

October 09, 2007
Statesboro, GA

The Board met at 5:30 p.m. in the Community Room of the North Main Annex. Chairman Nevil welcomed the guests and called the meeting to order. Commissioner Gibson gave the invocation and the pledge of allegiance.

Ms. Marcia Collins, Deputy Clerk of the board, performed the roll call of commissioners and staff. The following commissioners and staff were present: Chairman Nevil, Commissioner Jackson, Commissioner Simmons, Commissioner Tankersley, Commissioner Gibson, Commissioner Thompson, Commissioner Rushing, County Manager Tom Couch, Staff Attorney Jeff Akins, and Zoning Administrator Randy Newman.

Chairman Nevil asked for changes or modifications before approval of the General Agenda. Mr. Couch requested two changes to the General Agenda: (1) recognition of Ms. Lee Anna Deal of the County Extension Office for her special accomplishments; (2) amend item #8 of the Consent Agenda to add an authorization for the County Manager to execute a budget amendment for the pre-design study for the Luetta Moore Community Center. Commissioner Tankersley offered a motion to approve the General Agenda as amended. Commissioner Simmons seconded the motion and it carried, unanimously.

Commissioner Gibson presented Ms. Deal with a plaque in recognition of her recent accomplishment in receiving the Georgia County Extension Agent Award as Young Professional of the Year.

The next item of business was the approval of the minutes of the called meeting held on September 13, 2007, the regular meeting held on September 18, 2007, the called meeting held on September 28, 2007 and the executive session held on September 28, 2007. Chairman Nevil asked for any corrections or additions to the minutes. Commissioner Gibson offered a motion to approve the minutes as printed for the four meetings. Commissioner Jackson seconded the motion and it carried, unanimously.

Chairman Nevil asked for public comments. Mr. Howard Keeley had a petition to appear before the Board to discuss the traffic flow at William James Middle School. There was some discussion of the speed limit and the congestion of traffic in the school zone. Ms. Holly Lloyd spoke briefly on the traffic issue and also discussed the accident she was involved in at Akins Pond Road and U.S. Hwy. 80 West. Ms. Ann Henderson also spoke on these issues. She requested from the Board that they petition GDOT to do a traffic study on this area at William James Middle School. Commissioner Jackson suggested that someone write a letter addressing concerns to Chris Wright or Billy Hitchens at the Georgia State Patrol.

Chairman Nevil asked for public comments from the audience. There were none.

The Consent Agenda had ten (10) items for consideration: (1) a contract with Municipal Code Corporation for document imaging of exhibits to Board minutes (See exhibit #2007-90), (2) a Resolution to accept King Arthur Drive in Camelot Phase I (See exhibit #2007-91), (3) a Resolution to accept Rebekah Road (See exhibit #2007-92), (4) a Resolution to accept the roads in West Hampton Pointe Subdivision (See exhibit #2007-93) , (5) a Resolution to accept the roads in Tupelo Landings Phase II (See exhibit #2007-94), (6) award a bid from Add-in Tennis in the amount of \$8,912. for fencing at Roebuck Park in Brooklet, (7) award a bid from Ellis Wood Contracting in the amount of \$20,137.60 for base and paving at the tennis and basketball courts at Roebuck Park in Brooklet, (8) a Budget Amendment to transfer \$23,636 in undesignated parks and recreation SPLOST funds to be allocated for a pre-design study on Luetta Moore Community Center, (9) a proposal for a pre-design study by Robert & Company in the amount of \$23,636. at Luetta Moore Community Center (See exhibit 2007-96), (10) a Lease Amendment with the USDA Rural Development Office to occupy additional space at the Agribusiness Center (See exhibit #2007-95).

Chairman Nevil asked for any discussion of the Consent Agenda. Commissioner Tankersley mentioned the memo attached to the resolutions to accept roads to make sure it was noted for future development. She also asked Mr. Couch if the City of Statesboro had agreed to commit to 50% pre-design study for the Luetta Moore Community Center. He replied that they had agreed. Commissioner Jackson

offered a motion to approve the Consent Agenda. Commissioner Tankersley seconded the motion and it carried, unanimously.

There was no Old Business or New Business on the Agenda. Chairman Nevil asked for comments from the Commissioners or the staff. Mr. Ted Wynn announced to the Board that November 15, 2007 will be the annual Firefighter Appreciation Dinner at 7:00 p.m. Commissioner Gibson advised Mr. Gray Henry of the VFW will be meeting with the Deputy Director of the Veterans Administration on Wednesday October 10, 2007 in St. Simons about the possibility of locating a VA Outpatient Clinic in Bulloch County. Commissioner Thompson requested a workshop be scheduled to discuss various items. It was decided to schedule the workshop for October 23, 2007 following the regular meeting. Mr. Couch asked that the Commissioners meet with some of the consultants that will be in the office Thursday and Friday.

Chairman Nevil asked for other business or comments. Commissioner Gibson offered a motion to recess the meeting. Commissioner Rushing seconded the motion and it carried, unanimously.

The meeting was reconvened at 6:30 p.m. for the Public Hearings on zoning matters. Chairman Nevil asked Zoning Administrator Randy Newman to present the zoning items.

Mr. Newman requested that item 12 be moved to item 1. Commissioner Thompson offered a motion to move item 12 to item 1. Commissioner Gibson seconded the motion and it carried, unanimously.

Mr. Newman presented a request for a text amendment to amend Section 502 of the zoning ordinance. Commissioner Simmons offered a motion to approve the text amendment. Commissioner Tankersley seconded the motion and it carried, unanimously (See exhibit #2007-97).

Mr. Newman presented an application submitted by Billie D. Morgan requesting a rezone from AG-5 (agricultural 5 acres) to R-40 (residential 40,000 square feet). The intent of the rezone is to divide the property into 2 lots to give her daughter-in-law additional property using the family provision in the text amendment. The

property consists of 2.24 acres located on Highway 46. Mr. John Dotson is acting as agent. Mr. Dotson asked to withdraw the request due to the change in the family provision. Commissioner Tankersley offered a motion to accept the request for withdrawal. Commissioner Thompson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Elizabeth Craft requesting a rezone from AG-5 (agricultural 5 acres) to R-80 (residential 80,000 square feet). The intent of the rezone is to be able to place a modular home on the property for her son to reside. The property consists of 5.2 acres located on Pulaski Highway. The Zoning Commission recommended approval of the rezone. John Craft was acting as agent. Commissioner Simmons offered a motion to approve the rezone as stated. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Susan H. Kayes requesting a rezone from AG-5 (agricultural 5 acres) to R-25 (residential 25,000 square feet). The intent of the rezone is to divide the property into 81 parcels. The property consists of 87 acres located on Herman Rushing Road. Mr. Todd Manack is acting as agent. The Zoning Commission recommended approval of the rezone with the following amendments: (1) Herman Rushing Road should be designed and paved with a minimum 60 foot right-of-way to allow for emergency access vehicles to ingress and egress and 37.5 feet of right-of-way should be dedicated in favor of Bulloch County for future road paving extending from proposed lots 34 to 44; (2) A 60' stub out easement for future road connection to the lands of the Terrell Beasley Estate is recommended somewhere between proposed lots 6 and 13; (3) A second access way from the subdivision to Herman Rushing Road shall be required; (4) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant:

- a) A pedestrian sidewalk system within the development.
- b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities a) or c).
- c) A county maintained street light district.

d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof.

e) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a conservation easement or green-space area that is consistent with the goals and objectives of county or state land conservation or preservation plans and programs.

(5) All dwelling units shall consist of traditional site built construction meeting state building codes. Structures should have exterior facades, except for trim, consisting primarily of brick, stone, cement or wood siding. Manufactured housing shall be prohibited; (6) To enhance access management, all approved residential lots and structures shall access internally to new roads built within the subdivision. No driveway access shall be permitted on Herman Rushing Road; (7) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line; (8) If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners; (9) 30 days prior to the submission of a sketch plan to the Planning and Zoning Commission, the applicant, at their own expense, shall submit a Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits) which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:

a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions and after project build-out.**

b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**

c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer..

(10) Install a solid 6' opaque fence, wall or streetscape of equal height along the length of the street along Herman Rushing Road. This can be accomplished by: a) installing a landscaped berm and/or evergreen hedge combination; or, b) installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center with evergreen hedges capable of growing up to 30" at maturity. The actual buffer used shall be approved by the Zoning Administrator prior to installation. The streetscape/buffer shall be maintained by a common interest element; (11) To expedite development permitting, the applicant-developer shall submit a preliminary subdivision plan, along with the following plans, reports and studies to the county development review committee for final approval in the following sequence:

a) *30 days prior to application for a land-disturbing activity permit*, a hydrology study and storm-water management plan submitted by a professional licensed engineer showing necessary mitigation measures following the Georgia Storm-water Management Manual shall be submitted.

b) *30 days prior to application for a land disturbing activity permit*, submit engineering plans and install at their own expense any road improvements based on the results of the traffic impact study.

c) *30 days prior to the application for the first building permit*, the streetscape plan must be approved as prescribed (native plant selections are highly recommended).

Mr. Mannack turned discussion over to Mr. Jim Anderson who is also representing Robert K. Bell, the future developer. Mr. Anderson said they had letters from surrounding land owners stating that they did not object to the rezone. He also has a letter from Mr. George Beasley stating he is willing to give the necessary land needed to pave and from Mr. James Enis stating he is willing to sell enough property to pave the road. Mr. Anderson said they were in agreement with all of the conditions that were recommended by the Zoning Commission. Commissioner Thompson offered a motion to approve the rezone request with conditions recommended by the Zoning Commission. Commissioner Tankersley seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Brent Durrence and Lew Graham requesting a rezone from AG-5 (agricultural 5 acres) to R-80 (residential 80,000 square feet). The intent of the rezone is to divide the property into approximately 20 parcels. The property consists of 49.6 acres located on Nevils Groveland Road. The Zoning Commission recommended approval of the rezone with the following conditions: (1) All dwelling units shall consist of traditional site built construction meeting state building codes. Structures should have exterior facades, except for trim, consisting primarily of brick, stone, cement or wood siding. Manufactured housing shall be prohibited; (2). To enhance access management, all approved residential lots and structures shall access internally to new roads built within the subdivision. No driveway access shall be permitted on Nevils Groveland Road; (3) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line; (4) If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners; (5) Lots # 22 and 23

may only be accessed by Reedy Branch Road. Access to Nevils Groveland Road is prohibited; (6) Install either a solid opaque fence or landscape buffer at least 6' feet high along the length of the development on Interstate Hwy 16 and buffering the Lanier property for rear side yard privacy. This can be accomplished by: a) installing a landscaped berm, an evergreen hedge (leyland cypress, eleganus, hollies, etc.) with a minimum plant spacing of 68' feet offcenter, or a combination thereof; or, b) installing nonornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center mixed with evergreen hedges capable of growing up to 30' at maturity; or, c) another similar buffer plan. The actual buffer used shall be approved by the Zoning Administrator prior to installation; (7) A hydrology study and stormwater management plan showing necessary mitigation measures following the Georgia Stormwater Management Manual shall be submitted to County Engineer for approval before construction is approved; (8) Access to Ms. Cohen Lanier's property needs to be shown when preliminary plat is submitted; (9) A 40 foot easement is to be reserved along the length of the applicant's property for the county for future road paving on Reedy Branch Road. The Floyd Zettler Construction Company was acting as agent. Jim Anderson spoke as representative of Brent Durrence, Lew Graham and The Floyd Zettler Construction Company. Mr. Anderson said a water system will be in place, therefore condition #6 requesting a dry hydrant should be omitted. He stated that condition #7 was pending on a buffer being added to the Lanier property and along I 16. He stated that they had no problems with the requests. Commissioner Simmons offered a motion to approve the rezone with conditions. Commissioner Jackson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by C.M. Mobley and Arthur Woodrum requesting a rezone from R-25 (residential 25,000 square feet) to HC (Highway Commercial). The intent of the rezone is to make the property concurrent with the zoning of the adjacent properties. The property consists of 1 acre located on Page Place Road. The Zoning Commission recommended approval of the rezone. Mr. C.M. Mobley is acting as agent. He said he obtained a variance to have a residence on this property several years ago. At the time he thought it was commercial property. He would like this variance to continue if this property is rezoned. Commissioner

Tankersley offered a motion to approve the rezone and variance. Commissioner Gibson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Robert K. Bell, Jr. Inc. requesting a rezone from AG-5 (agricultural 5 acres) to R-80 (residential 80,000 square feet). The intent of the rezone is to divide the property into 3 residential parcels. The property consists of 5.73 acres located on Old Register Way. The Zoning Commission recommended approval of the rezone with the following condition: (1) The proposed private road shall be paved according to county construction standards. Mr. Jim Anderson is acting as agent. Mr. Anderson said Mr. Bell will clean the property up and remove the existing modular homes replacing them with newer ones that are up to current code. Commissioner Tankersley offered a motion to approve the rezone with the condition. Commissioner Thompson seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by William A. Hughes and William A. Coursey requesting a conditional use to operate a day care facility. The property consists of 10.8 acres located on Highway 67. The Zoning Commission recommended approval of the conditional use. Ms. Ellen Claxton is acting as agent. Commissioner Gibson offered a motion to approve the conditional use. Commissioner Rushing seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Matt Hickman requesting a rezone from R-40 (residential 40,000 square feet) to R-3 (multi-family dwellings). The intent of the rezone is to develop 20 residential units. The property consists of 10.9 acres located on Harville Road. The Zoning Commission recommended approval of the rezone with the following conditions: (1) Dual access or a cul-de-sac shall be installed at the end of each paved street proposed by the applicant to allow turning of service and emergency vehicles; (2) All building structures shall have exterior facades (except for trim work) consisting primarily of earth tone colors made of brick, stone, masonry, hardiplank or stucco (or EIFS); (3) 30 days prior to the submission of a conceptual site plan to the Planning and Zoning Commission, the applicant, at their own expense, shall submit a Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits)

which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:

a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions and after project build-out.**

b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**

c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements or fee-simple dedication in favor of Bulloch County attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer. **Particular attention or focus in the study should be given to the need for intersection safety improvements.**

(4) The residential units and accompanying parking located to the north on the sketch shall be moved to the other side (east) of the paved street (i.e., residential units shall face Harville Road); (5) A dry hydrant will be required with an access easement provided to the County; (6) Install either a solid opaque fence or landscape buffer at least 6' feet high along the length of the development on Harville Road for side yard privacy, saving for adequate site distance at the intersection. This can be accomplished by: a) installing a landscaped berm, an evergreen hedge (leyland cypress, eleganus, hollies, etc.) with a minimum plant spacing of 6-8 feet off-center, or a combination thereof; or, b) installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center mixed with evergreen hedges capable of growing up to 30' at maturity; or, c) another similar buffer plan. The actual buffer used shall be approved by the Zoning Administrator prior to installation; (7) A hydrology study and storm-water management plan showing necessary mitigation measures

following the Georgia Storm-water Management Manual shall be submitted to County Engineer for approval before construction is approved; (8) The proposed internal roadway system shall be privately owned and maintained. Ms. Rachel Edwards is acting as agent. Ms. Georgia Burnette spoke in regard to this request stating she had previously spoken with Ms. Rachel Edwards and Mr. Justin McCorkle. Ms. Burnette agreed with all of the conditions, but requested a buffer of 25 feet that would be restricted. She agreed to clean up the buffer on her own at no cost to the owner if she could have an easement along the buffer with a drive around it. She also offered to purchase the buffer and water. After extensive discussion Mr. Couch requested a motion be made to table this rezone request and bring it back at the end of the agenda. Commissioner Gibson offered a motion to table the request and bring it back at the end of the agenda. Commissioner Rushing seconded the motion and it carried, unanimously.

Mr. Newman presented an application submitted by Bill Wasden requesting a sketch plan to divide the property into 7 parcels. He is also requesting a variance from the paving requirements to the existing road. The property consists of 382 acres located on Rocky Ford Road and Old River Road. The Zoning Commission recommended approval of the sketch plan and the variance. Mr. Wesley Parker is acting as agent. Mr. Parker said Mr. Wasden applied for a sketch plan 2 years ago which was approved for 38 lots and 2 roads. Mr. Wasden has had a demand for larger lots and wants to change the sketch plan to 7 lots and 1 road. The unpaved road will be a private road. Mr. Couch said there was a dedication condition for the Rocky Ford Boat Landing a couple of years ago and the condition for that sketch plan may need to be transferred to this variance. Mr. Couch suggested in consideration of the land dedication, the County will waive and/or refund any fees on the development plan. Commissioner Simmons offered a motion to approve the variance with the condition that the developer will deed to Bulloch County the parcel shown as Parcel # 8 on the final plat; in consideration the County will waive and/or refund any development application and review fees (except for LDA and building permit fees); and Bulloch County will assume any land transfer costs relative to surveys, appraisal and deed preparation. Commissioner Tankersley

seconded the motion and it carried, unanimously. Commissioner Thompson abstained from voting.

Mr. Newman presented two applications submitted by James Clint Smith requesting a rezone on both from R-80 (residential 80,000 square feet) to R-25 (residential 25,000 square feet). On the first application the intent of the rezone is to divide the property into 10 lots to build houses. They are requesting to divide 7.7 acres out of 108.13. The property is located on Highway 46. The Zoning Commission recommended approval of the rezone with the following conditions: (1) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant:

- a) A pedestrian sidewalk system within the development.
- b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities a) or c).
- c) A county maintained street light district.
- d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof.
- e) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a conservation easement or green-space area that is consistent with the goals and objectives of county or state land conservation or preservation plans and programs.

(2) All dwelling units shall consist of traditional site built construction meeting state building codes. Structures should have exterior facades, except for trim, consisting primarily of brick, stone, cement or wood siding. Manufactured housing shall be prohibited; (3) A second access to the subdivision from SR 46, east of the existing R25 will be required; (4) The applicant shall dedicate 40' feet of right of way in fee simple in favor of Bulloch County along Sam Tillman Road and Joe Tillman Road for the length of the development where the new phase(s) would be approved; (5) To enhance access management, all approved residential lots and structures shall access internally

to new roads built within the subdivision; (6) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line; (7) If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners; (8) 30 days prior to the submission of a sketch plan to the Planning and Zoning Commission, the applicant, at their own expense, shall submit a Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits) which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:

a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions and after project build-out.**

b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**

c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer.

(9) Install a solid 6' opaque decorative fence or wall, or a streetscape of equal height along the length of the street along Highway 46. This can be accomplished by: a) installing a landscaped berm and/or evergreen hedge combination; or, b) installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced

75' off center with evergreen hedges capable of growing up to 30" at maturity. The actual buffer used shall be approved by the Zoning Administrator prior to installation. The streetscape/buffer shall be maintained by a common interest element; (10) To expedite development permitting, the applicant-developer shall submit a preliminary subdivision plan, along with the following plans, reports and studies to the county development review committee for final approval in the following sequence:

- a) *30 days prior to application for a land-disturbing activity permit*, a hydrology study and storm-water management plan submitted by a professional licensed engineer showing necessary mitigation measures following the Georgia Storm-water Management Manual shall be submitted.
- b) *30 days prior to application for a land disturbing activity permit*, submit engineering plans and install at their own expense any road improvements based on the results of the traffic impact study.
- c) *30 days prior to the application for the first building permit*, the streetscape plan must be approved as prescribed (native plant selections are highly recommended).

On the second application the intent of the rezone is to divide 101 acres into 126 parcels. The property consists of 109 acres located on Highway 46 and Clarence Brown Road. The Zoning Commission recommended approval of the rezone with the following conditions: (1) An additional 10% bonus density may be granted, provided at least one of the following amenities shall be installed by the applicant:

- a) A pedestrian sidewalk system within the development.
- b) An internal streetscape consisting of native, non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center. The streetscape may optionally be integrated with amenities a) or c).
- c) A county maintained street light district.
- d) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a clubhouse, pool, tennis court(s), improved picnic area or playground, walking trail, or any combination thereof.

e) A common interest element maintained by a homeowners association or other conduit which may include, but not be limited to, a conservation easement or green-space area that is consistent with the goals and objectives of county or state land conservation or preservation plans and programs.

(2) All dwelling units shall consist of traditional site built construction meeting state building codes. Structures should have exterior facades, except for trim, consisting primarily of brick, stone, cement or wood siding. Manufactured housing shall be prohibited; (3) A second access to the subdivision from SR 46, east of the existing R25 will be required; (4) The applicant shall dedicate 40' feet of right of way in fee simple in favor of Bulloch County along Sam Tillman Road and Joe Tillman Road for the length of the development where the new phase(s) would be approved; (5) To enhance access management, all approved residential lots and structures shall access internally to new roads built within the subdivision; (6) All well structures shall have a visual landscape or wall/fence buffer equal to the height of the roof line; (7) If the proposed internal roadway system is proffered by the applicant as being privately owned and maintained by a common interest element, any proposed future public dedication requires that the roads meet county standards at that time. No public funds shall be invested to correct any construction or condition deficiencies to meet such standards, unless a county special assessment tax improvement district is approved by affected property owners; (8) 30 days prior to the submission of a sketch plan to the Planning and Zoning Commission, the applicant, at their own expense, shall submit a Level II traffic impact study as recommended in the Bulloch County Transportation Plan (with sufficient narratives, maps and exhibits) which shall be certified by a qualified and registered professional engineer, that at a minimum, includes the following:

a) Trip Generation Analysis: An estimate of AM (7:30-8:30) and PM (5:00-6:00) peak hour trips generated **under existing conditions and after project build-out.**

b) Trip Distribution Analysis: A 24 hour directional traffic counts and peak period intersection turn movement counts on a typical week day **under existing conditions and after project build-out.**

c) Intersection and Roadway Segment Analysis: Assess the need and provide cost estimates for any further network or safety improvements for arterial and collector roads in the study area resulting from the impacts created by the proposed development of the subject property, including but not limited to, accel-decel lanes, turn lanes, shoulder widening, signage, signalization or intersection alignments. The cost of any such proposed improvements attributable specifically to the development of the subject property that is not listed in the County's Five-Year Surface Transportation Improvement Program or Plan shall be partially or wholly borne by the developer.

(9) Install a solid 6' opaque decorative fence or wall, or a streetscape of equal height along the length of the street along Highway 46. This can be accomplished by: a) installing a landscaped berm and/or evergreen hedge combination; or, b) installing non-ornamental canopy trees (maple, dogwood, oak, etc.) with a minimum 4" caliper spaced 75' off center with evergreen hedges capable of growing up to 30" at maturity. The actual buffer used shall be approved by the Zoning Administrator prior to installation. The streetscape/buffer shall be maintained by a common interest element; (10) To expedite development permitting, the applicant-developer shall submit a preliminary subdivision plan, along with the following plans, reports and studies to the county development review committee for final approval in the following sequence:

a) *30 days prior to application for a land-disturbing activity permit*, a hydrology study and storm-water management plan submitted by a professional licensed engineer showing necessary mitigation measures following the Georgia Storm-water Management Manual shall be submitted.

b) *30 days prior to application for a land disturbing activity permit*, submit engineering plans and install at their own expense any road improvements base on the results of the traffic impact study.

c) *30 days prior to the application for the first building permit*, the streetscape plan must be approved as prescribed (native plant selections are highly recommended).

Mr. Wesley Parker is acting as agent for both rezones. Mr. Clint Smith said this will be the second phase of Smith Creek Farms. He said he will add buffers along Sam

Tillman Road and Clarence Brown Road. Commissioner Tankersley offered a motion to approve both rezones with conditions. Commissioner Simmons seconded the motion and it carried, unanimously.

Mr. Newman presented the tabled request from Matt Hickman. After discussion it was agreed by all parties that there will be a 25 foot buffer that is required by the Corps of Engineers. Commissioner Tankersley asked if there would be any signs posted to keep away from the water. Mr. McCorkle said the property will be posted. Commissioner Thompson offered a motion to approve the rezone with the conditions recommended by the Zoning Commission and the following additional condition: (1) There shall be a "no-cut" buffer maintained adjacent to and contiguous with the George W. Burnette property consisting of trees and underlying vegetation. Commissioner Tankersley seconded the motion and it carried, unanimously. Sign-in sheets for zoning matter are shown in exhibit # 2007-98.

Chairman Nevil asked for other business or comments. Commissioner Simmons offered a motion to adjourn. Commissioner Gibson seconded the motion and it carried, unanimously.

J. Garrett Nevil

Attest