

# **MINUTES**

**ISLANDS PLANNING COMMISSION  
AUGUST 21, 2007 - 6:00 P.M.  
Fire Station #2, Demere Road, St. Simons Island**

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**MEMBERS PRESENT:** Robert Ussery, Chairman  
Preston Kirkendall, Vice Chairman  
John Dow, Jr.  
William Lawrence  
Paul Sanders  
Desiree Watson  
Joan Wilson

**STAFF PRESENT:** David Hainley, Community Development Director  
York Phillips, Planning Manager  
Iris Scheff, Planner III  
Eric Landon, Planner II  
Sarah Smolek, Planner I  
Janet Loving, Admin/Recording Secretary

**ALSO PRESENT:** Commissioner Don Hogan, BOC

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Chairman Robert Ussery 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.

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## **Minutes/July 17, 2007 Regular Meeting**

Upon a motion made by Mr. Preston Kirkendall and seconded by Mr. John Dow, the Minutes of the July 17<sup>th</sup> Islands Planning Commission meeting were approved and unanimously adopted.

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**VP-2007-006 Ocean Inn and Suites**

Application by Abbas Vakili for approval to renovate an existing hotel by replacing existing windows with glass sliding doors, matching lengthened windows, and ornate iron-rail balconies to the Ocean Inn and Suites hotel located on property at 599 Beachview Drive. There will be no change in building footprint and no increase in building height. The property is zoned General Commercial. Parcel ID 04-04667.

Mr. Abbas Vakili was present for discussion.

The following report from staff was included in the packages for review and was presented by Mrs. Iris Scheff:

This is a request for approval of replacement doors, windows and iron balconies under the Village Preservation provisions (§709 of the Zoning Ordinance).

The Village Preservation regulations provide the following criteria for review of proposed exterior changes, including signs:

- A) Conformity of the plans submitted to the purpose and provision of this Ordinance.
- B) Conformity and harmony of external material and design with existing and neighboring structures.
- C) The effect of the improvements on neighboring structures or sites.
- D) The consistence and compatibility with existing architectural design building exterior finishes used on neighboring properties or in the overlay zone.
- E) Exterior materials, exterior doors and windows, color schemes and other building elements which are considered compatible with neighboring structures in the overlay zone and appropriate for the area.
- F) The use of landscaping to cause the improvement to conform to the character of the area or to buffer the improvement from the neighboring sites.

The proposed changes are exterior only and appear to be harmonious with the existing structure as well as in keeping with the Village area. Therefore, staff's recommendation is for approval.

Following a brief presentation by Mr. Vakili, a motion was made by Mr. John Dow to approve the Village Preservation application for Ocean Inn and Suites. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

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*In order to avoid a conflict of interest, Chairman Ussery turned the gavel over to Vice Chairman Preston Kirkendall who presided over the next agenda item.*

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**ZM-2007-025 (I)**

Consider a request to rezone from Forest Agricultural to R-12 Single-Family, property consisting of 10 acres located on the west side of Hampton Point Drive approximately 1,200 feet north of Pikes Bluff Drive. Parcel ID number 04-09794. North End Partners LLC, owner.

Mr. Frank DeLoach was present for discussion.

The following report from staff was included in the packages for review and was presented by Mr. Eric Landon:

The proposed zoning change will create a project that is more restrictive than the existing zoning due to the fact that it will permit single-family dwellings exclusively. The property to be rezoned is surrounded by a large residential community on two sides. The proposed use is consistent with the surrounding zoning. The applicant has demonstrated that the proposed zoning could account for 26 dwelling units on approximately 10 acres which results in a density of 2.6 dwelling units per acre.

This project is located on the west side of Hampton Point Road. ITE (Institute of Traffic Engineers) data suggests that this type of project would generate an average of 260 daily trips based on dwelling units. The existing ADT (Average Daily Traffic) for this location is 1,800 daily trips.

The applicant will be required to provide fire protection (fire hydrants) at this location. Also, county water and sewer is available to this site.

**In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact are to be considered in making a decision on a request for rezoning:**

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

**Yes. The proposed uses are consistent with the existing zoning in the area; however, much of the surrounding properties have not yet been developed.**

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

**No, the proposed project is consistent with the single-family uses in the nearby property.**

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

**Yes, this property can be developed with 20,000 square foot lots as currently zoned. However, FA zoning allows other uses that are not suitable for adjacent single-family communities.**

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

**No. The amount of new development that could result from this development is minor, and is explained in further detail in this report.**

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

**The Comprehensive Land Use designation for this property is low/density residential, which would be consistent with the proposed request.**

- 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.**

Staff's recommendation is for approval of this rezoning request.

Mr. William Lawrence asked for verification on the total acreage of this property. Mr. Landon stated that the property consists of approximately 10 acres. He presented a copy of the survey and pointed out that there are some existing wetlands depicted in the area but they are not included in the rezoning request.

Mr. Kirkendall stated that if this rezoning is approved it will allow an increase in the density. He stated that this commission, since its inception, has never approved a rezoning that increases density and he does not want to set this type of precedent. Therefore, he would have to vote against this request. Ms. Watson stated that she recalls this commission allowing an increase in density in some areas. However, for clarification Mr. Kirkendall stated that there have been instances where this commission approved a site plan but not a rezoning that increases density.

Mr. Dow wanted to know if there were any other R-12 zoned properties in the vicinity of this development. Mr. Kirkendall stated he believes the closest would perhaps be Hampton Plantation.

Mr. Landon pointed out that staff looked at three areas in justifying its position on recommending approval: 1) Frederica Township, which has been developed at a much lower density than it was actually approved for; 2) Hampton Plantation, which has some multi-family components allowing higher density; and 3) German Village, which is the nearest traditional residential single-family zoning. He stated that when someone wants to develop property as a single-family development, staff encourages that the property be zoned as single-family and not Forest Agricultural, which could potentially present some conflicts of uses. Mr. Paul Sanders pointed out that there is R-6 zoning in German Village with twice the density of this proposal.

Mr. Dow stated that according to staff, what we have now is a conceptual plan. He then asked if the Planning Commission would be allowed to see the site plan. Mr. Landon stated that the proposal would be presented to the Planning Commission as a preliminary plat. Mr. Dow stated that from his review of this proposal he considers it to be a very nice development, but he is a little conflicted because he does not want to approve something that would increase the density. Overall, it looks like a sound development. He then asked if the developer had considered an R-20 zoning.

Mr. Frank DeLoach stated that he did not consider R-20 zoning, but he has done other subdivisions with one acre lots. He also intends to develop another subdivision consisting of half acre lots. Additionally, he would like to have a third product on the north end of the Island. He stated that the property in question is not as desirable as the rest of his property because it backs up to the Sea Island Maintenance Facility, which is why he would like a little more density. The golf carts and other equipment stored at the Maintenance Facility detract from his property. As a side note, Mr. DeLoach stated that in 1995 he purchased 400 acres from the Sea Island Company. If this rezoning is approved for R-12 his total density on the entire 400 acres would be 208 lots.

Mr. DeLoach stated that he likes providing different products for different people because not everyone can afford a half acre lot on St. Simons Island. Along those lines, Mr. Sanders asked Mr. DeLoach if he anticipates an increase in price if the size is increased 60% from R-12 to R-20, to which Mr. DeLoach replied yes.

Following discussion, a motion was made by Mr. John Dow recommending approval of this rezoning request. The motion was seconded by Mr. William Lawrence. Voting Aye: Mr. John Dow, Mr. William Lawrence, Mr. Paul Sanders, Ms. Desiree Watson and Ms. Joan Wilson. Voting Nay: Mr. Preston Kirkendall. Abstained From Voting: Mr. Robert Ussery.

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*Chairman Ussery presided over the remainder of the meeting.*

**SP-2006-027 (I) - Black Banks Professional Offices**

Consider a request for approval of a site plan for property located in the northwest quadrant of the intersection of Sea Island Road and Black Banks Drive, St. Simons Island. The project consists of a four (4) building campus of approximately 38,700 square feet of office and retail uses. The property is zoned Office Commercial.

Mr. Bill Edenfield was present for discussion.

According to the staff's report, this site is designated for commercial on the Future Land Use Plan. It is currently undeveloped but the proposed use is for general office and retail.

The applicant is proposing the construction of four buildings with an aggregate 38,700 square footage. The application indicates that a portion of the building space will be devoted to Sea Island Company real estate and security functions with the balance occupied by retail and office space offered to the general public.

All buildings shall be one-story not exceeding 35 ft. in height. Architecture shall reflect the Mizener influence associated with the Cloister.

The site shall be buffered from the adjacent single-family subdivision by an existing 8 ft. masonry wall with additional plantings. A perimeter buffer composed of preserved native trees and additional planting shall be installed and maintained against the Sea Island Road and Black Banks Drive.

Site lighting shall be composed of low ground lights, tree lights and decorative street lamps to avoid impacts to the neighborhood.

The main access shall be limited to a new curb cut directly opposite the entry to Sea Island Lake Cottages. A secondary entry shall be provided off of the existing drive to the SunTrust Bank.

The plans have been reviewed and approved by the Fire Department as well as utilities. The plans have also been forwarded to EPD for review and approval.

Mrs. Scheff stated that this site plan appears to meet the requirements for retail and office development. Therefore, staff's recommendation is for approval

Mr. Paul Sanders wanted to know if there are any plans to install a traffic signal. Mr. Edenfield stated that the amount of traffic in this particular area does not warrant a traffic signal.

Ms. Watson had questions about the placement of the tree lights. Mr. Edenfield explained that the intent is to shield any glaring lights. The parking lot will be lit with lamps similar to those located at "The Shops at Sea Island." Also, the lights would be similar to the existing tree lights, and there will be additional landscape lighting.

Ms. Wilson wanted to know what type of retail is planned for project, but Mr. Edenfield stated that at the moment he is not sure. He stated that a law firm and a financial institute have expressed an interest in the area. However, whatever is permitted under the zoning would be allowed.

Mr. Sanders asked if a Phase I Environmental Study had been done on the tract, to which Mr. Edenfield replied yes and added that everything is fine. He also answered questions about the greenspace area and the appearance of the backside of the structure.

Mr. Tommy Stroud, Chairman of the Black Banks Homeowners Association, spoke favorably about this proposed project.

There being no further discussion, a motion was made by Mr. Paul Sanders to approve this site plan. The motion was seconded by Mr. John Dow. Voting Aye: Mr. John Dow, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Paul Sanders, Mr. Robert Ussery, and Ms. Desiree Watson. Abstained From Voting: Ms. Joan Wilson.

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**SP-2007-020 (I) The Cloister East**

Consider a request for approval of a site plan for property located adjacent to Sea Island Drive, just south of the new Sea Island Beach Club, Sea Island. The project consists of five condominium buildings with a total of 80 units, together with associated recreational amenities, parking, utilities and other site development. The property is zoned Planned Development-General and is located within The Cloister Planned Development.

Mr. Bill Edenfield was present for discussion.

According to the staff's report, this site is shown as "unused/undeveloped" on the Future Land Use Plan. The application states that the total Cloister Planned Development District area is 94.8 acres. The site coverage allowed for this district is 50% or 47.34 acres. Previously approved projects have consumed 15.49 acres of that developable area, so with this project, 21.25 acres of developable area within the PD district will remain.

The proposed use is to provide additional housing units near the Beach Club within the Cloister PD District on Sea Island.

The project appears to meet requirements for the zoning and sites for which it is proposed. It will however require EPD review and approval. Staff's recommendation is for approval.

During a brief presentation, Mr. Bobby Shupe explained the difference between the previously platted DNR shore protection jurisdiction line as indicated on the site plan,

and the new DNR jurisdiction line, adding that they were done and signed off separately. The platted jurisdiction line in this case was based on existing trees.

Mr. Sanders asked if the structures were located in the velocity zone. Mr. Shupe replied no; they are however in the 100 year flood plain.

Mr. Dow asked if the four conditions listed in staff's written report have been satisfied, to which Mrs. Scheff replied yes.

Following discussion, a motion was made by Mr. John Dow to approve this site plan. The motion was seconded by Mr. Preston Kirkendall. Voting Aye: Mr. John Dow, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Paul Sanders, Mr. Robert Ussery and Ms. Desiree Watson. Abstained From Voting: Ms. Joan Wilson.

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**TA-2007-002**

Consider an amendment to the Glynn County Zoning Ordinance, Article VII (Requirements by District), Section 723 (Planned Development District), by amending that Section in its entirety; Article VII (Requirements by District), Section 717 (Planned Commercial District) by abolishing that district; and for other purposes.

The amendment was included in the packages for review, along with the following report from staff:

This proposed amendment removes the suffix from the existing planned development districts and designates Planned Development Commercial as a PD district as it is such except by designation. All existing development text will remain the governing rules for the existing districts. The amendment further removes the minimum threshold currently at three acres for establishment of a district and establishes a two tier standard for planned developments of certain sizes. Requests for developments of three acres or less will submit a site plan conforming to Section 619 with the zoning request. This site plan shall be the site plan for the project and any requested changes will require a new zoning request. For sites three acres and larger, there shall remain the requirement to submit a master plan for the development followed by separate site plans.

It was noted that Mr. Roland Daniels was present to speak in favor of this amendment.

Following a brief discussion and minor corrections, a motion was made by Mr. Preston Kirkendall recommending approval of this proposed amendment. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

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**ZM-2007-030**

Consider a request to amend the Zoning Map to designate all approved Planned Development districts (as identified in Section 723.8) as Planned Development, and to designate all areas zoned Planned Commercial as Planned Development. This change will affect the designation of the property on the Zoning Map only, and will not affect the specific rules or regulations associated with the individual project. Any change in the rules or regulations associated with a particular development can only be changed by amending that particular project through the rezoning process. This request has been initiated in order to make the Zoning Map conform to proposed amendments to the Planned Development and Planned Commercial zoning districts.

The amendment was included in the packages for review and was presented by Mr. Hainley.

Following review, a motion was made by Mr. Paul Sanders recommending approval of this proposed amendment. The motion was seconded by Mr. William Lawrence and unanimously adopted.

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There being no further business to discuss, the meeting was adjourned at 7:00 p.m.