

MINUTES

ISLANDS PLANNING COMMISSION

APRIL 15, 2008 - 6:00 P.M.

The Casino Bldg, 530 Beachview Drive, SSI

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
Sarah Smolek, Planner I
Janet Loving, Admin/Recording Secretary

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 procedures and audience participation in discussing agenda items.

Minutes

February 19, 2008 Regular Meeting

Upon a motion made by Mr. John Dow and seconded by Mr. Preston Kirkendall, the Minutes of the February 19th Islands Planning Commission meeting were approved and unanimously adopted.

In order to avoid a conflict of interest with the next agenda item, Chairman Ussery turned the gavel over to Vice Chairman Preston Kirkendall and joined his colleagues in the audience.

ZM-2008-011 (I)

Consider a request to rezone from Limited Industrial to Planned Development, property consisting of 1.07 acres and located on the northeast side of Arnold Road, approximately 860 ft. southeast of its intersection with Demere Road. The purpose of the request is to allow for a telecommunications tower, restaurant, and market on the parcel. Parcel ID 04-03489. Ussery/Rule Architects, agent for Don Gentile and Diana Vinyard.

Mr. Robert Ussery, Mr. Don Gentile and Mr. Joe Combs were present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Sarah Smolek:

This request was reviewed pursuant to Section 619.2, as a site plan. GIS noted that the site plan submitted with the project needs a north arrow for both the vicinity map and the plan itself. The following comments were noted by Engineering:

1. The plat should include the date of the DNR's approval of the marsh delineation. It is indicated as "Note 1" on the plat, but no notes are listed.
2. A variance will be needed for use of granular paving material for the parking/drive aisle area. In only one other case has the county approved the use of granular paving material, in that case for a low intensity use, a small architectural office with 8 employees.
3. The boardwalk will have to be approved by the Georgia DNR. A buffer encroachment is needed for work in the 25 ft. marsh buffer.
4. The marsh line along the northern property line should be indicated.
5. Current road right-of-way for Arnold Road appears to be 40 ft. according to GIS. The survey submitted seems to indicate right-of-way larger than that for this property, but no specific distance is on the plan. Vehicular and pedestrian traffic is high in this area and the road narrow, and if it has not already been done, 5 ft. of additional right-of-way should be dedicated to the county for possible future expansion of the road or installation of a sidewalk.

Engineering also made several recommendations to be dealt with on the site plan for this proposal; as this is being reviewed as a Planning Commission Site Plan, several of those issues should be addressed now, while others may be delayed until the Building Permit Site Plan phase.

1. As part of the site plan review, access to Area A, which houses the telecommunications tower, will have to be established and indicated on the plans.
2. The drive aisles and parking spaces will have to meet ordinance requirements in number and dimensions.

3. There should be no height restrictions or safety zones associated with the existing tower on Area A.

Traffic approved the project as submitted and had no comments. The site accesses off of Arnold Road. Utilities found the project to be compliant as submitted, and so did the Fire and Police Departments.

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. Nearby properties have a mix of commercial and other uses that are compatible with the uses in this proposal.

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

No.

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

Yes.

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

No.

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

The Comprehensive Land Use Plan designates this area as industrial. The proposed planned development includes a telecommunications use that already exists on the site and a commercial use. The industrial designation exists only on this parcel and is surrounded by other land use designations.

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

No.

Ms. Smolek stated that staff recommends that this request be approved with the following conditions:

1. Approval of the boardwalk by Georgia DNR.
2. The applicant is to obtain permission from the Georgia DNR for construction in the marsh buffer.
3. Notes be shown on the plat and include the date of marsh delineation.
4. Establish access to Area A and indicate such access on the plans.
5. Dimensions and number of drive aisles and parking spaces be indicated on the plan. These numbers shall meet the ordinance requirements.
6. Any height restrictions or safety zones associated with the existing tower on Area A be indicated.
7. Applicant is to show distance of current right-of-way and dedicate 5 ft. of right-of-way to the county if it has not already been dedicated.
8. The parking and drive aisle areas be paved.

Mr. Kirkendall wanted to know why the applicant would be required to establish access to an area that is leased, such as the case with Area A. Mr. Hainley stated that when there are multiple uses in an area, staff prefers to have an access easement shown back to that area so that it is clear as to how the owner intends to access the facility. Mr. Kirkendall is of the opinion that this should be a function between the applicant/owner and the lessee and should not involve the Planning Commission.

Mr. Kirkendall had additional concerns about paving the parking lot. He stated that his interpretation of the new Comprehensive Plan is that the county wants to have things as natural as possible, but in his opinion, paving the parking area goes against this. Mr. Hainley explained that the draft plan has not yet been adopted and staff is relying on the current ordinance, which requires the paving. He stated that after the plan is adopted, staff will look at the allowance for additional non-paved areas. He stated that in the past, the county allowed alternatives such as paving the travel aisles and not paving the parking spaces.

Mr. Kirkendall questioned staff's comment about showing the dimensions, number of drive aisles and parking spaces on the site plan. He thought that these items were already indicated on the plan. However, Mr. Hainley stated that these are graphically shown but the dimensions are not shown as required by the ordinance.

Mr. Dow had several concerns. Referring to the paving versus gravel and shell, he wanted to know what kind of assurance or guarantee would there be relative to the

applicant following the guidelines for the handicapped parking, i.e., the appropriate number of spaces, striping, and maintenance. Mr. Hainley stated that on the variance previously granted for an architect's office, the condition was that the handicap space had to be paved and properly marked. On others, staff used a dimensional check. He noted however, that there is no striping done in the field. Mr. Dow asked if the maximum height of the building is 35 ft., to which Mr. Hainley replied yes. Finally, Mr. Dow wanted to know how much the property would have to be built up in order for the finished grade to be at the minimum flood elevation. Mr. Hainley stated that the applicant is going to build on a platform rather than build the grade up.

Ms. Watson asked if it is typical to allow parking in the setback. Mr. Hainley replied yes. She then asked about parking over the sewer easement. Mr. Hainley stated that this is also allowed; however, if there needs to be any type of work done in the easement, staff would obtain an agreement stating that if repairs or replacements were needed, staff would back fill the trenches but the pavement replacement would be the owner's responsibility.

Regarding 5 ft. of the right-of-way being dedicated to the county, Mr. Kirkendall wanted to know if this is something asked of everyone in the area. Mr. Hainley stated that this is usually requested by staff when a development is on an insufficient right-of-way. However, he explained that the commission may want to re-visit this issue because it typically comes up at site plan approval, but because this property is in a PD less than 3 acres, it comes up jointly, which means that staff cannot impose such a condition through the zoning process unless the applicant agrees. This case is complicated because the right-of-way was not stated on the plan. For additional clarification, Mr. Hainley pointed out on the plan an option that would negate staff's request for the additional right-of-way.

Ms. Wilson and Ms. Watson questioned the actual number of parking spaces because in counting the spaces, they stated that there appears to be only 34 parking spaces (as oppose to 35). However, during his presentation, Mr. Joe Combs of Ussery-Rule Architects clarified this issue and pointed out the 35 parking spaces. He also addressed the impervious surface and named several other places on the Island with this type of surface. He stated that the guest parking at the hotel across from Dairy Queen on Mallery Street is impervious surface with the exception of the handicapped area, which is a concrete pad. In talking with the owner, and if everyone agrees, Mr. Combs stated that the handicapped space for this proposal could be a concrete pad meeting all specifications, and the remaining areas would be impervious. He stated that they want to minimize any kind of storm runoff by using the impervious surface and not end up with the typical appearance of a commercial facility.

Mr. Combs stated that he has seen several techniques that would address the striping; one would be to place timbers in the parking to identify where the parking spaces start and stop; another would be the use of brick strips in those areas. These are issues that could be worked out through the development process of the parking itself. Regarding the height concerns, he stated that the building will be built up approximately

8 ft. to meet the flood zone in the area. In addressing the right-of-way, Mr. Combs stated that currently, as shown on the site plan, there is already a jog, giving a larger portion of the front property to the county for the right-of-way.

As a compromise, Mr. Dow asked if there is a possibility of having the drive thru and the drive aisles paved or concreted, and leaving all the parking spaces and other areas in a natural state or shell and gravel. Mr. Combs stated that they would look into that possibility. He pointed out that the owner is aware of how a non-paved parking lot can be beneficial to all storm run-off issues. Mr. Dow asked if the owner would agree to a compromise to modify the PD Text stating that the aisle ways would be a hard surface and the parking spaces would be gravel or shell. After consulting with the owner, Mr. Don Gentile, Mr. Combs stated that he (the owner) does not wish to pave any of the parking unless he absolutely has to. Mr. Gentile believes that the impervious surface would be better for the community.

During a brief presentation, Mr. Gentile stated that he is a member of the Land Trust as well as the Smart Growth Development Committee. He and the committee members looked at a number of acceptable permeable surfaces for parking and they are of the opinion that this can be worked out with proper engineering.

Ms. Watson asked if the owner would be willing to dedicate the 5 ft. of right-of-way to the county as recommended by staff. Mr. Combs stated that according to the survey, it is already part of the county's right-of-way. Mr. Gentile explained that he actually tried to research this particular area because there are utilities and some sewer within his property line, but he never got an answer from the county as to when or under what circumstances they were put there. However, he agreed to look into it because he has questions about the sewer line. Mr. Hainley stated that if the applicant would provide staff with the title information based upon the depiction in tonight's presentation, staff would accept this depiction as providing the additional right-of-way, thereby resolving the issue and eliminating the condition.

Following discussion, a motion was made by Ms. Desiree Watson to recommend approval of this rezoning request subject to the following:

1. Approval of the boardwalk by Georgia DNR.
2. The applicant is to obtain permission from the Georgia DNR for construction in the marsh buffer.
3. Notes be shown on the plat and include the date of marsh delineation.
4. Establish access to Area A and indicate such access on the plans.
5. Dimensions and number of drive aisles and parking spaces be indicated on the plan. These numbers shall meet the ordinance requirements.

6. Any height restrictions or safety zones associated with the existing tower on Area A be indicated.

7. Drive aisles to be paved; handicap spaces to be paved in accordance with federal and state laws; all other areas to remain pervious surface.

The motion was seconded by Ms. Joan Wilson. Voting Aye: Mr. John Dow, Mr. William Lawrence, Ms. Desiree Watson and Ms. Joan Wilson. Voting Nay: Mr. Preston Kirkendall and Mr. Paul Sanders. Abstained From Voting: Mr. Robert Ussery.

Chairman Ussery presided over the remainder of the meeting.

ZM-2008-013 (I)

Consider a request to amend the planned development text for the Frederica Academy Campus Planned Development for property consisting of 34.36 acres and located at 200 Hamilton Road. The property has approximately 1300 ft. of frontage on Sea Island Road and 1500 ft. of frontage on Demere Road. The purpose of this request is to annex property to the south, including portions of Hamilton Road right-of-way, provide an adjustment to land use tabulation, and confirm buffer requirements along Sea Island and Demere Roads. Parcel ID 04-01718. Property owned by Sea Island Company.

Mr. Bill Edenfield, Attorney Jim Gilbert and Mr. Jim Benefield were present for discussion.

The following report from staff was included in the packages for review and was presented by Ms. Smolek:

This request is to amend the Frederica Academy Campus planned development text. This would annex property to the south into the PD, including portions of the Hamilton Road right-of-way, effectively rezoning that property. It would also provide an adjustment to land use tabulation confirmed buffer requirements along Sea Island and Demere Roads.

The Comprehensive Plan Land Use designation for this property is Commercial, Low Density Residential, and Institutional.

GIS was unable to enter a defined boundary into the database and requires a survey to do so. At this time, GIS has not been able to view a copy of the survey. The property includes land that is zoned R-12 and Planned Development.

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.

The proposed change does not significantly affect the use of nearby properties.

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

No.

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

Yes.

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

No.

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

The Comprehensive Land Use Plan designates this site for a combination of Commercial, Low Density Residential, and Institutional. The proposed use is not significantly different from uses permitted in those land use designations.

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

No.

Ms. Smolek stated that since writing this report, staff conferred with the County Attorney who advised that “no site plan approval should be granted on any property affected by the Hamilton Road right-of-way until that right-of-way has been officially abandoned.” She stated that staff recommends approval to amend the PD Text for Frederica Academy subject to this stipulation.

Mr. Jim Benefield gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Paul Sanders to recommend approval of this request to amend the PD Text for Frederica Academy, subject to no site plan approval being granted on any property affected by the Hamilton Road right-of-way until that right-of-way has been officially abandoned. The motion was seconded by Ms. Joan Wilson and unanimously adopted.

ZM-2008-014 (I)

Consider a request to amend the Planned Development Text for a property consisting of 15.442 acres located on the south side of the F.J. Torras Causeway and on the southwest side of Kings Way. The property has approximately 600 feet of frontage on the Causeway and approximately 840 feet of frontage on Kings Way. The request is to amend the number and approval method of wet slips and the parking required for this use. Parcel ID 04-05788 and 04-05821. Property owned by Sea Island Company.

Due to an agency discrepancy, a motion was made by Mr. John Dow to defer this item until the May 20th Islands Planning Commission meeting, beginning at 6:00 p.m. The motion was seconded by Mr. William Lawrence and unanimously adopted.

TA-2008-004

Consider an amendment to the Glynn County Subdivision Regulations, Article III (Jurisdiction and Application) excluding cemetery burial lots from the application of the Subdivision Regulations; amending Article VI (Design Standards), Section 602.4 (Design Standards for Paved Streets) to clarify standards for minimum right-of-way widths; and for other purposes.

The proposed amendment was included in the packages for review and was presented by Mr. Hainley. This proposal would add an exemption for cemetery plots as well as change the minimum right-of-way widths. Mr. Hainley stated that the Mainland Planning Commission recommended approval of this proposed amendment. Staff's recommendation is also for approval.

It was noted that no one was present to oppose this request. Following review, a motion was made by Mr. John Dow, seconded by Mr. Preston Kirkendall and unanimously adopted to recommend approval of this proposed text amendment.

TA-2008-005

Consider an amendment to the Glynn County Zoning Ordinance, Article VI (General Provisions) Sections 601 and 602 to clarify standards for minimum right-of-way widths; and for other purposes.

The proposed amendment was included in the packages for review and was presented by Mr. Hainley. The proposal to amend Section 601 would clarify street access requirements, and the amendment to Section 602 would delete street requirements previously moved to the Subdivision Regulations by Text Amendment 2008-004. Mr. Hainley stated that the Mainland Planning Commission recommended approval of this proposed amendment. Staff's recommendation is also for approval.

It was noted that no one was present to oppose this request. Following review, a motion was made by Mr. Preston Kirkendall, seconded by Ms. Joan Wilson and unanimously adopted to recommend approval of this proposed text amendment.

There being no further business to discuss, the meeting was adjourned at 7:10 p.m.