 210 Mallory Street. Therefore, Chairman Stewart stated item #2 on the agenda would be discussed. A motion was made by Mr. Hal Hart to consent approval of agenda items 1 and 3. The motion was seconded by Mrs. Glenda Jones and unanimously adopted.

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**210 Mallory Street**  
**Repaint existing facade teal**  
**color, zoned General Commercial-Core**  
**Lynn Phipps & Kathy Lockhart, Applicants**

Ms. Phipps was present for discussion.

Mr. Mark Schroeder presented the staff's report. He stated that the applicants are proposing to repaint the existing facade from a light tan to a teal color. The business name will also change from Scarlett's Courtyard to Craft Works. A new wall sign will be mounted in the same location with a similar design as the existing sign and the lettering will be a light gold color. In addition, a sign is proposed to suspend below the overhang for pedestrians with dimensions of 8" high x 26" wide.

Mr. Schroeder explained that the external changes (facade color and signage) are in harmony with the standards of the St. Simons Village Preservation District. The suspended sign must be a minimum of 9 ft. above the sidewalk in accordance with Section 804.2d of the Zoning Ordinance. Mr. Schroeder stated that it appears this requirement cannot be met, therefore, staff's recommendation is for approval of all improvements with the exception of the suspended sign. Photographs and color samples were presented for the Planning Commission's review.

Ms. Phipps stated she is aware that the sign needs to be 9 ft. above the sidewalk; however, her biggest problem is visibility due to a large Oleander bush that grows during the Summer months near her establishment. She stated she would like to make a smaller sign or move the sign, but people need to be able to see her business.

Chairman Stewart asked that if one sign were allowed on the end of the overhang, would that meet the requirements. Mr. Schroeder replied yes. Ms. Phipps was in agreement.

Following discussion, a motion was made by Mr. Robert Fell to approve this request with one sign being limited on one end of the overhang. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

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#### **Site Plan**

**Altamaha Village Mobile Home Park  
Located off Blythe Island Highway  
and Lake Drive, 11.4 acres, zoned  
Mobile Home Park, 60 mobile home  
lots.**

#### **Andrew "Speedy" Tostensen, Owner**

Mr. Tostensen was present for discussion.

Mr. Schroeder presented the staff's report. He stated that on January 7, 1997, the Planning Commission approved a secondary entrance from Lake Drive in lieu of additional improvements to the existing entrance from Highway 303.

Mr. Schroeder pointed out that the applicant has further modified the original Mobile Home Park requiring re-approval from the Planning Commission. The only changes from the originally approved Mobile Home Park include an additional 2 lots and relocation of the common open space area.

Mr. Schroeder stated that the proposed development adheres to the requirements outlined in Section 725.3 of the Glynn County Zoning Ordinance with the exception of #8 to clearly denote, "A suitable buffer planting screen, wall or fence 6 ft. in height along the parks perimeter in conformance with Section 613." Mr. Schroeder stated that the applicant has agreed to comply with this requirement which will be noted on the approved plans. He stated staff recommends approval of the Altamaha Village Mobile Home Park.

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

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**Site Plan**

**St. Simons Grand, Phase I  
Located off Ocean Blvd.  
6.8 acres, 81 units, zoned  
Resort Residential**

**St. Simons Grand, L.L.C.  
Owner/Developer**

It was the consensus of the Planning Commission to discuss this item later in the meeting pending arrival of representatives.

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**GC-6-97**

**Request to rezone from Medium Residential to Planned Development-Residential, 11.139 acres known as Cypress Run Subdivision, Phase II, located on the east side of Old Cypress Mill Road.**

**Property owned by Deborah and Ronald Sawyer.**

Mr. Ronald Sawyer was present for discussion.

Mrs. Deborah Taylor presented the staff's report. She stated that this request is to rezone 11 acres platted as Cypress Run Subdivision, Phase II, located on existing roads dedicated to the County. The main access road located on the east side of Cypress Mill Road, known as Cypress Run Drive, provides access for the subject property and will be extended in the future to serve approximately 12.55 additional acres.

Mrs. Taylor stated that the property was rezoned from R-9 One-Family Residential to Medium Residential in 1995 for the development of duplexes. Following the rezoning, the property was subdivided. When the developer/owner began construction of the duplexes within the second phase of the subdivision, he had a desire to construct a duplex on each lot (31 lots) and subdivide the lot and unit to accommodate separate ownership of each side of the unit.

Mrs. Taylor pointed out that the Glynn County Zoning Ordinance outlines this type development as a one-family attached dwelling. The definition of a one-family attached dwelling is as follows:

Dwelling, One-Family Attached

A one-family dwelling attached to one other one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

- a) The development shall contain not less than 6 units with a minimum frontage of 270 ft. on approved paved roads;

- b) The units shall be served by public water and sewer; and
- c) Each set of lots shall have a minimum lot width of 90 ft. to be split into 45 ft. frontage lots with a minimum of 4,500 sq. ft.

Mrs. Taylor stated according to the Zoning Ordinance, the only zoning district that allows one-family attached dwelling is General Residential. The subject property is currently zoned Medium Residential and the applicant does not desire to rezone the property to General Residential due to the density requirements. Medium Residential allows 16 units per acre, whereas General Residential only allows 10 units per acre. Therefore, a request has been submitted to rezone to Planned Development setting standards to permit this type construction.

Mrs. Taylor stated that the Planned Development Zoning Text has been reviewed with the following being addressed. The proposed one-family attached dwellings would consist of 9,000 sq. ft. However, splitting the unit and lot would not consistently result in two 4,500 sq. ft. lots to meet the minimum lot width.

The submitted Planned Development Zoning Text states the following:

"Our objective is to allow the splitting of a duplex into two separate single-family dwellings, cutting the current 9,000 sq.ft.lot into two parts using the center of the duplex as the dividing line. This would not necessarily cut the lot into two 4,000 sq.ft. lots, but would split the 9,000 sq. ft. lot into two lots with zero lot lines. We would still have 20 ft. setback from front or side streets and 7 ft.setback from the side of any duplex to the adjoining property and minimum rear yard of 15 ft. and a maximum height of 45 ft."

Mrs. Taylor stated exceptions from the requirements of the Zoning Ordinance are being requested, as follows:

1. 20 ft. minimum road frontage width on each single-family home after splitting of duplex.
2. 20 ft. minimum rear property width on each single-family home after splitting of duplex.
3. At some point from front property line to rear property line, the lot width must be at least 45 ft.
4. 3,000 sq. ft. minimum lot size, every lot less than 9,000 sq. ft. would have been created from the division of a 9,000 sq. ft. lot. For example, if a 9,000 sq. ft. lot was divided with one side at the minimum of 3,000 sq. ft., then the remainder of the original lot would be 6,000 sq. ft.

Mrs. Taylor stated that in order to further evaluate this request, the following matters were considered in development 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.

- 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 or existing streets, transportation facilities, utilities, schools;

No.

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

Shown as Low Density Urban.

- 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.

Mrs. Taylor stated staff recommends approval of this request subject to the requirements of the Planned Development Zoning Text dated February, 1997 being met. She pointed out that the zoning text will be corrected to reflect 31 lots. Any additional lots would have to be reviewed and approved by the Planning Commission.

Following discussion, a motion was made by Mrs. Iris Touw to recommend approval of this request subject to the zoning text being corrected. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

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**It was noted that the representatives were now present to discuss St. Simons Grand**

**Site Plan**

**St. Simons Grand, Phase I  
Located off Ocean Blvd.  
6.8 acres, 81 units, zoned  
Resort Residential**

**St. Simons Grand, L.L.C.  
Owner/Developer**

Messrs. Clint Burdett, Ed Hancock and Bob Hancock were present for discussion.

Mr. Schroeder presented the staff's report. He stated that the 81 unit condominium structure will be three-stories with the majority of the parking located under the building at ground level. The overall height of the structure will not exceed 45 ft. with a few exceptions outlined in Section 617 of the Zoning Ordinance. On February 4, 1997 the Planning Commission approved the above

referenced project provided that, "no roof line in excess of 45 ft." Mr. Schroeder stated that the stair and elevator towers exceed the 45 ft. limitation. The stair towers exceed the height limitation in order to provide access to the roof in case of emergencies (i.e. fire) and for general maintenance of the roof and HVAC units. The elevator motors are located in the towers, therefore, the additional height is necessary.

Mr. Schroeder explained that staff interprets Section 617 to permit exceptions to height for stair and elevator towers. The towers are necessary elements as described in the general description.

Mr. Clint Burdett, architect, presented excerpts from the Southern Building Code supporting the necessity of the stair towers for roof access as outlined in the staff's report. He further explained that the elevations were designed with a 45 ft. height limitation in mind. Also reviewed was Section 617 of the Zoning Ordinance, Exceptions to Height Limits, which allows various towers, cupolas, elevators, etc.

Mr. Burdett stated that the only objects in the elevations that extend past this height limitation are the elevator and stair towers. He then presented the plans with the towers marked and further explained the need for an equipment room.

Chairman Stewart asked if there is anyway the elevators could be designed so as not to exceed the height limit; however, Mr. Burdett replied, "not that they know of." He then elaborated on the mechanical workings of a hydraulic elevator.

Following discussion, a motion was made by Mrs. Glenda Jones to approve this request. The motion was seconded by Mr. Lamar Cole. Discussion continued regarding access to the roof. As pointed out in the letter submitted by the applicant, reasons for extending the stair towers include Fire Department access to the roof, maintenance, and the use of rooftop HVAC units.

Mrs. Touw stated she feels that the ordinance needs to be clarified. In her opinion, this type of elevator does not apply to the definition given in the ordinance. Mr. Hart agreed with Mrs. Touw; however, he stated the problem is in the ordinance and not the applicant's design. Other Planning Members concurred. Mr. Fell stated the ordinance needs to be re-examined and perhaps state that **nothing** shall exceed 45 ft. Chairman Stewart pointed out that according to the ordinance, the Planning Commission does not have a right to deny this request. He suggested the ordinance be discussed further under Commission Items.

Due to the concerns expressed regarding access to the roof, Mrs. Jones amended her motion to include a condition that no access shall be allowed to the roof except for safety inspections and maintenance purposes. The amendment was accepted and the following vote was taken. Voting Aye: Mr. Lamar Cole, Mr. Robert Fell, Mr. Hal Hart, Mrs. Glenda Jones, Mr. Wayne Stewart and Mr. Jonathan Williams. Voting Nay: Mrs. Iris Touw.

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GC-7-97

**Request to amend Planned Commercial 24-94 Zoning Text to allow a restaurant (not fast-food or drive-in) as a permitted use. Subject property consists of 2.535 acres fronting 248 ft. on the south side of Demere Road, located approximately 2,926 ft. west of Retreat Road and lying immediately east of Ace Garden Center.**

**Property owned by Palm Coast Associates.**

Attorney Carl Bystrom and Mr. Paul Sanders were present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is to amend the Planned Commercial Zoning Text and Master Plan for GC-24-94 to allow a restaurant (not drive-in or fast-food) as a permitted use. The subject property is located on the south side of Demere Road, directly across from the entrance into the Brockinton Plantation.

Mrs. Taylor explained that the property was rezoned from Medium Residential to Planned Commercial in 1994, at which time staff felt the permitted uses should be limited. The public health, safety and general welfare would be at risk by allowing uses that would increase traffic and turning movements onto Demere Road, and the residential area nearby could be adversely affected by certain commercial uses. The type uses staff felt should be excluded were restaurants, bars and drinking establishments, gas or automobile service stations, grocery stores, liquor stores and movie theaters. The applicant/owner followed staff's recommendation at that time and eliminated all of the referenced uses for the site.

In 1995, the applicant/owner submitted an application to amend the Planned Commercial to allow a full service restaurant as a permitted use. This request was denied by the Glynn County Board of Commissioners. The request at this time is to amend the Planned Commercial to allow a restaurant, not including a drive-in or fast-food, as a permitted use.

Mrs. Taylor stated that this application has been reviewed by the Planning and Zoning staff, including the Transportation Planner and County Engineer. The County Engineer states it appears that changing the zoning text to allow a restaurant could adversely impact traffic on Demere Road. Staff feels that the increased traffic generated by a restaurant would increase turn movements on Demere Road, which currently operates as the main transportation arterial on St. Simons and is operating above the designed capacity. The Institute of Transportation Engineers 1991 Trip Generation Manual estimates 96.51 trips per 1,000 sq.ft. gross floor area for a restaurant. Based on the proposed 6,000 sq.ft. building, the total daily trips generated would be 579. Demere Road currently operates at 13,000 trips per day.

Mrs. Taylor 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;

No, nearby properties are residential and less intensive retail uses. Existing retail and office uses in this area generate less traffic, have standard hours of operation (9:00 a.m. 5:00 p.m.) A restaurant, especially one that might serve alcohol, would change the residential and office character of the area.

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

Yes, will adversely affect current and residential developments in this area of Demere Road. Hours of operation, traffic, noise and lighting associated with this use would be a significant change to the immediate area.

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

Yes, the Planned Commercial Zoning Text outlines compatible uses that are permitted.

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

Yes, as previously stated.

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

The existing less intense retail and commercial uses and the permitted uses for the subject property would be in conformance.

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

Yes, the continuation of residential development along the north side of Demere Road in this immediate area would be impacted by more intense commercial uses such as a restaurant.

Mrs. Taylor stated that staff feels the existing planned Commercial Zoning Text permits land uses that are appropriate for the area. Staff recommends denial of amending the Zoning Text to allow a restaurant.

Mr. Carl Bystrom, Attorney representing Palm Coast, refuted all of the issues raised by staff. He stated there is no 6,000 sq. ft. building or restaurant proposed by his clients. He further stated that the sale of the property is not economically viable under the existing zoning restrictions. Mr. Bystrom explained that Palm Coast has been actively marketing the property, but received no offers. He stated they have tried to compromise with the county to settle litigations. He then pointed out that the restrictions placed on the zoning text included movie theaters, restaurants, bars, gas stations, etc.; however, these now exist in various locations of the Island.

Mr. Bystrom stated that a restaurant, if proposed, would not adversely affect a water tower, golf course, or a garden center. In fact, he stated that Ace Garden Center generates as much traffic as any restaurant would. He stressed that the residential character cannot be maintained on Demere Road. "The Island is growing and Demere Road is the main corridor for commercial developments."

Mr. Bystrom stated that Palm Coast is requesting an economical use that is in character with the area. He stated denying this request would be arbitrary, discriminatory and unlawful.

Ms. Ruthie Cobb, Demere Road resident, stated in her opinion, the proposal is for a restaurant. She also stated that not all of the area is commercial. There are homes between the water tower and the golf course that would be affected by the proposed development. Ms. Cobb stated when the property is purchased, she hopes that the buyer is willing to work with the residents in the area, as the owners of Ace Garden Center have, to keep the neighborhood beautiful.

Mrs. Taylor pointed out that the entire application is based on Palm Coast submitting plans for a restaurant. She stated that "they are asking for an amendment to allow a restaurant."

Chairman Stewart stated for clarification, regardless to how something is zoned, if the property owner decides to request a zoning change, he/she has a right to do so. He stated that Palm Coast has the right to ask for a change in the restrictions placed on their zoning text. Chairman Stewart stressed that the Planning Commission must be impartial and hear everything.

Mrs. Taylor explained that staff and the developers listed uses that would not be compatible with the area, and it was agreed upon that a restaurant would not be allowed. Mr. Bystrom insisted that plans were not submitted for a restaurant. "Palm Coast just wants the restaurant restriction removed."

Following discussion, a motion was made by Mrs. Iris Touw to recommend denial of this request. The motion was seconded by Mr. Robert Fell. Discussion continued.

Mr. Fell stated that a restaurant would be an encroachment on existing residential property. He stated an agreement was made three years ago that a restaurant would not be allowed, and he sees no reason for a change. Mr. Jonathan Williams stated he was not a member of the Planning Commission at that time, but there was an agreement and there's no assurance today that a restaurant won't be proposed. Chairman Stewart stated that due to there being an agreement, he would suggest that Mr. Bystrom confer with the County Attorney.

After discussion, the following vote was taken. Voting in favor of denial: Mr. Lamar Cole, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams. Mr. Hal Hart abstained from voting due to a possible conflict.

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GC-8-97

**Request to Rezone from Forest Agricultural to General Residential, 6.1331 acres fronting 334.22 ft. on the north side of Glass Circle, beginning 155 ft. west of Canal Road.**

**Property owned by Milton A. Wood.**

Mr. Wood was present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is rezone a vacant parcel of land to General Residential to permit a multi-family residential development. The owner would like to construct duplexes, one-family attached units and/or multi-family units. General Residential allows a density of 10 units per acre.

Mrs. Taylor stated that the area consists of a mixture of zoning and land uses, i.e., residential, office and mobile home park. She stated 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.

- 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;

Will be an increase in traffic. Staff is recommending that a dedication of 10 ft. be granted by the owner along Glass Circle, to create a 50 ft. right-of-way, improvements be made at the intersection of Canal Road and Glass Circle, and that deceleration and acceleration lanes be constructed at Canal Road. The owner of the subject property also owns the property located immediately to the east which is zoned Neighborhood Commercial. County Water and Sewer is available in this area. The owner/developer will be required to use these utilities.

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

Shown as Low Density Urban (7 units per acre).

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

Increasing development within the area, commercial and residential.

Mrs. Taylor stated staff recommends approval of this request subject to the following:

1. Developer/owner dedicate to the county, 10 ft. along Glass Circle, increasing the right-of-way to 50 ft.
2. Improvements be made at the intersection of Canal Road and Glass Circle.
3. Deceleration and acceleration lanes be constructed at Canal Road.

Mrs. Taylor stated that staff feels condition #1 should be granted immediately following the rezoning of the subject property. However, conditions #2 and #3 can be accomplished when the site plan is submitted.

Chairman Stewart stated perhaps this request should be deferred pending review by the County Engineer. Mr. Flanagan pointed out that staff is in agreement with the access being off Canal Road. He stated due to the narrow pavement, acceleration/deceleration lanes should be required.

Chairman Stewart wanted to know if a 30 day deferral would adversely affect the applicant. Mrs. Taylor explained that everything is in order. The applicant will still be required to come back for site plan approval even if the zoning is approved.

Mrs. Touw stated she has a problem with major changes being brought to the Planning Commission at the last minute.

Following discussion, a motion was made by Mrs. Glenda Jones to recommend approval of this request subject to the County Engineer's approval. The motion was seconded by Mr. Jonathan Williams. Discussion continued and Mrs. Jones amended her motion to state approval subject to deceleration and acceleration lanes being constructed at Canal Road. Conditions 1 and 2 of the staff's report were omitted. The amendment was accepted and the motion was unanimously adopted.

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The Planning Commission took a 10 minute recess. The meeting resumed at 10:40 a.m.

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**GC-9-97**  
**Request to rezoned from R-6 One-Family Residential to General Commercial, 2.7406 acres to be incorporated into a 6 acre tract located on the northeast corner of Perry Lane Road and Cate Road, property lying approximately 660 ft. south of Turtle Creek Subdivision.**

**Property owned by Driggers Construction Co., Inc.**

Mr. Ralph Lackey was present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is to rezone a 2.74 acre tract from R-6 One-Family Residential to General Commercial. The subject property is located directly to the north of a 6.38 acre tract located on the northeast corner of Cate Road and Perry Lane Road, which was rezoned from residential to commercial in 1992. The applicant would like to incorporate the 2 acre tract with the 6 acre tract to allow a commercial development at a future date.

Mrs. Taylor pointed out that immediately to the north of the property is a 26 acre tract also owned by the applicant, zoned R-6 One-Family Residential. Located immediately to the east is property zoned Freeway Commercial.

Mrs. Taylor explained that when this particular section of Perry Lane Road was constructed in 1990, it created a thru road between Spur 25 and Highway 341. She stated staff feels that this created a situation that makes the property along this section of Perry Lane Road more desirable as commercial rather than residential.

Mrs. Taylor 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.

- 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.

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

Shown as residential.

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

Other commercial developments within the area.

Mrs. Taylor stated 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.

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At this point, Chairman Stewart advised that the applicant for GC-11-97 (Heritage Inn) submitted a letter requesting that this item be deferred.

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**GC-10-97**

**Request to rezone from R-9 One-Family Residential to Planned Development to permit an Assisted Living Community on 3.69 acres, known as Lots 15, 26 and 27 L.M. Kinstle Subdivision, fronting 399.08 ft. on the west side of Scranton Road, 532.74 ft. on the north side of Lansing Street, and 199.01 ft. on the east side of Toledo Street.**

**Property owned by John David Mullins.**

Mr. Jim Lukens, Engineer/Architect, was present for discussion.

Mrs. Taylor presented the staff's report. She stated that this request is to rezone three existing residential lots, having a total of 3.69 acres, to Planned Development for an Assisted Living Facility. The proposed facility will be developed by Life Trust America, Inc. and will be known as "Morningside of Brunswick." A single-family residence is currently located on the property.

Mrs. Taylor pointed that in accordance with the requirements for Planned Development and Master Plan, a Zoning Text has been submitted which states that the only proposed use for the property is an Assisted Living Facility. Therefore, if the rezoning is approved, the Zoning Text is written to not allow any other type use. If the proposed facility is not developed, the property would not have any other allowed use and would have to come back to the Planning Commission for an amendment and/or zoning change at a later date.

Mrs. Taylor stated that the plan submitted shows a 27,000 sq. ft. one-story building consisting of 40 units. Access to the property is proposed to be served by one access drive from Scranton Road. There will not be any access drives from Lansing Street, Toledo Street or Scranton Street (unopened). The Glynn County Engineer has reviewed the proposed plan and has stated that the entrance drive should be centered on the existing entrance drive across on Scranton Road and acceleration and deceleration lanes shall be provided.

Mrs. Taylor explained that the Zoning Text outlines the following setbacks: Front Yard-30ft.; Rear Yard-20ft.; and Side Yard-10ft. Planned Development requires a 30ft. setback from all single-family residential districts. Staff recommends that no exception be granted to the setback requirements and that the Zoning Text and Plan be amended to

reflect the setbacks. Also, no exception should be granted to the required setbacks. The Zoning Text and Plan further states that only 17 parking spaces will be provided for the facility. According to the developers, only a few of the residences of the facility are expected to drive automobiles. Eighty parking spaces are required for a 40 unit multi-family type development. Staff feels that this number of parking spaces should not be provided, but staff does not support the provision of only 17 spaces as proposed by the developers. Staff would however recommend providing a minimum of 40 parking spaces.

Mrs. Taylor stated that the survey submitted with the application shows an existing 15 ft. unopened alley located on the property between lots 15 and 27. Staff recommends that a request to abandon this right-of-way be processed with the Glynn County Engineer's office.

Mrs. Taylor 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, staff feels the Assisted Living Facility will be a transition zoning between the commercial district and the single-family district.

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

No, this type facility is residential in nature and should be compatible with the immediate area.

- 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.

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

Shown as Low Density Urban.

- 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 area consists of mixed uses. The west side of Scranton Road is single-family residential with the exception of the commercial parcel at the intersection of Spur 25 and Scranton Road. The east side is multi-family residential and commercial development.

Mrs. Taylor stated staff recommends approval of this request subject to the Planned Development Zoning Text being revised to state the following:

- 1) 30 ft. setbacks will be provided on all property lines abutting single-family residential.
- 2) A minimum of 40 parking spaces will be provided to serve the facility.
- 3) The access drive onto Scranton Road will be located and constructed to meet the requirements of the County Engineer.

Mrs. Taylor stated that if this request is approved, a site plan will be required to be submitted in accordance with Section 723 Planned Development. The site plan would have to meet the requirements of the Zoning Ordinance and PD Zoning Text and would have to be approved by the Planning Commission.

Mr. Roland Holmes of 141 Lansing Street stated the Planned Development is in the heart of Kinstle Subdivision and he is concerned that it would change the character of the neighborhood. He asked what would happen if this request is approved and someone decides to make changes, specifically to Lot 15. Chairman Stewart explained that any changes would have to be reviewed and approved by the Planning Commission. He stated this would be addressed at the site plan process.

Mr. John Silva of 624 Walker Road also expressed concerns about the character of the neighborhood changing from single-family residential. Chairman Stewart advised staff to notify Mr. Holmes and all other property owners of the site plan review process to ensure their input is received.

Mrs. Jones stated that when the site plan is submitted perhaps we can stipulate that the lot in question will be used as a landscape lot only, and no construction of buildings will be allowed. Mr. Lukens stated that the lot will be used as a garden and walking space only.

Mr. Gene Davis, owner of Lot 13, stated he purchased the lot because he thought it would be a nice quiet area to build a house. He stated he is not opposed to this request if everything is done right.

Chairman Stewart stated when the final plans are completed, he suggests the developers meet with the neighbors and show them the plans. Mr. Lukens concurred.

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

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## MINUTES

A motion was made by Mrs. Glenda Jones to approve the Minutes of the February 4, 1997 Planning Commission meeting. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Lamar Cole, Mr. Robert Fell, Mrs. Glenda Jones, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Hal Hart was absent for the February meeting and therefore abstained from voting.)

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## STAFF ITEMS

Mr. Flanagan presented a draft copy of Community Development's Visionary Plan for informational purposes. He stated a final draft will be presented at a later date.

Mr. Flanagan also presented the 1997/1998 Operational Budget along with the Preliminary Revenue Request. He stated that a motion is required in order to proceed with forwarding the budget to the County Administrator for final approval. He further advised that the Planning Commission members are now authorized to receive a St. Simons Causeway Decal (at no expense to the members).

Following review, a motion was made by Mrs. Glenda Jones to recommend approval of the 1997/1998 Operational Budget. The motion was seconded by Mr. Robert Fell and unanimously adopted.

Also under Staff Items, Mr. Schroeder presented photographs of changes made in the Village area. Mr. Fell stated that according to the ordinance, property owners are required to come to the Planning Commission for review before making these changes. Chairman Stewart urged staff to send out a letter to the person making these changes and advise that no further changes shall take place in the Village area until the owner/tenant comes to the Planning Commission for review.

There was a brief discussion regarding whether or not the owners/developers of "Rafters" are in compliance with the approved zoning text. Photographs showing an addition, more specifically, steps to the entrance of the establishment, were presented for review. Concerns were expressed about the location of the steps, height, etc. It was also pointed out that signs to this establishment are constantly disappearing. Mr. Flanagan stated it is the owner's responsibility to contact the police and make an incident report of the disappearing signs. Chairman Stewart asked Mr. Flanagan to schedule a meeting with the owners of "Rafters" and invite Commander Nazzrie of the St. Simons Police Precinct to attend.

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## COMMISSION ITEMS

Chairman Stewart presented a copy of a letter (dated February 13, 1997) that he received from the law offices of Hutto & Palmatary regarding the proposed drainage plan for Barnes Plantation. He stated copies would be made available for the members and staff.

Chairman Stewart distributed a list of recommendations from Mr. Taylor Adams on behalf of RUPA regarding St. Simons residents having more input on issues concerning the Island. Mr. Stewart stated that a work session should be held in order to discuss this at length.

Also under Commission Items, Mr. Fell reiterated his concerns about the ordinance and height exceptions. He further stated that some areas on St. Simons appear to exceed the 45 ft. height limitation. He stated building elevations need to be re-examined by the Building Inspections office. Chairman Stewart advised staff to review the ordinance, check the elevations, and make a list of recommendations to the Planning Commission.

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There being no further business to discuss, the meeting adjourned at 11:40 a.m.