

MINUTES
GLYNN COUNTY PLANNING COMMISSION
DECEMBER 7, 1999 9:00 A.M.

MEMBERS PRESENT: Richard Altman, Chairman
Lamar Cole, Vice Chairman
Perry Fields
Hal Hart
Iris Touw
Jonathan Williams

STAFF PRESENT: Chuck Taylor, Director
Cindy Olness, Planning Official
Donna Scott, Planner II
Deborah Taylor, Zoning Administrator
Jim Bruner, County Engineer
Ellis Carter, Building Official
Brenda Pittman, Code Enforcement
Lee Sutton, Planning Technician
Janet Loving, Recording/Admin Secretary

Chairman Richard Altman 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.

On behalf of the Planning Commission, Mr. Taylor introduced and welcomed Donna Scott, Planner II and Lee Sutton, Planning Technician as the new staff members of the Planning & Zoning Division.

GC-28-99

Request to rezone from Forest Agricultural to Local Commercial 5 acres located on the west side of Cate Road, located approximately 500 ft. south of Timber Ridge Subdivision and 1,759 ft. north of the Golden Isles Parkway.

Property owned by C. Allison Chapman, Jr.

Attorney Jim Gilbert and Mr. Al Chapman, Jr. were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

This request was heard at the October 5th Planning Commission meeting and at the November 2nd Planning Commission meeting. At the October meeting, a motion was adopted to recommend deferral of the request to allow more citizen input. At the November meeting, a motion was adopted to defer the request to allow the applicant to amend his application and request another type of zoning classification that would allow the proposed funeral home (not including a cemetery).

Since the November meeting, staff has talked with the applicant and discussed other possible zoning classifications that would allow only the proposed use (funeral home), which included Planned Commercial and Planned Development Zoning Districts. The applicant stated that he did not want to spend the money to meet the requirements to submit a request for a PC or PD, which requires a plan and zoning text. Therefore, the applicant is still seeking a zoning change to Local Commercial (uses outlined in Section 711, Glynn County Zoning Ordinance).

As stated at previous meetings, this request is to rezone a 5 acre tract of land located on the west side of Cate Road. This section of Cate Road (80 ft. right-of-way) is proposed to be improved and be known as the extension of the Golden Isles Parkway. The proposed use for the property is a funeral home. The concept plan shows two commercial access drives from Cate Road.

Located approximately 500 ft. of the subject property is a 125 acre tract of land that was rezoned in 1992 from Forest Agricultural to Mh-12 One-Family Residential to allow manufactured homes, mobile homes or site built homes. The property was rezoned again in 1994 from Mh-12 to R-12 One-Family Residential to allow for the development of site-built homes. A portion of the property, approximately 88 acres, has been developed as a single-family residential subdivision, Timber Ridge Subdivision. Immediately across Cate Road is a portion of the Golden Isles Gateway Planned Development, which outlines the land use designation of low density residential.

Approximately 1,500 ft. to the south of the property, located at the southeast intersection of Golden Isles Parkway and Cate Road will be the future site of the Public Safety Building. On the southwest side of the intersection is a 3 acre tract that was rezoned to Local Commercial in 1987, which was requested by the same applicant. It was stated at that time that due to the present and proposed growth in the area, staff feels that the rezoning would encourage an environment of convenient shopping and service facilities for the nearby residential area. This rezoning was approved prior to the Golden Isles Gateway Planned Development (which was approved in 1994).

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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, it is staff's professional opinion that this property should remain residential as currently zoned so that the property uses remain compatible with the adjacent zoning.

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

Yes, would have an impact on the existing residential developments.

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

Yes, can be developed as zoned.

- 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 not create an excessive or burdensome use for the above but would have an impact on the transportation facilities by encouraging more curb cuts directly onto Cate Road.

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

No, shown as low-density 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;

The road improvements to Cate Road will help with the developments along Cate Road. However, on the east side of Cate Road the developments will be from the interior of the property by creating roads within. The proposed zoning being requested on the west side would create access from Cate Road. This area is being developed as residential.

Further, in November 1998, a request for a land use change was submitted for a 61 acre parcel of land located directly across Cate Road from the subject property. This request was for a land use designation change from residential to commercial within the Gateway Planned Development. At that time, the Planning Commission recommended denial of the request. It was stated that the land use change would be an intrusion into the residential area.

Ms. Olness stated that staff's recommendation remains denial.

Attorney Jim Gilbert gave a brief presentation. He pointed out that one important element was perhaps inadvertently omitted from this application. Mr. Gilbert stated that he submitted a letter to staff requesting that the application be amended to add that Mr. Chapman would subject his property to a restriction to be approved by the County Attorney, that for a period of 20 years this property would be used for no other purpose than a funeral home. Mr. Gilbert stated that the letter has become a part of the record and would also be submitted to the County Commission. Ms. Olness pointed out that the letter was being reviewed by the County Attorney and was not available in time to include in the packages. A copy was distributed to the members at this time. Mr. Gilbert read the letter in its entirety.

Mr. Gilbert explained that the applicant has outgrown his current location and is constantly being interrupted during funerals with noise from the adjacent mobile home business. He then presented a drawing of the proposed site, which he stated would be well landscaped. He pointed out that the existing natural buffer would not be touched. Mr. Gilbert stressed that the established funeral home is a family business that has been in operation for over 30 years. The applicant is committed to continuing this business and is asking for the Planning Commission's consideration and support.

Mr. Michael Kitchens, adjacent property owner, stated that at the last two meetings that he attended he was not necessarily opposed to the funeral home, but he was afraid of the other uses allowed in the Local Commercial District. He stated that he is not sure how the specifics of the 20 year period can be worked out, but he is still concerned about the other uses allowed in that particular zoning district.

Mr. Jonathan Williams stated that a few years ago, restrictions were placed on property in the Jewtown area of St. Simons that limited certain uses. He wanted to know if in fact restrictions could also be placed on this request. Chairman Altman stated that he could not speak for the County Attorney but he feels certain that restrictions could be placed on the request. Mr. Hart asked if staff received a response from the County Attorney regarding the applicant's letter. Ms. Olness replied that staff received a verbal response from the County Attorney stating "that would be fine."

Mrs. Iris Touw wanted to know if there was a certain time frame for getting the deed restriction done so that it is official. Mr. Gilbert explained that as a condition of zoning, no building permit would be granted until the language of the restrictions are approved by the County Attorney. He stated that a draft would be submitted for review before the County Commissioners meeting.

Chairman Altman wanted to know the status of the Planned Urban Development (PUD) option proposed for consideration. Mr. Chapman stated that he could not afford the expense of doing a Planned Urban Development. He elaborated on the cost involved to revise his application.

Following discussion, a motion was made by Mr. Perry Fields to recommend approval of this rezoning subject to a proper deed restriction being accepted by the County Attorney limiting the use of this property for a funeral home and accessory uses thereto for a period of 20 years. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mr. Hart wanted to know where the deed restriction would be placed to ensure adherence. Mr. Fields stated that the deed restriction would be recorded at the courthouse and would limit the use of the property to a funeral home and related uses thereto. Ms. Olness pointed out that staff cannot enforce deed restrictions. However, if the Planning Commission were to make that a condition of the zoning, that the property could only be used as a funeral home and include this as an addendum to the motion, staff could enforce such action. Thereupon, Mr. Fields amended his motion to state that the Planning Commission recommends approval of the rezoning with the condition that it be used only for a funeral home and related purposes thereto, and that there be a proper legal document recorded at the courthouse limiting its use to a funeral home and related purposes for the next 20 years. The amendment was accepted and the motion was unanimously adopted.

GC-34-99

Request to amend the Planned Development Zoning Text and Master Plan for the Golden Isles Gateway Tract (8-94); 7,824 acres extending approximately 5 miles along the east and west sides of I-95 from Exits 8 and 9, east of I-95 the property is bound on the north by Georgia Highway 99, on the east and north by U.S. Highway 17, east by Glynco Parkway and by the Golden Isles Parkway on the south. West of I-95, GA Highway 99 splits the subject property in the northern portion while the southern portion is bounded by Spur 25/F009 Spur, Cate Road and Canal Road. The purpose of the amendment is to re-designate land uses within the Golden Isles Gateway Tract.

**Property owned by The Branigar Organization, Inc.
Bill Christian, Agent**

Mr. Christian, Mr. Cameron Bland and Ms. Amy Templeton were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

This request is to amend Planned Development Zoning Text and Master Plan for Golden Isles Gateway Tract (8-94). This Planned Development was approved in 1994. The proposed amendment is to re-designate the land use for certain areas as well as re-draft the overall document to outline the land uses and development standards. The Planned Development document submitted by The Branigar Organization, Inc. dated November 1999 outlines the proposed changes.

Ms. Olness stated that staff is recommending approval of this request subject to the following changes:

1) PAWS District:

(Page 11, PD Text)

Building height to be no greater than forty-five feet (45')

2) Residential District :

(Page 12, PD Text)

Language to be added after chart showing lot width and setback requirements for single-family homes.

Insert the following statement:

“The lot width and setback requirements stated above shall not apply to subdivisions that have received preliminary plat approval prior to the adoption of this Planned Development Text amendment. For those subdivisions, the lot width and setback requirements in effect at the time of preliminary approval shall apply.”

3) Commercial/Retail District:

(Page 18, PD Text)

Add the following:

Parcels CR-2, CR-3, CR-6, CR-7 and CR-8 will be developed in compliance with the development standards (lot size, setbacks, etc.) as Freeway Commercial, as specified in the Glynn County Zoning Ordinance in effect at the time of development.

Parcels CR-1, CR-4, CR-5 and CR-9 will be developed in compliance with the development standards (lot size, setbacks, etc.) as Highway Commercial, as specified in the Glynn County Zoning Ordinance in effect at the time of development.

Insert the following:

Commercial/Retail parking standards shall comply with the Glynn County Zoning Ordinance requirements in effect at the time of development or re-development.

4) Office/Distribution/Industrial District:

(Page 21, PD Text)

Building height no greater than forty-five feet (45')

Ms. Olness stated that the final recommendations from staff were not listed in the staff's report. They are as follows:

5) Multi-Family Requirements

(Page 13, PD Text)

Staff is recommending that a line be added stating that multi-family housing products shall be developed to be in compliance with the GR General Residential District regulations as amended from time to time.

6) Signage Guidelines Section VII

Staff is recommending that the signage guidelines stating that signage shall not exceed 100 ft. be changed to 35 ft. in height for commercial.

Mr. Cameron Bland, Project Manager for The Branigar Golden Isles Gateway Development, explained that several public meetings were held with the citizens and surrounding homeowners regarding this project in an effort to address all concerns. He stated that several representatives are in attendance to answer questions. He then introduced Mr. Bill Christian who is the authorized agent for this request.

Mr. Bill Christian gave a brief overview of the project and background history. He presented three graphics of the PD Amendment, including the parks and wildlife services. Mr. Christian stated that serious efforts have been made to work with adjoining neighborhoods and property owners to obtain their endorsement of the project. He explained that the changes being sought are primarily the result of the PAWS Wildlife Park plus some refinements to the original 1994 plan. Additional changes involve a highway commercial tract and a freeway commercial tract. Also, there are three tracts that would convert from other uses to residential.

Mr. Christian stated that there would be a small reduction in the number of offices, distribution and industrial sites in the plan. There would be an increase in the commercial/retail development and an increase in hotel/motel uses. Half of that increase would occur within the PAWS district. He pointed out that there would be a significant reduction in residential units across the development and a reduction in the long-term timber management properties that were indicated in the 1994 plan. Overall, Mr. Christian stated that there is very little change in terms of community impact as documented in the development regional impact study done earlier this year.

Chairman Altman wanted to know if the applicant has a problem with any of the six recommendations proposed by staff. Mr. Christian stated that they probably don't have any problems with the recommendations; however, he is not sure about the last two recommendations quoted by Ms. Olness in her presentation. With respect to the 45 ft. height restriction, Mr. Christian stated that they have no problem with that except for possible exception to allow for observation towers in the PAWS district to allow view of the wildlife activity. Also, they would probably want to do the signage requirements in accordance with the Glynn County Ordinances.

Mr. Cameron Bland stated that they basically don't have a problem with the six items listed. However, they would like some flexibility to be allowed to come back and request a variance from the height requirement for the observation towers. Regarding the sign heights, Mr. Bland stated that they would propose to be governed by the same standards listed in the current Freeway and Highway Commercial Zoning Districts. Mrs. Touw suggested that the signage permitted in commercial and industrial districts follow the Glynn County Sign Ordinance, Section VIII.

Mr. Emory Young, Heritage Estates Homeowners Association, stated that there have been some concerns about the access road, but the Branigar Organization has met with the residents on several occasions and he believes that they will do what they say. He stated that the overall plan for the park is the best possible use for the land in the neighborhood. They would prefer not to be disturbed but realistically, progress will come.

Mr. Larry Casey, of Heritage Estates, stated that Mr. Bland has met with them on every occasion and has been very helpful in answering questions, addressing their concerns and has tried to modify the original plans to meet the concerns of the community. He stated that the residents were very concerned that the specifics had not yet been identified as to how the traffic would affect the community. The most recent modifications to the PD came about as a result of meeting with Branigar and Mr. Bland. The three most noticeable items identified were 1) how the property would be developed; 2) retaining a minimum 50 ft. buffer; and 3) the development of the internal road network subject to permitting of the cross-over to the canal. Mr. Casey stated that he was unable to establish 100% contact with all of the 54 families that have homes built in the area, but he does have signatures of over half of the residents who are in agreement with the proposal that Branigar has put forth subject to specific language of the three areas being addressed.

Mr. Vernon Martin, Executive Director of Coastal GA Regional Development Center, stated that he has been working with Branigar and the PAWS group for over a year and he feels that Coastal Georgia is fortunate to have this organization in the area. If this project is approved, it will be the 5th largest employer in Glynn County and will generate a substantial amount of income for the community and surrounding areas. He stated that one advantage of this project is that it would not be a tremendous water user. Other kinds of developments could have occurred on this property which would have been a much larger draw on the water aquifer, but this project is not. Mr. Martin stated that he supports this project.

Mr. Phil Overton, Executive Director of the Brunswick-Glynn County Development Authority, stated that he has worked with the Branigar group for four years and he feels that this is a great project for Glynn County.

Mr. George Allison, adjoining property owner, stated that he and his family have lived in the area since 1981. He feels that this development, if approved, would be a huge disruption to the lives of the residents of Heritage Estates and to the residents along Petersville Road. He stated that traffic noise would increase, "and who knows what the animal noises and their odors would be." He stated that the increase of traffic would increase the number of accidents along Route 99 and in the neighborhood because some of the park visitors will sightsee through the streets. This would be hazardous for the children and adults who walk and bike along the streets. Mr. Allison stated that this development is an unfair and uninvited intrusion into their neighborhood.

Mr. Cricket Mobley, 161 Navajo Road, stated that this project would be good for the economy, but it would not be good for the homeowners who have lived in the area for 15 to 30 years. He stated that the residents are in agreement with what Mr. Bland has proposed, but nothing is solid and before the residents give their full support, they want to know that it is concrete. The meetings were positive and the residents were in agreement, but the environmentalists have not approved the bridge across the canal and they have not approved the things that Branigar is proposing. Mr. Mobley stated that they need to come up with something final that the residents can support. He then presented a petition containing signatures and addresses of 90% of the homeowners in the area who are opposed to this request as presented. He stated that they are all afraid of the "unknown."

Mr. Jeff Haliburton with Thomas & Hutton Engineers presented the current master plan that addresses concerns of the residents. He stated that they have started developing a concept of an internal frontage road relative to the PAWS project. He presented a sketch for review. He stated that the Department of Transportation is in concurrence with what is being proposed as far as access on to GA Highway 99. Mr. Haliburton stated they felt it would be important to have two accesses into the park on the west side of the canal to handle the majority of the traffic.

Mr. Kevin Keller, 164 Navajo Road, stated that he has been employed by the Corps of Engineers for the last 6 years as a Federal Acquisition Specialist. He stated that this is an outstanding project and the Branigar Organization has done a great job. However, as a homeowner he is concerned with the language of the text. The text states that "land uses will be limited to vehicular parking and PAWS related services and maintenance buildings." Mr. Keller stressed that this does not go far enough to define what is being said. The language is very vague. He stated that he is in favor of the project but the language needs to be defined. He stated that he is not opposing what is being shown, but he is opposing the language and what is being voted on. He stated that the applicants don't have anything concrete that he feels comfortable with approving at this time.

Ms. Debbie Parkhurst expressed concerns about the boulevard and what it is proposed to look like. She wanted to know if there were going to be two entrances. Mr. Haliburton stated they are in the process of studying GA 99 and what it would ultimately be in the future. He explained that in discussions with the Georgia DOT, it appears that GA 99 will be a four-lane road, two travel lanes in each direction with probably a 20 ft. raised median and dedicated turn lanes. The county and DOT are also looking at re-aligning Petersville Road to match up with Seminole Road. Ms. Parkhurst stated that she is against what is being proposed. She explained that she had been in favor of this project because she believed property owners should be allowed to do what they want on their property, however, this proposal is going to drastically change their neighborhood and pose a danger to the children in the area.

Mr. Keith Hendricks of 124 Navajo Road stated that he would like to see more restrictions placed on the zoning. Ms. Karen Dowler expressed concerns for the safety of her children. She stated that she would prefer to have the entrance from Highway 17 instead of a major four-lane crossover.

An audience member wanted to know if the Branigar group could tell them when the bridge would be approved by DOT. Mr. Bland stated that he did not know when DOT would approve the bridge.

Mr. Hal Hart thanked the Branigar Organization for all of the hard work that they do in Glynn County. He then pointed out that page 11 of the PD Text references 60 ft. buildings. He wanted to know if the fire department is capable of covering 60 ft. buildings in case of fires. If not, this is something that needs to be reviewed carefully. Mr. Christian stated that the Freeway Commercial District allows for 60 ft. buildings subject to approval of the Glynn County Fire Marshall. For re-assurance, Mr. Hart asked staff to confer with the Fire Department regarding this issue.

Referring to page 12 under the Residential District of the PD Text, Mr. Hart expressed concerns about the 4000 sq. ft. lots, 40 ft. lot width, and 0 setbacks for front, rear and side yards. Mr. Christian explained that the intent was not necessarily to have 0 setbacks on all property lines, but that 0 setbacks could be allowed on any of the three different property lines.

Mr. Hart stressed that buffers throughout the text need to be more definitive. Finally, page 13 of the PD Text references skilled nursing facility. Mr. Hart wanted to know if the developer is referring to a hospital. Mr. Christian replied no.

Mrs. Touw also expressed concerns about the 4000 sq. ft. lots. She stated that the minimum in the single-family zoning district is 6000 sq. ft. She sees no problem with the PAWS plan, but she cannot in good conscience support the 4000 sq. ft. with 0 setbacks. Mr. Bland stated that they have agreed to delete the 4000 sq. ft. and follow the guidelines of the ordinance for a minimum of 6000 sq. ft. lots and comply with the existing setbacks of 20 ft. front yard, 7 ft. side yard and 7 ft. rear yard. Mrs. Touw further suggested that signs permitted in the commercial and industrial districts follow the guidelines of the Glynn County Sign Ordinance, Section VIII. Any special PAWS signage could be brought back at a later date. Ms. Amy Templeton concurred with Mrs. Touw's suggestion.

Ms. Olness pointed out that if the minimum lot size is being changed to 6000 sq. ft. with the setbacks to be in compliance with R-6, she stated that the lot width would also have to be changed from 40 ft. to 60 ft. Mr. Bland concurred.

Referring back to the buffers, Mr. Hart stressed that the buffers be more defined throughout the text.

For clarification, Mr. Fields wanted to know if the 45 ft. building height is acceptable with exception of observation towers, to be determined on an as needed basis. Mr. Bland replied that is correct.

Following discussion, a motion was made by Mr. Perry Fields, seconded by Mr. Lamar Cole and unanimously adopted to recommend approval of this rezoning subject to changes in the PD Text outlined in the staff's report, along with additional changes proposed during the course of discussion as follows:

Page 13 of the PD Text: Multi-Family

Add the following language:

Multi-family housing products shall be developed to be in compliance with the General Residential District regulations as amended from time to time.

Page 23 of the PD Text: Signage Guidelines, VII

Signs Permitted in Commercial and Industrial Districts:

Change to state signs to have a maximum of thirty-five (35) feet and that signage is to meet the guidelines of the Glynn County Zoning Ordinance (Article VIII).

Page 12 of the PD Text:

Single Family/Permitted Uses:

Change single-family lot size from minimum 4,000 square feet to minimum 6,000 square feet; change minimum lot width from 40 feet to 60 feet with minimum setbacks of 20 ft. front; 7 ft. rear; 7 ft. side

Buffers

To be defined throughout the text.

At this time, the Planning Commission took a 10 minute recess. The meeting resumed at 10:45 a.m.

GC-35-99

Request to rezone from R-12 One-Family Residential to R-9 One-Family Residential, Lots 2, 3 & 4 of Black Banks Subdivision, consisting of 2.722 acres fronting 420.20 ft. on the east side of Frederica Road, beginning 166.53 ft. north of Plantation Way.

**Property owned by HILL-LEW
Hastings Properties, Inc., Agent (Ernest Curry)**

Mr. Ernest Curry and Attorney Tom Lee were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

In 1988 and 1992, a rezoning was submitted by the property owners to rezone the subject property and an adjacent parcel (total of 3.63 acres) from R-12 One-Family Residential to Planned Development to allow commercial development. These requests were not approved and the property remained zoned R-12 One-Family Residential.

This request is to rezone 2.722 acres consisting of three residential lots located in Black Banks Subdivision from R-12 One-Family Residential to R-9 One-Family Residential.

Under the current zoning classification of R-12 One-Family Residential, the property could be developed having a minimum lot size of 12,000 sq. ft. which allows a maximum of three (3) dwelling units per acre. The requested zoning of R-9 One-Family Residential requires a minimum lot size of 9,000 sq. ft. which allows a maximum of four (4) dwelling units per acre.

The subject property lies immediately east of additional lots within Black Banks Subdivision. In 1983, the Black Banks Homeowners Association requested a rezoning of Black Banks Subdivision (75 acres) from R-12 One-Family Residential to Residential Estates. The rezoning was being sought to establish larger minimum lot size requirements that would conform with the existing size and character of the subdivision, in that the deed restrictions that controlled the lot size requirements were expiring. The subdivision was rezoned to Residential Estates, which requires a minimum lot size of 25,000 sq. ft. allowing a maximum of one (1) dwelling unit per acre. However, according to the file (GC-47-83), the subject property being requested for rezoning at this time was excluded from the County Commission's action, per the request of the property owner HILL-LEW.

The surrounding area consists of mixed uses and zoning classifications, i.e., single-family residential to the north, south and east and commercial to the west (across Frederica Road). A general layout plan has been submitted showing an access drive off Frederica Road, which is proposed to serve eight (8) single-family residential lots.

According to documentation available on file, the first 50 ft. of the subject property that runs parallel to Frederica Road is a strip of land that was deeded in 1974 from Glynn County to Hungerford House, Inc., which states the following:

It is provided and made a restriction and covenant running with the land that said property is conveyed subject to the following conditions:

- 1) No structure of any nature will be placed or erected upon said property;
- 2) No commercial use shall be made of said property;
- 3) No trees of over six inches (6") in diameter will be cut or removed from said property without the consent and approval of Grantors.

From review of previous rezoning application files and documents, the following information was found:

- ◆ The subdivision plat for Black Banks Subdivision Revision No. 1, dated 1966, shows the 50 ft. strip that has no designation but in such configuration indicates that it possibly serves as a buffer area between the county right-of-way and the subdivision.
- ◆ The zoning map, Official Zoning Plate Map 72, shows this as "Frederica Road Strip" but shows a zoning classification of residential.

During the review of previous rezoning applications that involved this 50 ft. strip of land, staff obtained a legal opinion on the matter from the County Attorney. In 1995, a letter was sent to the County Attorney asking the following question:

Question: When this property was conveyed by quitclaim deed from Glynn County, does the conditions in the deed require the property to remain as a 50 ft. strip forever or did it expire after 20 years?

County Attorney: Your question whether the restrictions on development contained in the quitclaim deed from the Board of Commissioners dated May 30, 1974 expired 20 years after the date of the deed. My opinion is that those restrictions are perpetual based on O.C.G.A. 44-5-60 c) and do not expire after 20 years under the terms of O.C.G.A. 44-5-60 b). Hence, those restrictions would prohibit the development of the kind proposed in this rezoning application.

(Note: His stating "*this rezoning application*" is not in reference to the current request but of a previous request to seek a PD for commercial use.)

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the 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 land use of residential will be same. However, the rezoning to allow a higher density would not be compatible with the surrounding residential zoning and lot size.

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

A rezoning to allow 9,000 sq. ft. lots would create a higher density adjacent to existing single-family lots having minimum lots size requirements of 12,000 and 25,000 sq. ft.

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

Yes, can be developed as single-family residential meeting the requirements as outlined in R-12 One-Family Residential.

- 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, rezoning to allow a higher density would have more impact on all the above.

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

No, shown as low-density 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;

The property fronts along a section of Frederica Road that was recently widened and improved, but no additional curb cuts were created. The subject property currently consisting of 3 residential subdivision lots each have frontage along Frederica Road and no access through Black Banks Subdivision. However, if the property were re-subdivided to accommodate more lots, a road system would be created eliminating the number of curb cuts onto Frederica Road. This would be the case whether the property remains zoned R-12 One-Family Residential or rezoned to R-9 One-Family Residential. The rezoning would create more turning movements from Frederica Road with more impact on traffic flow.

Ms. Olness stated that staff is recommending denial of this request.

Attorney Tom Lee gave a brief presentation. He stated that this is a very unusual situation in that the applicant wants to develop his property R-9 and the homeowners association is in favor of this proposal. Mr. Lee pointed out the commercial property located on the west side of the road and surrounding properties on the east side. The developer has agreed to develop the property single-family residential in an effort to satisfy neighborhood concerns.

Mr. Lee explained that a portion of the acreage (approximately 3.30 acres) is in the buffer area. This area will be left alone and deeded to the homeowners association, who will in turn, in the future, have total control over the 50 ft. strip to protect the integrity of Black Banks Subdivision. The developer is proposing to put eight (8) residential lots on the property, have a gated community with a wall in front on the east side of the 50 ft. buffer. The buffer will remain undisturbed. There would be one entrance into the eight lots, which would cut down on traffic.

Mr. Lee stated that the homeowners are very enthused about this proposal because it is the best way to protect the integrity of their subdivision.

Mr. Bob Killian, representing the Black Banks Homeowners Association, explained that for many years they have fought to keep this area residential and they would not be giving up the fight if they weren't being presented with what the developer is proposing. He and his neighbors are very fearful of what a commercial development would do for the area. Therefore, he is urging the Planning Commission to approve this rezoning request.

Mr. Evan Mathis stated that he was concerned that the property might one day be developed commercially, but having it zoned to a gated residential use would be a safe way of controlling traffic, etc. He stated that he is in favor of this request.

Mr. Lee pointed out that the homeowners association agreed that there would be a 25 ft. natural buffer around the development. There has also been an agreement to control lighting in that there will not be any high intensity lights shining into Black Banks Subdivision.

Mr. Hart wanted to know how the deed restriction would be enforced if the rezoning is approved and how would the Planning Commission ensure adherence. Mr. Fields stated that according to the prepared text, the County Attorney says that the restrictions to the 50 ft. strip are still viable. There is no deed restriction; that's an agreement between the homeowners and the developer. Mr. Lee explained that the provision was actually incorporated in the final judgement in Superior Court of Glynn

County and the county was a party to that litigation. Therefore, there is a final judgement on record and enforceable. Mr. Killian stated that the 50 ft. buffer along Frederica Road is in fact a "negative easement supported by a consent judgement and is there forever."

Following discussion, a motion was made by Mrs. Iris Touw to recommend approval of this request to rezone from R-12 to R-9. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

GC-36-99

Request to rezone from R-9 One-Family Residential to General Commercial, Lot 28 and Lot 29 L. M. Kinstle Subdivision, consisting of 2.44 acres located on the southwest corner of Lansing Street and Scranton Road.

**Property owned by Frances B. German
W. Eugene Caldwell, Agent**

Mr. Caldwell was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

This request is to rezone two residential lots, having a total of 2.44 acres, to General Commercial (permitted uses outlined in Section 712 of the Glynn County Zoning Ordinance). The subject property is surrounded by commercial on two sides. The property located immediately to the north was rezoned with conditions in 1997 to allow for the development of a residential personal care home. The conditions stated that the three lots were rezoned subject to Lot 15, which does not front on Scranton Road, to only be utilized as a buffer/garden area; that a 30 ft. setback be provided along all other property lines abutting residential; and access to be from Scranton Road only.

The property located immediately to the south (corner of the F-009 Spur/Spur 25 and Scranton Road) was rezoned to General Commercial in 1982 and 1984 with the condition that adequate buffers and setbacks be provided. The property located to the east across Scranton Road was rezoned in 1982 to Planned Development-Shopping.

The general layout plan that was submitted shows the subject property proposed to be developed as a retail commercial center. The plans show the following:

- ◆ Two access drives: Scranton Road and Lansing Street
- ◆ 133 off-street parking spaces
- ◆ 21,700 square foot retail center

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Would be suitable with the property to the south and east. It could be compatible with the property to the north when developed, but would not be compatible with the property to the west. However, if adequate buffers are provided between the subject property and the residential area it would have less impact on the residential homes.

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

Would have an impact on the property to the west that is zoned residential but with an adequate buffer it would lessen the impact.

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

Yes, for single-family residential.

- 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 have an impact on the traffic. If rezoned, the number, location and design requirements for the access drives would have to be reviewed during site plan approval to help eliminate any negative impact to the area and road system (Scranton Road and Lansing Street).

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

Yes, shown as commercial.

- 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 subject area has been developed commercially since the early 1980's. With the road improvements (larger rights-of-way, etc.) it makes the property along Scranton Road more desirable as commercial than residential.

Ms. Olness stated that staff is recommending approval of this request subject to a 30 ft. buffer being provided on the west side of the property to buffer the commercial from the residential.

Attorney Gene Caldwell, representing the property owner, presented the layout plan for the Planning Commission's review, and pointed out that the buffer strip is shown on the plan. He then gave a brief overview of the property and the buffer. He explained that this was originally a subdivision platted years ago. Located between the subject property and the residential neighborhood, there was an unopened 15 ft. easement that had never been used as a road or access way until 5 years ago when the adjoining property owner fenced the entire 15 ft. easement and planted cedars; thereby buffering his property by using all of the alleyway to separate it from the applicant's property. As he understands it, Mr. Caldwell stated that each adjoining neighbor owns to the centerline of an unopened street subject to certain property rights. Since this road has never been open, he believes the law would provide that his client owns half of the street and the adjoining neighbor owns the other half of the street.

Mr. Caldwell stated that although the adjoining neighbor has taken the entire street and buffered it with plants, he believes that it is a sufficient screened buffer between residential and commercial zoning to provide a distinction in the activities between the two zoning classifications. Therefore, he suggests that the staff's report be followed with the exception of the imposition of the buffer, and that the applicant be allowed to fence the property line and utilize the existing buffer.

Mr. Roland Holmes, adjoining property owner, presented a copy of the deed for the 15 ft. strip alleyway which he stated was never deeded to the county. Mr. Holmes explained that the deed that he has (dated September 5, 1990) from Charlie Kinstle (Kinstle Subdivision) entitles him to the 15 ft. strip, and he feels that there should at least be 50 ft. landscaped buffer between the properties. He stated that he would be willing to leave the planted trees in place. He then presented a petition consisting of 21 signatures of homeowners in the Kinstle Subdivision who are opposed to this rezoning.

Mr. Hart stated that if Mr. Holmes is willing to dedicate his 15 ft. buffer, combined with staff's recommendation for a 30 ft. buffer, that would make the buffer 45 ft. Thereupon, a motion was made by Mr. Hart to recommend approval of this request

subject to staff's recommendation for the 30 ft. buffer (to be defined). There was no second to the motion and discussion continued regarding the description of the buffer.

During the course of discussion, Mr. Caldwell stated that he was not aware of Mr. Holmes having a deed, and he questions whether or not he has a warrantee to the street. Customarily, a person can get a quick claim release to a street, but that doesn't necessarily grant ownership to the street. Mr. Caldwell reiterated that there is a sufficient buffer in place and he urged the Planning Commission to only impose a screening fence on the property line.

At this time, Mr. Hart withdrew his motion and discussion continued on the buffer description. It was the consensus of the Planning Commission that the description should include a 30 ft. planted buffer into the property and a 6 ft. wooden fence.

Following discussion, a motion was made by Mr. Hal Hart to recommend approval of the rezoning subject to a 30 ft. planted screening buffer from the west property line and a 6 ft. wooden fence. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

GC-37-99

Request to rezone 13.47 acres known as a portion of the G. V. Whorton Estates as follows: Tract 1 - from Forest Agricultural to Highway Commercial, 10.69 acres located on the northwest corner of U. S. Highway 341 (641.28 ft. of frontage) and Crispen Boulevard (550.33 ft. of frontage); Tract 2- from Limited Industrial to Highway Commercial, 2.78 acres located immediately west of Tract 1 and having 421.18 ft. of frontage on the north side of Crispen Boulevard.

Property owned by SunTrust Bank, SE GA as Trustee

Mr. Jay Kaufman was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

This request is to rezone 13.47 acres, located on the northwest corner of Crispen Boulevard and U.S. Highway 341, to Highway Commercial (permitted uses outlined in Section 713 of the Glynn County Zoning Ordinance). The subject property is currently divided into two tracts of land. Tract 1 is zoned Forest Agricultural and has one single-family residential home located on the entire 10.69 acres. Tract 2 is zoned Limited Industrial and has two industrial buildings on 2.78 acres. The applicant proposes to combine the two tracts, remove all the existing structures and construct a retail commercial center.

A general layout plan that has been submitted shows a shopping center layout with a total of 256,500 sq. ft. and two out-parcels (1.2 acres and 1.55 acres). The plan proposes five access drives, two from U.S. Highway 341 and three from Crispen Boulevard. If the property is rezoned, the number, location and design standards would be reviewed during site plan approval. Any curb cuts from U.S. Highway 341 would require the approval of the Georgia Department of Transportation and access drives from Crispen Boulevard would require the approval of the Glynn County Engineering Department.

The subject property is located immediately adjacent to residential on the north and east property lines. The concept plan shows a 30 ft. landscaped buffer along these property lines.

In conformance with Section 1103. Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Could be compatible with the property to the east, which is zoned Highway Commercial and the site of an existing commercial shopping center.

Rezoning of Tract 1, from Limited Industrial to Highway Commercial, would be a down zoning of the property. This tract having a depth of 280 ft. abuts residentially zoned property (three lots in Stately Oaks Subdivision). Tract 2 also abuts the residential subdivision (Lots 4, 5 & 6 of Stately Oaks Subdivision for approximately 336 ft.

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

The rezoning could have an impact on the adjacent residentially zoned properties. If adequate buffers are provided, this would help lessen the impact visually.

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

Yes, the property could be developed as a residential subdivision.

- 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, this will have an impact on the transportation facilities. Access to the subject property would have to be designed to help eliminate any negative impact at this intersection, which currently has a traffic light. The property would be served by public water and sewer (City of Brunswick system).

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

Tract 1 is shown as low-density residential and Tract 2 is shown as industrial.

- 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 staff is aware of.

Ms. Olness stated that staff is recommending approval of this request subject to a 30 ft. buffer being provided on the north and west property lines.

Following discussion, a motion was made by Mr. Lamar Cole to recommend approval of this request subject to the 30 ft. planted buffer with a 6 ft. wooden screened fence being provided along the north and west property lines. The motion was seconded by Mr. Perry Fields and unanimously adopted.

415 Butler Avenue
Addition to Existing Residence, 6225 sq. ft. lot
Zoned R-6 One-Family Residential

Larry & Sybil D'Amico, property owners, were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

The applicant proposes to add a second-story bathroom to an existing structure, add a stucco wall surrounding the structure, and change the color of the entire structure. The second-story addition will comprise 217.16 sq. ft. of space on the back side of the structure. Color samples were presented for the Planning Commission's review.

The second-story will be done within the first floor footprint. The stucco wall will measure 6'6" on the Butler Mews Circle side and 8'6" on the backside. No trees will be removed for this project.

Ms. Olness stated that staff is recommending approval of this request.

Following review, a motion was made by Ms. Hal Hart to approve this request as submitted. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

At this time (12:30 p.m.), the Planning Commission took a one-hour lunch break. The meeting resumed at 1:45 p.m.

**Preliminary Plat
Jill Brockington Subdivision, Phase III
4.324 Acres, 5 Residential Lots, located off
Green Swamp Road, Zoned Forest Agricultural**

Mr. Gene Brockington, developer, was present for discussion.

This project consists of 4.324 total acres with 3.466 acres to be subdivided into five lots. The smallest lot will be 20,026 sq. ft. The minimum lot size for Forest Agricultural Zoning District is 20,000 sq. ft. The combined area of the roads equals 0.858 acres. A 10 ft. utility easement is proposed along rights-of-way.

The water source will be a community water system and the sewer treatment will be individual septic tanks. A Sedimentation and Soil Erosion Control Permit has been obtained.

The Planning & Zoning Division, Building Inspections, Engineering, Fire Department and GIS have all favorably reviewed this project. Ms. Olness stated that staff is recommending approval of this request.

Following review, a motion was made by Mr. Hal Hart to approve this request. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Fields was not present at this time.)

**Preliminary Plat/Country Walk
27.931 Acres, 76 Residential Lots, Zoned Planned
Development-General, located in Tract R-3 Golden
Isles Gateway, Tract off of Altamaha Boulevard**

Driggers Development, Inc., Developer

Mr. Gary Nevill was present for discussion.

The staff's report was included in the package for review and was presented by Ms. Olness as follows:

The developer proposes to subdivide 27.931 acres into 76 lots comprising 22,188 acres. The minimum lot size within this subdivision would equal 10,000 sq. ft. Minimum lot width is 70 ft. Also proposed is a 50 ft. right-of-way along Country Walk Circle, as well as a 60 ft. right-of-way along Country Walk Drive. A 40 ft. right-of-way along Crescent Cove and a 40 ft. right-of-way along Brookwater Way are also proposed. A 40 ft. right-of-way is planned for Country Way cul-de-sac. The combined area of rights-of-way totals 5.743 acres. The proposed plan also includes 0.237 acres for a pump station. All rights-of-way are proposed to be dedicated to the public.

A 10 ft. utility easement is reserved adjacent to road rights-of-way. The property will also be served by Glynn County water and sanitary sewer lines. No subdivision signage is being required at this time, but will be identified during final plat application. A Sedimentation and Soil Erosion Control Permit will be required for this development.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the following condition:

1. Construction plans cannot be approved until the GIS Department has given final approval of the road names and subdivision names.

Following review, a motion was made by Mrs. Iris Touw to approve this request subject to the condition stated by staff. The motion was seconded by Mr. Lamar Cole. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Hal Hart, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Fields was not present at this time.)

**Preliminary Plat/Eagle Crest
86.554 Acres, 116 Residential Lots, Zoned
Planned Development-General, located in
Tract R-2 Golden Isles Gateway, Tract off
Altamaha Boulevard**

Driggers Development, Inc., Developer

Mr. Terry Driggers and Mr. Bobby Shupe were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

The developer proposes to subdivide 86.554 acres into 116 lots comprising 62,995 acres. The minimum lot size within this subdivision would equal 20,013 sq. ft. Minimum lot width is 90 ft. Also proposed is a 50 ft. right-of-way along Eagle Crest Circle and Eagle Crest Drive. There will be a 150 ft. right-of-way along Altamaha Boulevard. The proposed plan includes 0.237 acres for a pump station as well. The combined area of the rights-of-way total 10.261 acres. All rights-of-way are proposed to be dedicated to the public.

A 10 ft. utility easement is reserved adjacent to road rights-of-way. The property will also be served by Glynn County water and sanitary sewer lines. No subdivision signage is being required at this time, but will be determined during final plat application. A Sedimentation and Soil Erosion Control Permit will be required for this development.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the following condition:

1. Construction plans cannot be approved until the GIS Department has given final approval of the road names and subdivision names.

Following review, a motion was made by Mr. Lamar Cole to approve this request subject to the condition stated by staff. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

**Preliminary Plat
The Commons at Frederica, Phase V
4.873 Acres, 8 Residential Lots, Zoned Planned
Development-Residential, Forest Agricultural &
Conservation Preservation, Portion of Stevens
Tract and Portion of Phase IV, The Commons at
Frederica, St. Simons Island**

Straw Hat, Inc., Developer

Mr. Frank DeLoach was present for discussion.

The staff's report was included in the package for review and was presented by Ms. Olness as follows:

The developer proposes to subdivide 4.202 acres of the 4.873 acres into eight lots ranging in size from 9,742 sq. ft. to 21,024 sq. ft. Also proposed is a 50 ft. right-of-way along West Commons Drive and a 40 ft. right-of-way along Bellrain Lane, to be later renamed. The combined area of the rights-of-way totals 0.671 acres. A 10 ft. utility easement is reserved along road rights-of-way. The project has received approval for an LDA Permit.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the following condition:

1. Construction plans cannot be approved until the GIS Department has given final approval of the road names.

Following review, a motion was made by Mr. Perry Fields to approve this request subject to the condition stated by staff. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

**Site Plan/Skylane Spaces, Phase II
Commercial, Retail, Office Center
1.399 Acres, Zoned Planned Development
Located in Malcolm McKinnon Airport, SSI**

Skylane Spaces, L.L.C., Developer

Mr. John Darby was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

The project consists of 1.399 acres and is proposed to provide a commercial, retail and office center for Skylane Spaces. The property is leased from the Glynn County Airport Commission. The existing buildings total 8,000 sq. ft. and the proposed buildings total 15,250 sq. ft. Existing parking areas total 17,003 sq. ft. and the proposed parking areas will increase to 19,793 sq. ft. Grass and landscaped areas account for 878 sq. ft. The total area is 60,924 sq. ft. (1.399 acres). This area requires 47 parking spaces and the proposed plan provides 50 parking spaces.

Water and sewer service will be provided by Glynn County. There are no trees on this site. An LDA Permit has been issued.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the condition that the Planning Commission delegates final approval of the site plan to the Planning Official in accordance with Section 619.5 of the Zoning Ordinance. Deficiencies that must be corrected before the Planning Official grants approval of the site plan are as follows:

1. Access ways must be named and approved by the GIS Department.

Following review, a motion was made by Mr. Lamar Cole to approve this request with the condition stated by staff. The motion was seconded by Mrs. Iris Touw and unanimously adopted.

**Site Plan/North Support Services Campus
Administrative Support Services Facility
For Sea Island Company, Zoned Planned
Development-General, located on Sea Island**

Sea Island Company, Owner/Developer

Attorney Jim Gilbert and Mr. Bill Foster, Jr. were present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

The developer proposes to construct a new administrative and support services facility at the northwest quadrant of Sea Island Causeway and Frederica Road. The site will include approximately 331 parking spaces, a service road for future buildings, a water system, sanitary sewer and storm drainage.

The site is currently served by the St. Simons Service District of the Glynn County Water and Sewer Department. The developer has received approval for an LDA Permit.

The U.S. Army Corps of Engineers has certified a delineation of 4.74 acres of freshwater wetlands on the site. The Sea Island Company has obtained a permit to impact 1.28 acres of those wetlands and the remaining wetlands will be integrated into the system of buffers and open space.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the condition that the Planning Commission delegates final approval of the site plan to the Planning Official in accordance with Section 619.5 of the Zoning Ordinance.

Deficiencies that must be corrected before the Planning Official grants approval of the site plan are as follows:

1. Access ways must be named and approved by the GIS Department.

Mr. Fields pointed out that when the application for rezoning this property was submitted to the Planning Commission he questioned the adequacy of the buffer along Glynn Haven Estates at that time. For this site plan, he wanted to know what type of buffer, if any, is being proposed for the northern boundary line up towards Glynn Haven. Attorney Jim Gilbert stated that there would be a fence and a planted buffer along the property.

Following discussion, a motion was made by Mr. Perry Fields to approve this site plan subject to the condition stated by staff. The motion was seconded by Mr. Jonathan Williams. Discussion continued.

Mrs. Iris Touw expressed concerns about traffic. She asked if there would be some adjustments to the road to adequately accommodate traffic from the west side of the property. Mr. Foster replied yes, road improvements have been reviewed and approved by the County Engineer's office.

After discussion, the motion for approval subject to the condition stated by staff was unanimously adopted.

**Site Plan/St. Williams Catholic Church
Addition to Existing Parish Hall
2300 Frederica Road, 7.602 Acres, Zoned
R-9 One-Family Residential, St. Simons**

St. Williams Church, Owner/Developer

Mr. Robert Ussery was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

The developer proposes to provide an addition with meeting rooms to the existing Parish Hall of St. Williams Catholic Church. Additional parking is also proposed. The size of the site is 7.602 acres. The proposed addition would increase the size of the Parish Hall from 6,500 sq. ft. to 7,235 sq. ft.

The parking requirement is one space for every four seats in the Sanctuary and Parish Hall. The existing and additional parking combined would provide for more than the required parking of 199 spaces, for a total of 201 parking spaces, plus 9 handicap parking spaces.

The water supply and sewer treatment will be provided by Glynn County. This project has received approval for an LDA Permit.

The Planning & Zoning Division, Building Inspections, Fire Department, Engineering and Environmental Quality have all favorably reviewed this project. Environmental Engineering noted that the applicant must submit a complete set of architectural drawings before the building permit is issued and show any additional connections to the county's water and sewer system, as well as install grease traps if the applicant proposes cooking facilities.

Ms. Olness stated that staff is recommending approval of this request with the condition that the Planning Commission delegates final approval of the site plan to the Planning Official in accordance with Section 619.5 of the Zoning Ordinance.

Deficiencies that must be corrected before the Planning Official grants approval of the site plan are as follows:

1. The LDA Permit must be purchased prior to issuance of the building permit.

Following review, a motion was made by Mr. Lamar Cole to approve this request subject the condition stated by staff. The motion was seconded by Mr. Hal Hart and unanimously adopted.

**Site Plan/Ace Garden Center
2807 Demere Road (located on the south side
of Demere across from Brockinton Drive)
2.01 Acres, Zoned Planned Commercial**

Hal H. Hart, Owner/Developer

Mr. Robert Ussery was present for discussion.

In order to avoid a conflict of interest, Mr. Hal Hart excused himself from the table and joined the audience.

The staff's report was included in the packages for review and was presented by Ms. Olness as follows:

This project is located at the site of an existing Ace Garden Center, 2807 Demere Road, and consists of a 10,000 sq. ft. garden center retail space with a display and storage porch, new paved parking and loading area. The site area is 2.01 acres. The building, including an additional 3,000 future expansion, along with the porch, gazebo, sidewalk and road provide a total site coverage of 48,886 sq. ft. Parking requirements are one space for every 200 sq. ft. of retail space that equals 49 spaces. The planned parking for the request meets this requirement. The building height is proposed to be 35 ft. A 50 ft. right-of-way is planned along Demere Road and a 15 ft. right-of-way is planned along Mary Wan Road.

This project has received approval for an LDA Permit.

The Planning & Zoning Division, Building Inspections, Fire Department and Engineering have all favorably reviewed this project.

Ms. Olness stated that staff is recommending approval of this request with the condition that the Planning Commission delegates final approval of the site plan to the Planning Official in accordance with Section 619.5 of the Zoning Ordinance. Deficiencies that must be corrected before the Planning Official grants approval of the site plan are as follows:

1. Access ways must be named and approved by the GIS Department.
2. The LDA Permit must be purchased prior to issuance of the building permit.
3. Final approval for drainage is contingent on approval of SP99-20.

Mr. Robert Ussery gave a brief presentation. He explained that in researching the drainage for this application, he discovered that Mr. Hart's property and the Palm Coast property were tied together in one drainage scheme. He stated that he is concerned about the language of the last contingency of the staff's recommendation. If for some reason Palm Coast does not go forward, the applicant would like the opportunity to submit his own drainage scheme to be approved by the County Engineer. The Planning Commission and staff concurred.

Following discussion, a motion was made by Mr. Lamar Cole to approve this site plan subject to the Planning Commission delegating final approval of the site plan to the Planning Official in accordance with Section 619.5 of the Zoning Ordinance. Deficiencies that must be corrected before the Planning Official grants approval of the site plan are as follows:

1. Access ways must be named and approved by the GIS Department.
2. The LDA Permit must be purchased prior to issuance of the building permit.
3. Final approval for drainage is contingent on the drainage scheme being approved by the County Engineer.

The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Perry Fields, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

**Site Plan/Telecommunication Site, SSI Site A
150 ft. Monopole Tower, 2910 Lawrence
Road, located across Fire Station #7
499.75 Acres, Zoned Forest Agricultural**

**James Bruce, Jr. & Douglas Bruce, Property Owners
Coastal Tower, Inc., Applicant**

Mr. Jack McGee, agent, was present for discussion.

The staff's report was included in the packages and was presented by Ms. Olness as follows:

The developer proposes to construct a 150 ft. monopole tower on a 499.75 acre parcel of land owned by James Bruce, Jr. and Douglas Bruce. The property is located across from Fire Station #7 (under construction) and is known as the Oatland Tract.

A project summary submitted by the applicant was included in the Planning Commission packages for review. Also, a photo sample of the tower was distributed for review.

Ms. Olness stated that staff has reviewed the application and has found it to be complete and in compliance with the Zoning Ordinance. Therefore, staff is recommending approval of this request.

During his presentation, Mr. McGee explained that the Fish & Wildlife service reviewed the plans and submitted in writing that the project would in no way harm or affect the Woodstock Rookery.

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

GC-2-99 K

Consider Amending the Glynn County Zoning Ordinance Section 302. Definitions, to provide for the allowance of intrusions into yard setbacks for driveways and patios on grade for all lots and to allow up to an 18 inch intrusion of eaves into yard setbacks for certain lots and for other purposes

The amendment was presented by Mr. Taylor and a general discussion followed. Afterward, a motion was made by Mr. Hal Hart, seconded by Mr. Jonathan Williams and unanimously adopted to recommend approval of the following amendment to be forwarded to the County Commission: (words underlined to be added; words with lines drawn through to be deleted)

Yard

A required open space located on the same lot as the principal building, and which is unoccupied and unobstructed from ground to sky except for tree or shrub grown, fences or walls, driveways, walkways, patios on grade, heating/air condition units on grade, subject to height limitations as indicated, except where encroachment of utilities and accessories are expressly permitted. Said exception shall also include the encroachment of eaves, up ~~twenty four (24) inches~~ eighteen (18) inches into the required yard.

GC-2-99 M

Consider Amending the Glynn County Zoning Ordinance Add an Article XV Tree Protection and Landscaping Ordinance, stipulating tree protection, landscaping and buffer requirements; establishing a tree fund; providing for variances and appeals from this article; provide penalties for violation; and for other purposes

The amendment was presented by Mr. Taylor and a general discussion followed. It was the consensus of the Planning Commission to send a recommendation of denial back to the County Commission with a request to continue the process.

Following discussion, a motion was made by Mrs. Iris Touw to send the amendment back to the County Commission with a recommendation for denial in its present form, suggesting that the County Commission return the proposed amendment back to the Planning Commission for refinement, public hearings and more citizens input. The motion was seconded by Mr. Lamar Cole and unanimously adopted.

At this time, Mr. Ed Hulse, former City Manager, read the following statement regarding the Proposed Tree Ordinance. (Note: The three-page memo is not being included in the minutes in its entirety but is available for review.)

“As a member of the ordinance review committee...I question the purpose of this ordinance as worded in part - protects the public health, safety, general welfare and aesthetics. The trees referred to as grand by nature have big spaces and sprawling branches which have limited filter value. Trees growing and creating blind spots should be removed in the interest of public safety...”

“We agree a tree ordinance is needed, but one that rallies around a local posture and with a sense of reasonableness, not one filled with absolute terms that in some areas appear to be in conflict with existing ordinances...”

Election of Chairman & Vice Chairman for the Year 2000

Mr. Richard Altman was re-elected to serve as Chairman of the Planning Commission for the Year 2000. Mr. Lamar Cole was re-elected to serve as Vice-Chairman of the Planning Commission for the Year 2000.

Adoption of the Year 2000 Meeting Schedule

The Glynn County Planning Commission By-Laws state that the regular meeting of the Planning Commission shall be held on the first Tuesday of each month at 9:00 a.m., but when the first Tuesday falls on the day after a holiday or election day, an alternate Tuesday may be selected for that month. (In this case, July 4th Holiday is the first Tuesday of the month; therefore the alternate Tuesday, July 11th was selected).

The Planning Commission unanimously adopted the following meeting schedule for the Year 2000:

January 4 th	July 11 th
February 1 st	August 1 st
March 7 th	September 5 th
April 4 th	October 3 rd
May 2 nd	November 7 th
June 6 th	December 5 th

Also, Janet Loving will continue to serve as Recording Secretary and Deborah Taylor will continue serving as Zoning Administrator for the Glynn County Planning Commission.

MINUTES

- September 7, 1999
- October 5, 1999
- November 2, 1999

A motion was made by Mr. Lamar Cole to approve the Minutes of September 7th, October 5th and November 2, 1999 Planning Commission meetings. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Richard Altman, Mr. Lamar Cole, Mr. Perry Fields, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Hal Hart.

STAFF ITEMS

**a) Discuss proposed amendment to Glynn County Zoning Ordinance
Section 302. Definitions, Drinking Establishment**

Mr. Taylor advised that the Assistant County Attorney, Keith Taylor, has recommended a change to the definition of Drinking Establishment. The proposed amendment was included in the packages for review. Permission was granted for Mr. Taylor to advertise the proposed amendment for the January 4th Planning Commission meeting.

b) Discussion of Future Ordinance Amendments
1) Parking Space Requirement
2) Lighting Amendment

Mr. Taylor presented two potential amendments and a general discussion followed. It was the consensus of the Planning Commission to forward the two proposed amendments to the sub-committee for review, followed by a sub-committee meeting to be scheduled after the holidays.

There being no further business to discuss, the meeting adjourned at 4:10 p.m.