

MINUTES
GLYNN COUNTY PLANNING COMMISSION
APRIL 3, 2001 9:00 A.M.

MEMBERS PRESENT: Lamar Cole, Chairman
Wayne Stewart, Vice Chairman
Perry Fields (Arrived at 9:28)
Hal Hart
Ann McCormick
Iris Touw
Jonathan Williams

STAFF PRESENT: John Peterson, Director
Lee Sutton, Planning Official
Ellis Carter, Building Official
Millard Johnson, Transportation Coordinator
Buster Reese, Assistant County Engineer
Janet Loving, Recording/Admin Secretary

Chairman Lamar Cole 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.

GC-2001-08

Request to Rezone from Basic Industrial to Highway Commercial 1.752 acres, described as Griffis Lands, located at 123 Perry Lane Road; property having 304.95 feet of frontage on Perry Lane Road. Property owned by C. H. Griffis.

Mr. Griffis and Attorney Joseph Ferrier were present for discussion.

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

Planning and Zoning Division staff originally reviewed a building permit application and determined that this is a non-conforming Basic Industrial property in that the minimum parcel size required is 5 acres. This parcel is 1.752 acres.

The applicant, Mr. Griffis, wishes to renovate/enlarge the existing structure on the property to accommodate and existing trucking business. Setback requirements limited the applicant as to the directions this expansion could occur. Staff recommended that a possible solution was to rezone the property from Basic Industrial to Highway Commercial, which allows for a trucking terminal as a permitted use while Basic Industrial only allows it as a conditional use.

Upon submittal of a completed application, the entire Development Review Team reviewed the application. Additional items of concern include construction in a flood zone that would require meeting FEMA requirements. Finally, Planning & Zoning staff was made aware by the Building Inspection's office that a restriction was applied to the property by EPA because of the super fund site next door that would limit any development of the property until resolution of those associated issues. Mr. Griffis apparently brought this information to Building Inspection's attention.

In conformance with Section 1103 of the 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, to the best of staff's knowledge, use of the property is limited due to the adjacent super fund site.

- 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, however it is limited because it does not meet the minimum characteristics of the Basic Industrial Zoning classification.

- 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, both Basic Industrial and Highway Commercial have conditions in regards to all except schools. Staff does not feel that schools would be negatively affected.

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

The future land use plan identifies this area as being developed for industrial. The current use is a permitted use within Highway Commercial while it is a conditional use in Basic 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;

Yes, the super fund site on the adjoining parcel. However, Mr. Sutton stated that Mr. Griffis has indicated that he does have a letter that has cleared the site.

Mr. Sutton stated that staff is recommending denial of this request.

Mr. Wayne Stewart asked if staff has seen the letter indicated by Mr. Griffis. Mr. Sutton replied no. Mr. Stewart stated that if the property is currently zoned with a conditional use, wouldn't it be simpler to just maintain the conditional use. Mr. Sutton stated that there has been no conditional use requested. The applicant requested a building permit to expand a non-conforming use. The expansion of the non-conforming use headed in the general direction of the front setback. Basic Industrial has a front setback requirement of 50 ft.

Mrs. Iris Touw wanted to know when the lot was subdivided. Mr. Sutton stated that it appears that the lot was subdivided in 1998. Referring to the plat, he stated that normal procedure would have been to go through the minor plat application process, but it would not have been approved due to the minimum parcel size. Mr. Sutton stated that this is not approved by the Community Development Director, nor was it recorded as a free-standing plat in accordance with Article VIII standards. He stated that it is, however, a lot of record.

Attorney Joseph Ferrier gave a brief presentation. He explained that when Mr. Griffis acquired this particular piece of property it had already been subdivided on March 15, 1985. The property is a part of the old Escambia Treatment Company and Mr. Griffis acquired the property with the existing building in its current condition. He

has been leasing the property and was in the process of making improvements to the building when the problem came to light. Mr. Griffis approached staff on his own initiative in an attempt to correct the problem and to get a permit in order to add onto the building.

Attorney Ferrier stated that after reviewing the regulations and discussing the problem with staff, the applicant took Mr. Sutton's advice and filed the rezoning application for Highway Commercial for the following reasons: 1) the property is not the proper size for Basic Industrial; 2) the property does not meet the setback requirements; and 3) the use is not in conformity with the area.

For clarification, Attorney Ferrier stated that he had spoken with EPA about the property but he does not have a letter and neither does Mr. Griffis. The impact from EPA does not affect this tract of land and there isn't anything on file that would prohibit Mr. Griffis from adding onto the building. Therefore, Attorney Ferrier is encouraging the Planning Commission to approve this request.

At this time, Mr. Griffis presented background history of the property, the existing building and the surrounding area including information on the current road. He explained that he would like to build an office/storage facility onto the existing building for Ted and Philip Nobles. Mr. Griffis stated that they have been renting the space from him, and the fact that the building is not far enough off of the road seems to be an obstacle.

During a brief presentation, Mr. Philip Nobles, co-owner of Ted & Philip Construction Company, stated that he expressed concerns to EPA regarding the water, etc. However, after testing the area the EPA representatives reported that they did not find anything wrong with the site or the water, and confirmed that the water was suitable for drinking. He has a souvenir corps sample from EPA in his shop. Mr. Nobles stated that his company is currently using the yard for storage space.

Following discussion, a motion was made by Mr. Wayne Stewart to recommend approval of this rezoning. The motion was seconded by Mrs. Iris Touw. Discussion continued.

Mrs. Touw pointed out that this is a request for a rezoning from Basic Industrial to Highway Commercial only. Anything else is beyond what the Planning Commission is being asked to consider. Mr. Hart had questions about the acceleration-deceleration lane with regard to the trucking company being able to maneuver in and out of the area. However, Mr. Sutton explained that the portion of the application that Mr. Hart is referring to has not been reviewed by staff as part of the completed application yet.

After discussion, the following vote was taken on the motion for approval. Voting Aye: Mr. Lamar Cole, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Perry Fields was not in attendance at this time.)

GC-2001-09

Request to Rezone from Highway Commercial to M-20 One-Family Residential 0.570 acres on the west side of Old Belle Point Road; property having 164.67 feet of frontage on Old Belle Point Road and being approximately 3,350 feet south of the intersection of Peek Road and Old Belle Point Road. Property owned by Max B. Emery, Emery Enterprises, Inc.

Mrs. Doris Cain was present for discussion.

In presenting the staff's report, Mr. Sutton stated that staff is recommending approval of this request conditioned on the .570 acre parcel being absorbed into the M-20

zoned portion of property owned by Mr. and Mrs. Cain. This would require minor plat approval in accordance with Article VIII, Section 801 of the Glynn County Subdivision Regulations. Creation of a new parcel zoned M-20 at .570 acres would also require minor plat approval and it would require Environmental Health concurrence because of lot size restrictions associated with well and septic system requirements. (This was not suggested as an option by the applicant.)

In conformance with Section 1103 of the 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;

Yes, this would afford the agent an opportunity to have an additional buffer between their residential use and the commercial use associated with the existing zoning.

- 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, however an arrangement has been made between neighbors identified here as agent and owner.

- 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, on the contrary, this down zoning provides the residential use more of a buffer for the residential only.

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

The future land use plan identifies this area as residential adjoining a commercial use, as is the current and proposed case.

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

There are none.

Mr. Wayne Stewart asked if this request is considered to be a down zoning. Mr. Sutton replied yes.

Mrs. Doris Cain stated that she is purchasing the property and stressed that for the safety of her children, she doesn't want a commercial development beside her.

Mr. Perry Fields wanted to know if the portion of the property in question would still be a separate lot. Mr. Sutton replied no, the property would be absorbed by the property currently owned by the Cain's. The rezoning and the necessity of the minor plat application would create a lot zoned M-20, approximately one acre plus or minus. Mr. Fields asked Mrs. Cain if she understood that this would become one lot. Mrs. Cain replied yes.

Following discussion, a motion was made by Ms. Ann McCormick to recommend approval of this request with the condition that the two lots be absorbed and made into one lot. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

In order to avoid a conflict of interest, Chairman Lamar Cole turned the following agenda item (Application GC-2001-10) over to Vice-Chairman Wayne Stewart. Mr. Cole did not participate in the discussion or the vote. The Vice-Chairman proceeded as follows:

GC-2001-10

Request to Rezone from R-12 One-Family Residential to Highway Commercial .957 acres, described as Lot 5 of Suburban Estates and adjoining Parcel A; property having a total of 285.04 feet of frontage at the intersection of Altama Avenue and Spur 25; Property owned by the Junior Chamber of Commerce.

Ms. Valerie Harrison was present for discussion.

In presenting the staff's report, Mr. Sutton stated that staff is recommending denial of this request. Lot 5 is zoned residential. Parcel "A" apparently is acting as a buffer between the residential use of Suburban Subdivision and the commercial development adjacent to Lot 5. Access to the subject property, required buffers and impacts on the residential use are all factors governing staff's recommendation.

In conformance with Section 1103 of the 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, encroachment of the proposed commercial use is not in keeping with the intent of the R-12 character associated with the existing residential subdivision.

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

Yes, buffer requirements and curb cuts affording ingress/egress of the proposed commercial development would adversely affect the character of the residential development already established by previously accepted land use patterns. Access to property suggested for a rezoning would be required from Suburban Drive because of ordinance requirements described in Article VI, Section 614 of the Glynn County Zoning Ordinance. Refuse collection, loading and unloading areas, lighting and noise buffer requirements are major concerns from staff.

- 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;

Yes, existing zoning and land use planning has described the area as not being affected by commercial encroachment in accordance with the intent of the R-12 zoning classification.

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

The future land use plan identifies this area as residential adjoining an intense commercial use, which is the current character affording the residential use with the required buffer between the two uses.

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

Changing the residential use to one of commercial would adversely impact previous land use planning that affords residential uses with an adequate buffer between the two.

Mr. Sutton stated that there is one fully developed cypress tree on the lot, which is an indication that some type of wetlands exists.

Ms. Valerie Harrison, the potential buyer of the property, gave a brief presentation. She stated that if this request is approved, she would like the drainage ditch moved over to the front of the Altama property. She stated that the property in question is located on a very busy corner and she doesn't think anybody would want to build a home on the property next to the highway. Ms. Harrison stated that she is willing to install any type of buffer recommended by the Planning Commission.

Mr. Dobie Strickland, representing the Brunswick Jaycees, stated that the Jaycees would like to sell the property and use the money back in the community on other projects.

Mrs. Kelly Knox of 217 Suburban Drive was present to oppose this request. She expressed concerns about the safety of her children, noise and traffic problems. She explained how difficult it is now to turn left into the northbound lane of Altama Avenue from Suburban Drive and that a commercial business would worsen the situation. Mrs. Knox also complained that the sign placed on the property advertising today's public hearing was difficult to read, and that most of her neighbors probably did not see the sign at all.

Mr. Tom Swan, RUPA, asked the Planning Commission to consider staff's comments regarding the buffer and being in conformance with the Master Plan. He stated that the applicant is asking for a significant change that will violate the intent of the Master Plan in that the rezoning would eliminate a buffer, which serves a very good purpose.

Mr. Fields wanted to know the zoning for Parcel A. Mr. Sutton stated that Parcel A appears to be in the Highway Commercial portion of the zoning classification.

Regarding the applicant's request to move the drainage ditch upon approval of the rezoning, Mr. Buster Reese stated that the ditch could be engineered to be moved over to another parcel. He explained that there is drainage that comes in from the church, from the road and into a big concrete pipe.

Mr. Fields had questions about the residential buffer setback from Highway Commercial to Residential. Mr. Sutton stated that according to Article VI, Section 613, *"when situated adjacent to a residential district or residential property, institutional, commercial and industrial uses, off-street loading and unloading areas, or off-street parking areas, or open yard storage areas shall be separated from the adjoining residential district or property line by a continuous planted buffer strip or a solid brick, concrete block, or stone wall or a uniformly painted board fence."* Mr. Sutton stated

that according to the Highway Commercial zoning classification, *“protective screening will be required at all property lines to visibly separate this use from any adjoining property. This buffer is to consist of either a 6 ft. fence or a 6 ft. planting screen, meeting the approval of the Building Official. Said buffer to be installed prior to final inspection.”* Mr. Sutton pointed out that according to this section of the ordinance, there is no specific distance. Highway Commercial side yard setback is 7 ft., the front yard setback is 25 ft., and the rear yard setback is 7 ft.

Mrs. Touw wanted to know if the property was ever on the market for sale as residential, and if so, for how long. Mr. Strickland stated that the Jaycees put the property on the market approximately a year and six months ago and have stated that it is currently residential but could be changed to commercial. That is when Ms. Harrison approached them and advised that she could get the property rezoned to commercial.

Ms. McCormick wanted to know the Jaycees intention for the property when it was purchased; however, Mr. Strickland did not know in that the property was purchased before he became a member. Ms. McCormick asked Mr. Strickland if he felt that they were trying to sell the property because at this time it is of no use to the Jaycees. Mr. Strickland replied yes.

Mr. Hart questioned whether Highway Commercial would be an appropriate zoning based on the access to the property.

Following discussion, a motion was made by Mrs. Iris Touw to recommend denial of this request. The motion was seconded by Ms. Ann McCormick. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams.

At this time, the meeting was turned back over to Chairman Cole

Little Lake Farms (Variance Request)

21.785 Acres, Located on Old Jesup Highway &
Anna Way, Zoned Forest Agricultural
Farrell Landon, Owner/Developer

Mr. Farrell Landon was present for discussion.

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

The applicant is requesting a variance from Article VI, Section 602.2(g) of the Subdivision Regulations, in accordance with Article IX, Section 901 of the Subdivision Regulations. Little Lake Place and Little Lake Drive combine to create a proposed dead-end street with an overall length of approximately 1300 ft.

Mr. Sutton stated that the Board has the authority to grant a variance, in accordance with Section 902. However, Planning & Zoning staff promotes in-fill development and discourages sprawl while meeting the health, safety and general welfare goals established in Article IV of the Subdivision Regulations. The intent of Forest Agriculture, the length of the cul-de-sac, the peculiar shape of the property combined with wetlands, flood zone, a super fund site within 1800 ft., city water 2400 ft. and a Georgia Power easement are all issues which have not been adequately addressed. All of these issues should be considered collectively when considering granting the variance for

the length of the cul-de-sac or ultimately considering approval of the preliminary plat. Finally, other developments have occurred in the area. However, current staff of Glynn County Community Development has not recommended approval of these developments and has consistently recommended denial of similar developments.

During a brief presentation, Mr. Farrell Landon stated that five years ago he did a delineation for wetlands with the Corps of Engineers. He pointed out that there are other developments in this same area.

Mr. Hart wanted to know if anything had been decided regarding the Georgia Power easement. Mr. Landon replied no. He stated that he is willing to make application in order to go across the easement, but he is not sure of the procedure. Mrs. Touw asked if it were permissible to build a house or a structure on a Georgia Power easement. Mr. Landon replied no. She then asked Mr. Landon if he knew the size of the easement. Mr. Landon stated he thinks that it is 330 ft. at the widest point. Mrs. Touw wanted to know if preliminary plats require building setback lines. Mr. Sutton explained that normally building setback lines are shown if there is a question about where the lot fronts. Typically, there is a statement out to the side, underneath the zoning classification that indicates what the setbacks are. In this instance of Forest Agricultural zoning classification, the front setback is 20 ft., side yard setback is 7 ft. and the rear setback is 7 ft.

Ms. McCormick commented that she has a problem with there being so many requests for variances on cul-de-sacs. This is one of the issues being examined by the Ordinance Review Sub-committee.

Following discussion, a motion was made by Mr. Perry Fields to grant the variance. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. Voting Nay: Mr. Lamar Cole and Mr. Wayne Stewart.

Little Lake Farms (PP00-36)

21.785 Acres, Located on Old Jesup Highway &
Anna Way, Zoned Forest Agricultural
Farrell Landon, Owner/Developer

Mr. Landon was present for discussion.

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

The applicant is proposing to create an 18 lot subdivision. The smallest lot size will be Lot 6 at 20,144 sq. ft. The minimum lot size for this zoning classification is 20,000 sq. ft. Little Lake Place is suggested as a private dead end street with a right-of-way width of 60 ft. Together with Little Lake Drive, also a dead end street suggested as public with a right-of-way width of 60 ft., they combine to assume the character of a dead end street in excess of 1,200 ft. From the nearest through street, which is Old Jesup Highway, to the center of the cul-de-sac at the end of Little Lake Place the approximate length is 1,300 ft. The water supply and sewage disposal will be individual septic tanks and wells. Environmental Health site approval and an LDA permit are required.

The Building Inspections Division, Planning and Zoning, Engineering, as well as GIS, the Fire Department and Environmental Engineering have reviewed this project.

Planning and Zoning staff recommends denial based on the length of the cul-de-sac, intent of the Forest Agriculture zoning district and failure of the applicant to notify Georgia Power and obtain an encroachment agreement. Kay Kimbrough from the local

Georgia Power Office indicated no encroachment agreement has been requested. (A copy of Georgia Power's Encroachment Agreement was included in the packages for the Planning Commission's review.)

Mr. Fields wanted to know if the proposed roads were public or private. Mr. Sutton replied that the roads are to be public. Mr. Fields stated that he is not sure that the county will maintain a road that is under a Georgia Power easement. He stated that this should have been reviewed by the County Attorney's office from a legal standpoint. He feels sure that the County Attorney would require an encroachment agreement from Georgia Power before the county would accept the deeds to the roads.

For clarification, Mr. Fields wanted to know if the recommendation for denial is from Planning & Zoning staff only. Mr. Sutton replied yes. Mr. Fields then had questions about fire hydrants. Mr. Sutton stated that fire hydrants would be addressed at the construction phase of the project. He explained that typically, the plans are approved with the condition that construction plans be received for review. The Fire Department has been adamant that there be a method of installing fire hydrants and that there be a water source that meets the minimum flow pressure requirements.

Mr. Hart stated that he would be more comfortable voting on this item if he had the easement agreement in front of him. Mrs. Touw stated that she knows that the easement has certain restrictions and that certain things have to be settled regarding roads, building, etc. However, what she doesn't understand is why the Planning Commission has been given a preliminary plat and these questions are still unanswered. Mr. Sutton pointed out that the applicant and the owner were notified and made aware of these issues. (A letter to the applicant dated 1-25-2001 was included in the packages.) They were also given a copy of the agreement.

At this time, Mr. Landon asked if he could request a deferral until he could perhaps talk with Georgia Power and get more information. Mrs. Touw stated it would be in the applicant's best interest to request a deferral. Mr. Fields stated that during this deferral period he would suggest that staff confer with the legal department regarding the issue of the roads becoming public. Mr. Landon's request for deferral until the next meeting was granted.

The Arnold House Inn (SP00-02)

0.437 Acres, Located on Lots 1, 2 & 3 of
The Arnold Villa Subdivision, SSI
Zoned HC Highway Commercial
James & Pamela Timbes, Owner/Developer

This item was deferred until later in the meeting pending arrival of a representative.

The Arnold House Inn (SP00-03)

0.297 Acres, Located on Lots 11, 12 & 13 of
The Arnold Villa Subdivision, SSI
Zoned RR Resort Residential
James & Pamela Timbes, Owner/Developer

This item was deferred until later in the meeting pending arrival of a representative.

Food Lion Shopping Center (SP01-08)

8.09 Acres, Located on Perry Lane Road at Spur 25

Zoned Planned Development-Shopping

Sawyer & Assoc., Nalley Commercial Properties, Owner/Developer

Mr. Ron Sawyer and Mr. Chris Amos were present for discussion.

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

The applicant is proposing to construct a Food Lion Grocery Store approximately 196 ft. by 195 ft. or 37,850 sq. ft. In addition, 11,180 sq. ft. of other shops are proposed, along with 16,000 sq. ft. of future construction. 325 parking spaces have been calculated as required. The engineer for the project has estimated a 72.3% impervious surface coverage. Water will be provided by Glynn County and sewer will be provided by the City of Brunswick.

The Building Inspections Division, Planning and Zoning Division, Engineering, as well as Environmental Engineering, GIS and the Fire Department have all reviewed this project.

The Traffic Safety Engineer recommends denial until the application is redesigned with acceleration/deceleration lanes on Perry Lane and Spur 25. In addition, Traffic Safety is requesting that a traffic impact and level of service study proposal be provided. The primary area should include all surrounding roadways and proposed entrances/exits onto Spur 25 and Perry Lane Road adjacent to the proposed development area for a distance of at least 1,500 ft. Consideration should be given for the future planned development and extension of Spur 25 to State Route 99 and consideration should be given to the potential for the future widening of Perry Lane Road from the existing two-lane road. Overall objectives should be to forecast traffic impact to area with level of service and delay times in and around area. Consideration should be given for the estimated traffic volume increase (through current and expected trip generation) for the area, as vacant land within the area of study would be developed.

Planning and Zoning staff estimates that in accordance with Article VI, Section 611.6d of the Zoning Ordinance one space per 100 sq. ft. of retail sales area is required. It is estimated that approximately 250 spaces will be required for Food Lion alone. Depending on the type of shops proposed next to Food Lion 75 additional spaces could be provided, but it is unlikely that they would be required. The area identified as future shops should return to the Planning Commission for site plan approval prior to issuing a building permit, or delegate specific responsibility to the Planning Official in accordance with Article VI, Section 619.5.

As suggested at the preliminary plat review this plan needs to be considerate of the residential area at the northern end of the property. Lighting and the unloading zone should require the installation and maintenance of a buffer that will be sensitive to impacting the residential use. A 6 ft. fence will not prevent security lighting from illuminating an adjoining residence nor will it prevent the occupant from enjoying the sounds of dumpsters being emptied or refrigerated trailers from being unloaded within 50 ft. of their property line. If the number of parking spaces could be reduced, potentially the building could be located further from the property line which could allow for additional buffering such as a planting screen and fence that could reduce the impact of lighting and noise.

Mr. Sutton pointed out that in discussing this plan with Mr. Sawyer late yesterday afternoon, it appears that no acceleration lanes are required. Also, the issue of deceleration lanes on Perry Lane Road has been resolved. The Department of Transportation is still in the process of providing information to Mr. Sawyer regarding the Spur 25 angle. Mr. Sawyer has made it very clear that there are wetlands adjoining the backside of the property. They are isolated wetlands and could possibly be filled but they were delineated as wetlands. Therefore, Mr. Sutton stated that he is satisfied that

there is more of a buffer in place than what he thought at the time of writing the staff's report.

Mr. Wayne Stewart stated that the wetlands buffer on the backside of the property is a good buffer, but the developer still needs to work on the direction of the lighting. Mr. Fields agreed and added that he'd like to know what is located on the northwesterly border of the property. Mr. Sutton stated that a residential subdivision is located in that particular area.

Mr. Ron Sawyer gave a brief presentation and addressed the wetlands. There is approximately 3 acres of wetlands in the area that he owns, which he stated were delineated in the early 1990's. He pointed this area out, along with the area of a proposed lake. He also presented photographs of the wetlands for the Planning Commission's review. Regarding the lighting issue, he stated that he could either put the lights on the back of the building, which would shield the lighting, or he could put in polls by the fence so that the lighting is reflected back towards the building.

Mrs. Touw had questions about the entry way for delivery trucks and dumpster pick-up. Mr. Sawyer demonstrated how these trucks would enter the drive, circle the building and come back out.

Regarding the parking spaces, Mr. Sutton stated he feels that 325 spaces for Food Lion is too many spaces. The formula for calculating parking for a food store is one space per 100 sq. ft. Calculating parking for a shopping center would produce more spaces. Mr. Sutton stated that there were no calculations shown for patron space, but estimated that two-thirds of the space would be patron space or approximately 250 spaces, which leaves 75 spaces for the other two uses. A drug store or a beauty salon would not need 75 spaces. However, if a restaurant were proposed, the number of required spaces would increase tremendously. There are a number of permitted uses within this particular zoning classification that would require a greater number of parking spaces. Mr. Sutton is concerned with the future development and thinks that perhaps there should be a limit to the type of uses proposed for future development.

Mr. Stewart stated he feels that too much parking is being required but hopefully there will be some adjustments to this plan.

Mr. Sutton stressed that staff has indicated on several occasions that in these areas where the county is experiencing huge amounts of growth, traffic studies and master drainage plans are needed. He then requested that at some point the Chairman should consider forwarding a recommendation requiring specific areas to have these studies.

There was a lengthy discussion and much concern expressed about the proposed future development in relation to parking, traffic and the deceleration lane. There was also discussion regarding the Planning Commission's consideration of the entire site plan, specifically the area marked "future shops," which prompted Mr. Fields to suggest a short recess to allow the developers and owners to confer with each other. Mr. Sutton pointed out that "future shops" could mean one of twenty items listed under permitted uses. Staff needs a completed application targeting a specific use in order to provide a complete review for the Planning Commission's consideration. Thereupon, a motion was made by Mrs. Iris Touw to recess for 10 minutes. The motion was seconded by Ms. Ann McCormick and unanimously adopted.

The meeting resumed at 11:27 a.m. and discussion continued on the site plan for the Food Lion Shopping Center. After discussion, a motion was made by Mr. Perry Fields to approve the site plan with the following conditions:

- 1) deceleration lane be provided pursuant to the traffic safety requirements in regard to the easternmost entrance of Stellar Drive;

- 2) the lighting issue be addressed by the Planning Official to ensure that all lighting is deflected away from the residential adjoining properties; and
- 3) any development other than the Food Lion main structure and the future expansion area and shops adjacent to the Food Lion main structure must come back to the Planning Commission for site plan approval.

The motion was seconded by Mr. Wayne Stewart and unanimously adopted.

The Arnold House Inn (SP00-02)

0.437 Acres, Located on Lots 1, 2 & 3 of
The Arnold Villa Subdivision, SSI
Zoned HC Highway Commercial
James & Pamela Timbes, Owner/Developer

Mr. Larry Bryson was present for discussion.

This is an application to extend the site plan approval in accordance with Article VI, Section 619.6 of the Zoning Ordinance. Mr. Sutton explained that the proposed use is a three-story hotel with parking (50 spaces with 2 handicapped spaces). The site plan was approved by the Planning Commission in March 2000.

The Building Inspections Division, Planning & Zoning, Engineering, Environmental Engineering, GIS and the Fire Department have all reviewed this project. However, Planning & Zoning staff recommends denial of the extension. Mr. Sutton stated that if an extension is granted, the Planning Commission should take into consideration the fact that the character of the area one-year ago is much different than it is today. Also, if an extension is granted, staff would recommend that the Planning Commission make the extension time-certain and limit the number of times of renewal because of the dramatic changes in the area.

During a brief presentation, Mr. Larry Bryson stated that this is an application for an extension only. He stated that he cannot say specifically when this project will start but a contractor has been selected. The intent is to commence construction within the 12-month period. He pointed out that it is an 8.5 million-dollar project and it is quite extensive. The construction finances are in place but they are still working to obtain the permanent finances, which is why the project has been delayed. Mr. Bryson stated that this is the same plan previously submitted and there have been no changes.

Mr. Hart asked Mr. Bryson if he could elaborate on the changes in the area as indicated by Mr. Sutton. Mr. Bryson stated that the only thing that he is aware of is the five-unit condominium complex developed by Dr. Wiedemeyer, but it was approved prior to this project. Beyond that, he stated that he doesn't know of any new construction without that block.

Mr. Jonathan Williams had questions about the length of time allowed for completion once construction begins. Mr. Sutton explained that the construction period at this point would be in accordance with Section 619.6 of the Zoning Ordinance. Building Inspections has a requirement in place where their inspectors are invited on-site every 6 months so that the permit is considered continuously active.

Mrs. Touw wanted to know how much space is in place from the property line to the edge of the pavement. After scaling the area, Mr. Bryson replied that there is 15 ft., and from the pavement to the building is 35 ft.

Mr. Tom Swan of RUPA commented that he doesn't know how many changes had been made in the Zoning Ordinance since this site plan was approved. If the extension is granted, should the extension comply with those changes, or should the extension comply with the ordinance before the changes were made. Chairman Cole was of the opinion that the extension would comply with the ordinance before the changes were made because the site plan was approved under that ordinance. Mrs. Touw disagreed. She stated that if we are approving an extension, we are approving it as of this date, but perhaps a legal interpretation is needed for clarification.

Following discussion, a motion was made by Mr. Hal Hart to grant the extension for 12 months (from March 2000) in accordance with the ordinance. The motion was seconded by Ms. Ann McCormick subject to there being no changes to the site plan that was approved last year. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mr. Wayne Stewart, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Lamar Cole.

(Due to a prior commitment, Mr. Wayne Stewart left the meeting at this time.)

The Arnold House Inn (SP00-03)

0.297 Acres, Located on Lots 11, 12 & 13 of
The Arnold Villa Subdivision, SSI
Zoned RR Resort Residential
James & Pamela Timbes, Owner/Developer

Mr. Larry Bryson was present for discussion.

As previously stated, this is an application to extend the site plan approval in accordance with Article VI, Section 619.6 of the Zoning Ordinance. The proposal is for a three-story hotel with parking. The site plan was approved by the Planning Commission in March 2000 and there have been no changes to the plan.

The Building Inspections Division, Planning & Zoning, Engineering, Environmental Engineering, GIS and the Fire Department have all reviewed this project. If an extension is granted, staff would recommend that the Planning Commission make the extension time-certain and limit the number of times of renewal.

Following discussion, a motion was made by Mr. Hal Hart to grant the extension for 12 months (from March 2000) subject to there being no changes to the site plan that was approved last year. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. Abstained From Voting: Mr. Lamar Cole. (Mr. Stewart was no longer in attendance.)

Philadelphia Overcomers Church of Deliverance (SP01-09)

10.43 Acres, Located on Highway 17 and Emmanuel Farm Road
Zoned PD Planned Development
Philadelphia Overcomers Church of Deliverance, Owner/Developer

Mr. Don Hutchinson was present for discussion.

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

The applicant is proposing to construct a Church Sanctuary, Sunday school and related parking. A proposed 67.7% will remain as natural and/or landscaped. The applicant has calculated the necessity of 143 parking spaces. 167 parking spaces are proposed. Water and sewer will be provided by the City of Brunswick.

The Building Inspections Division, Planning and Zoning, Engineering, as well as, Environmental Engineering, GIS and the Fire Department have all reviewed this project.

The Fire Department will require additional hydrants, Traffic Safety will require an acceleration/deceleration lane on Emanuel Farm Road and the applicant will be required to resolve any issue with the City of Brunswick regarding water sewer. The Department of Natural Resources Coastal Resource Division has requested that no permit be issued until delineation is agreed upon regarding marsh along Highway 17.

Mr. Sutton stated that staff is recommending approval of this request conditioned on a deceleration lane being installed at Emmanuel Farm Road and resolution of marsh delineation with the Coastal Resources Division.

Mr. Don Hutchinson gave a brief presentation. He explained that he received a written permit from the Corps of Engineers and all other conditions have been met with the exception of the issue with DNR. As of this morning, Mr. Hutchinson stated that he forwarded a plat with the lines included to Ms. Rhonda Knight of DNR for her review and to ensure that she agrees with the Corps of Engineers. He pointed out the main entrance with the acceleration and deceleration lanes on both sides and stated that he would install a 6 ft. high planted buffer.

Following discussion, a motion was made by Mr. Perry Fields to approve this request. The motion was seconded by Mr. Jonathan Williams. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Stewart was no longer in attendance.)

114 Mews Circle (VP01-05)

2,126 Square Foot Residential Structure, Zoned R6
Wilton F. Davis, Owner; Tom V. Willis, Developer

Mr. Tom Willis was present for discussion.

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

The applicant is proposing to add a sunroom, deck and patio to an existing 2,126 square foot residential structure. The sunroom suggests adding 396 sq. ft. while the deck and patio comprise 178 sq. ft. The proposal will leave 4,908 sq. ft. of grass coverage to an 8,200 sq. ft. lot or 59.85 % pervious surface. The color scheme will remain the same as the rest of the house. No trees will be removed for this project. The applicant will be required to apply for a Building Permit. The addition does not exceed the maximum height limitations for the Village Preservation Overlay District.

Mr. Sutton stated that staff is recommending approval of this request.

Following review, a motion was made by Mr. Perry Fields to approve this request. The motion was seconded by Mrs. Iris Touw. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Stewart was no longer in attendance.)

Minutes

Mr. Sutton advised that he received a letter yesterday afternoon (4-2-01) from Mr. Tom Wheeler suggesting that the Draft Minutes of March 6, 2001 did not accurately reflect his intention. Mr. Sutton wanted to know if any of the Planning Commission members received a letter as well. He also asked the members if they wanted to consider Mr. Wheeler's letter in deciding whether or not to adopt the Minutes. Chairman Cole stated that he received a phone call regarding the Minutes. Upon receiving this phone call, he questioned staff. Staff (Mr. Sutton and Mrs. Loving) carefully reviewed the audiotape of the meeting and determined that the Minutes were accurately recorded. The Minutes reflect what was said and not what Mr. Wheeler intended to say. Mrs. Touw asked staff to provide the members with a copy of Mr. Wheeler's letter. Mr. Sutton concurred.

Referring to the last page, last paragraph of the March 6th Minutes with respect to *Application GC-2001-04*, Mrs. Touw stated that due to the time line of this item having been deferred twice, she is requesting that this item be discussed and subsequently acted upon at this time. According to the "Georgia's Open Meetings Act," an issue not on the posted agenda may be considered or voted on in the meeting if "necessary." Therefore, a motion was made by Mrs. Iris Touw to discuss *Application GC-2001-04*. The motion was seconded by Mr. Hal Hart. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams. (Mr. Stewart was no longer in attendance.)

Mrs. Touw pointed out that this item, *GC-2001-04*, was on the February 6th agenda and because there was no agent present, the request was deferred to the March 6th meeting. However, a representative was still not in attendance at the March meeting and the item was deferred again. According to the ordinance, if an item is not acted on in a certain amount of time, it is assumed approved and forwarded on to the County Commission. This item cannot be deferred again. A deferral is not an action, it is a delay. Mrs. Touw stated that there is another option, but the applicant would have to initiate the option and since the applicant is not present today, the Planning Commission must take action.

In discussing this issue with Assistant County Attorney Keith Taylor, Mr. Sutton stated that he explained to Mr. Taylor that there had never been a completed application submitted for consideration. The applicant identified an agent but was unsuccessful in providing a completed agent application form. This request was advertised twice. Staff has a log showing its efforts in attempting to re-advertise this item for the third time. With the exception of talking with Chris Amos, who advised that both owners refused to sign the "*Agent Authorization Form*," staff received no feedback. Mr. Sutton stated that staff's recommendation is for denial based on the fact that the application is not complete.

Following discussion, a motion was made by Mr. Hal Hart to recommend to the Board of Commissioners that this application (*GC-2001-04*) be denied due to the application being incomplete. The motion was seconded by Mr. Perry Fields. Voting Aye: Mr. Lamar Cole, Mr. Perry Fields, Mr. Hal Hart, Ms. Ann McCormick, Mrs. Iris Touw and Mr. Jonathan Williams.

Upon a motion made by Mrs. Iris Touw and seconded by Ms. Ann McCormick, the Minutes of the March 6, 2001 Planning Commission meeting were approved and unanimously adopted.

Planning Commission Items

Mrs. Touw reported that the ordinance review subcommittee met to discuss the overlay for St. Simons Island, which was primarily setup so that anyone coming into Glynn County or interested in building in Glynn County would be able to pinpoint those items that are different on St. Simons than they are on the mainland. One suggestion was possibly having two zoning ordinance books as a means of distinguishing between St. Simons and the mainland. Another suggestion was to have a "quick reference" or a color code in the ordinance to use as a guide for issues pertaining only to St. Simons. Mr. Jonathan Williams stressed that he would like to avoid refueling the issue of "two planning commissions."

Mrs. Touw pointed out that the subcommittee has also been discussing variances for cul-de-sacs. There are a number of items that they need to determine, i.e., why was 1200 ft. established, what would be an ideal distance and why, etc. Mrs. Touw stated that a work session needs to be scheduled with staff and the Planning Commission in order to gain a consensus on how to proceed with the ordinances. She also suggested inviting the County Administrator to participate in the discussions. However, Mr. Hart stated that he would rather for the subcommittee to meet at least once more before scheduling a work session. A subcommittee meeting was therefore scheduled for April 10th at 9:00 a.m. in the conference room of Community Development. Afterward, the subcommittee members and Chairman Cole would confer with the Planning Commission and perhaps determine a date for the work session.

Referring to the March 6th Minutes, Mr. Fields reminded Chairman Cole to confer with the County Attorney regarding the "impact law" in relation to the action taken by the Planning Commission on Mr. Wheeler's application, and report back to the Planning Commission.

There being no further business to discuss, the meeting adjourned at 1:00 p.m.