

MINUTES

ISLANDS PLANNING COMMISSION

DECEMBER 14, 2010 - 6:00 P.M.

The Casino Bldg, 530 Beachview Drive, SSI

MEMBERS PRESENT: Preston Kirkendall, Chairman
John Dow, Jr.
Patricia Laurens
William Lawrence
Paul Sanders
Joan Wilson

ABSENT: Desiree Watson

STAFF PRESENT: David Hainley, Community Development Director
York Phillips, Planning Manager
Janet Loving, Admin/Recording Secretary

Chairman Kirkendall called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

MINUTES

October 19, 2010 Regular Meeting

Upon a motion made by Mr. John Dow and seconded by Ms. Patricia Laurens, the Minutes of the October 19th IPC Regular Meeting were approved and unanimously adopted.

SP1986 Zaxby's Restaurant

Consider approval of a site plan for a 2,664 sq. ft. restaurant with a drive thru on a .807 acre property located on the north side of Sea Island Road, approximately 740 ft. west of the Sea Island Road, Frederica Road intersection. The property is accessed from Market Street. The property is zoned Planned Development (PD) and is part of the Old Stables Tract Planned Development. Parcel ID: 04-05141 (part). Carter Engineering Consultants, agent for Cordell Enterprises, owner.

Mr. Jeff Carter was present for discussion.

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

This proposal is part of the development of what was formerly used for various support functions for the Sea Island resort properties. In addition to consolidated employee parking, the site included a day care center for employees, maintenance support facilities, vehicle maintenance, and the computer center. The site received zoning approval (March 5, 2009 - ZM1373, Old Stables Tract Planned Development) to be developed as a mixed-use project including residential, hotel, and retail uses, along with a smaller support facility for the resort. The day care center is currently used by a private school. An area near the intersection of Frederica Road and Sea Island Road is being acquired by the St. Simons Island Land Trust for preservation.

The proposed restaurant is consistent with the overall plan for the development of the Old Stables Tract project. A plan has also been approved for some of the infrastructure that serves this site, specifically including the driveways and water and sewer facilities.

The site plan has been reviewed and meets all technical requirements except that the tree plan must be sealed by a landscape architect. The landscaping plan and treatment of the buffer area has been discussed and a revised plan has been submitted that meets all requirements, although the plant materials in the buffer area are to be changed to be consistent with the adjoining developments.

In addition, staff suggests that final approval of the building permit and the building permit site plan include a pre-construction meeting to ensure coordination of construction on this site with nearby infrastructure serving the project.

Under Section 619.4 (a) of the Zoning Ordinance, the Planning Commission review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. **Staff Comment: This requirement has been met.**
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this ordinance and other ordinances of Glynn County. **Staff Comment: This requirement has been met.**
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading, and the flow of traffic, which may reasonably be anticipated. **Staff Comment: This requirement has been met.**
- 4) Adequate provisions are made to control the flow of storm water from and across the site. **Staff Comment: This requirement has been met.**

- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff Comment: This requirement has been met.**

- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. **Staff Comment: This requirement has been met. The landscaping and buffer plans have been revised to address staff concerns.**

- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff Comment: This requirement will be met through the building permit.**

- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff Comment: Not applicable.**

- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff Comment: This requirement has been met.**

Mr. Phillips stated that staff recommends approval of application *SP1986*, subject to meeting all requirements and subject to final revisions of the tree plan and buffer landscaping. He confirmed that Mr. Jeff Carter of Carter Engineering Consultants submitted the revised landscape and tree protection plan to reflect the necessary changes.

Under the Community Development review history, Mr. Lawrence noted that staff referenced Market Lane. He stated that he located Market Street but could not find Market Lane. Using the plat, Mr. Phillips pointed out both of these roads and stated that Market Street comes in from Frederica Road while Market Lane lines up with the driveway in front of Harris Teeter. The commercial area and the Old Stables Tract will have access to the internal street. Also, there will be access back across to another entrance west of CVS, which lines up with one of the buildings on the south side of Sea Island Road.

Ms. Joan Wilson wanted to know if all engineering concerns have been satisfied. Mr. Phillips replied yes. He explained that engineering comments are basically technical and are resolved before approval of permits. Any comments from utilities will also be addressed during the building permit review process.

Regarding staff's recommendation of approval subject to meeting all requirements, Mr. Dow wanted to know why the recommended motion in this case is not subject to everything that remains to be resolved, rather than just the final revisions of the

tree plan and buffer landscaping. According to the report, there are other issues that need to be resolved, i.e., location, intensity and direction of all outdoor lighting. Mr. Phillips explained that language in the staff's recommendation generally include "approval subject to meeting all requirements" because there are technical issues that sometimes don't get completely resolved until the time of the building permit site plan. Usually these issues relate to sewer connections, storm water calculations, etc. Mr. Dow pointed out that his interpretation of staff's recommendation is that the only outstanding issues are the tree plan and the buffer landscaping revisions, which appears to mean that the lighting issue isn't subject to the issuance of the building permit. Mr. Phillips explained that the intent of the phrase "subject to meeting all requirements" covers everything. It's just that in this particular case staff wanted to be specifically clear about the tree plan and the buffer agreement.

Mr. Dow had additional questions about the outdoor lighting plan. Mr. Phillips stated that the lighting plan is always a condition of the building permit review and generally has to be adjusted during this review process. For additional clarification, Chairman Kirkendall stated that this does not change the landscape plan for CVS. Mr. Phillips concurred and added that the appearance of the plants and the number of trees are all consistent.

Mr. Dow stated that when the PD was approved, there was a condition that the developers would correct the right-turn on the Harris Teeter side. Mr. Hainley stated that the developers have been experimenting with white bollards in the area but nothing has been finalized. Mr. Dow suggested that this issue be addressed and resolved before the next plan is submitted.

Chairman Kirkendall wanted to know the square footage of eating area for Zaxby's. Mr. Jeff Carter, agent, stated that he doesn't know the exact square footage but it is approximately one-third of the restaurant size. Mr. Phillips stated that once they review the actual building plans, the exact square footage will be calculated at that time.

Ms. Linda Ferrell asked if there is any prohibition on record for drive-thru windows. Mr. Hainley replied no. He then pointed out other areas on St. Simons where drive-thru windows are located. Ms. Ferrell disapproves of this request and feels that it does not preserve the ambiance of the Island.

There being no further discussion, a motion was made by Mr. Paul Sanders to approve application **SP1986** subject to meeting all requirements and subject to final revisions of the tree plan and buffer landscaping. The motion was seconded by Mr. John Dow and unanimously adopted.

SP2132 Frederica Guest House #2

Consider approval of a site plan for two guest houses and an additional parking area located adjacent to the Frederica Clubhouse. The project is situated on property consisting of 7.157 acres located approximately 1,000 ft. north of Pikes Bluff Drive and approximately 1,800 ft. west of Hampton Point Drive in Frederica Township. The address is 100 Pikes Bluff Drive. The property is zoned Planned Development and is part of the North End Planned Development. Parcel ID: 04-13025. Bill Edenfield, agent for REDUS Frederica Club, LLC, owner.

Mr. Bill Edenfield was present for discussion.

Mr. Phillips advised that the ownership of this property has recently changed from REDUS Frederica Club, LLC to Frederica Hospitality Group, LLC.

The proposed additional buildings and parking area will have negligible impacts. Details of utility connections, drainage, and erosion control will be addressed through the building permit site plan and related permitting.

Under Section 619.4 (a) of the Zoning Ordinance the Planning Commission review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. **Staff comment: This requirement has been met.**
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this Ordinance and other ordinances of Glynn County. **Staff comment: This requirement has been met.**
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading, and the flow of traffic, which may reasonably be anticipated. **Staff comment: This requirement has been met.**
- 4) Adequate provisions are made to control the flow of storm water from and across the site. **Staff comment: This requirement has been met.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: This requirement has been met.**
- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. **Staff comment: This requirement has been met.**
- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff comment: This requirement will be met through the building permit.**

- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff comment: Not applicable.**
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff comment: This requirement has been met.**

Mr. Phillips stated that staff recommends approval of application *SP2132* subject to meeting all requirements.

Ms. Wilson asked Mr. Edenfield to define “guest house.” Mr. Edenfield stated that a “guest house” is a 4 bedroom two-story building setup to accommodate guests of members of the club; transient use for one group.

Following discussion, a motion was made by Mr. John Dow to approve application *SP2132* subject to meeting all requirements. The motion was seconded by Mr. William Lawrence and unanimously adopted.

SP2145 Postell Park, Phase 3

Consider approval of a site plan for the third phase of park improvements on property located on the south side of Beachview Drive and north of the Casino building, approximately 400 ft. east of the Beachview Drive/Mallery Street intersection. The proposed improvements will facilitate operation of festivals and similar activities serving large numbers of people. The property is zoned Public (P). Parcel ID: 04-04650 (part). Property owned by Glynn County.

Mr. Robert Ussery, agent, was present for discussion.

According to the staff’s report, the proposed improvements include 70 dedicated vendor spaces along with a parking and driveway area that can double as additional vendor area. The Recreation Department reports that some events involve up to 120 vendors. The layout of the paved parking area is such that when used for vending, basic pedestrian access would be at grade with no step-ups or tripping hazards. The plan is to include a power distribution system to accommodate use by vendors.

The proposed renovations have been designed to improve the functioning of the park in handling the current variety of events and in potentially expanding to accommodate additional activities. The design also preserves most of the existing trees and protects tree roots through use of pavers and limitation on paving.

Engineering staff has stated that it might be appropriate to review parking in the Village and develop an overall plan on how parking is to be laid out.

Under Section 619.4 (a) of the Zoning Ordinance the Planning Commission review shall be guided by the following standards and criteria:

- 1) The application, site plan, and other submitted information contain all the items required under this Section. **Staff comment: The plan does not meet all submittal requirements; however the essential information for overall design layout is included. Staff has participated or will participate in several issues that are not specifically included on the plan, such as drainage and utilities.**
- 2) The proposed uses, buildings and structures are in accordance with the requirements of this Ordinance and other ordinances of Glynn County. **Staff comment: This requirement has been met.**
- 3) Adequate provisions are made for ingress and egress, off-street parking, loading, and the flow of traffic, which may reasonably be anticipated. **Staff comment: This requirement has been met.**
- 4) Adequate provisions are made to control the flow of storm water from and across the site. **Staff comment: This requirement is being addressed directly with Engineering.**
- 5) Adequate provisions are made to protect trees that are selected to remain as depicted on the site plan. **Staff comment: This requirement has been met through use of pavers and the overall layout of the project.**
- 6) Adequate provisions are made to buffer intensive uses and to screen all service areas from view of the adjacent properties and streets. **Staff comment: This requirement has been met.**
- 7) Adequate provisions are made to control the location, intensity, and direction of all outdoor lighting so that it will not have an adverse effect upon adjoining properties. **Staff comment: This requirement will be met through the building permit.**
- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff comment: Not applicable.**
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff comment: This requirement has been met, or is not applicable.**

Mr. Phillips stated that staff recommends approval of application *SP2145* subject to meeting all requirements.

Mr. Robert Ussery gave a brief presentation and a general discussion followed. For the record, it was noted that Mr. Bill Hooker submitted a letter of opposition to this request. Mr. Hooker contends that this proposal would “destroy the semicircular parking that frames the existing multiuse space to the concrete sidewalk along Beachview Drive.” Additionally, he feels that it would be an extra expenditure with minimal or less benefits for taxpayers. (Mr. Hooker’s letter is contained in the file in its entirety.)

Following discussion, a motion was made by Ms. Joan Wilson, seconded by Mr. Paul Sanders and unanimously adopted to approve application **SP2145** subject to meeting all requirements.

VP2149 St. Simons Sweets Sign

Consider approval of a second building sign with a 17 sq. ft. face to identify “St. Simons Sweets” business at 229 Mallery Street, SSI on its Lord Street side. This request is per Glynn County Zoning Ordinance Article VIII, Section 811.7 entitled “Signs in a St. Simons Island Overlay District,” which requires prior approval of permanent signs in excess of 6 sq. ft. by the Planning Commission. The property is zoned VMU Village Mixed Use (VMU). Parcel ID: 04-04633. Sharon Clark, agent and owner of St. Simons Sweets.

Mr. Ken Snope was present for discussion.

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

This is not a change in use. The proposal will allow a second business identification sign for use on the side of the building facing Lord Avenue. The proposed sign meets the provisions of the Sign Regulations (Article VIII) as to the number, types and sizes of signs. According to the Sign Regulations, signs over 6 sq. ft. in area “are subject to the prior approval of the Planning Commission with regard to material, size, construction, color, face type, location and setback.” The Sign Regulations also provide that such review and approval be per the requirements of Section 709 (Island Preservation District).

Section 709.4 in the Island Preservation District gives the standards for review, as follows:

(a) Construction, or remodeling or enlargement of an existing building in a manner inconsistent with the existing building massing (the three-dimensional bulk of a building: height, width, and depth), articulation (the pattern of the building base, middle and top, created by variations in detailing, color and materials or stepping back or extending forward a portion of the facade) and fenestration

(the arrangement, proportioning, and design of windows and doors in a building) in the immediate area; or

(b) An absence of unity or coherence in composition which is in opposition to the character of the present structure in the case of repair; or

(c) Violent contrasts of materials or intense colors not representative of the existing buildings in the immediate area; or

(d) A multiplicity or incongruity of details resulting in a disturbing appearance.

The existing sign located on the front of the building is in compliance with applicable ordinances, and the proposed sign will be in compliance with approval from the Planning Commission as required.

Mr. Phillips stated that staff recommends approval of **VP2149** for St. Simons Sweets at 229 Mallery Street to allow the second sign as requested.

Following a brief discussion, a motion was made by Mr. John Dow to approve application **VP2149** for St. Simons Sweets at 229 Mallery Street to allow the second sign as requested. The motion was seconded by Ms. Patricia Laurens and unanimously adopted.

Workshop on Comp Plan Amendment and Future Land Use Plan Amendment

(1) Consider an amendment to the Adopted Glynn County Comprehensive Plan (adopted October 16, 2008), “Future Development Narrative,” “St. Simons/Sea Island,” “Recommended Development Pattern,” by adding thereto the following provision: “No retail commercial or restaurant uses shall be permitted in the area along the north side of Demere Road, between Plantation Village and the Observation Park adjacent to the Waffle House.” (2) Consider an amendment to the Comprehensive Plan Appendix A: Future Land Use Text (adopted March 19, 2009), “Corridor Mixed Use Classification” and the “Community Mixed Use Center (Village Center) Classification” by adding to each classification description the following guideline: “No retail commercial or restaurant uses shall be permitted in the area along the north side of Demere Road, between Plantation Village and the Observation Park adjacent to the Waffle House.” (3) Consider an amendment to the Future Land Use Map (adopted March 19, 2009) referencing the amended guidelines.

According to the staff’s report, during the discussion on the rezoning proposal for Zaxby’s, the Islands Planning Commission discussed the previous commitment to limit certain commercial uses along the north side of Demere Road west of the Waffle House property. The purpose of the workshop is to review the draft of a proposed amendment to

the Community Agenda of the Comprehensive Plan, as well as to the Future Land Use Text and Map.

Mr. Hainley explained that staff is seeking direction from the Planning Commission to advertise this item for public hearing.

Ms. Linda Ferrell asked if this means that the record would reflect that there would be no further commercial or restaurants north of Demere Road. Mr. Hainley replied yes, recognizing that all of the documents (2008 and 2009 Plans) are advisory recommendations only to the Planning Commission and to the Board of Commissioners. The Planning Commission and the Board of Commissioners evaluates the 2008 and 2009 plans and takes them into consideration in a zoning request to determine if they will follow them or if there is a change in condition that deems otherwise.

Mrs. Berthenia Gibson gave a brief history of the area in question dating back to the 1980's when a promise was made that the park would be a demarcation line, and that there would be no further commercialization in the area. Mrs. Gibson stated that this was supposed to have been included in the Comprehensive Plan; however, it fell through. She stated that also during that time there was suppose to be \$1000.00 left for the community to be used for the benefit of the community, but that also fell through. She stated that hopefully the proposed plan will be approved, which would be the "best Christmas present she could ask for."

For the record, Mr. Paul Sanders stated that "land in and of itself is of little value. The use is the value. If you restrict people's use in perpetuity, then you're taking away some of their private property rights." He urged staff to use great caution in wording this matter and take into consideration that they are restricting these people, basically, forever from a higher and better use of their property and are not offering any compensation.

At the end of discussion, a motion was made by Mr. John Dow instructing staff to proceed with the workshop as outlined on the agenda, up to and including the codification of the amendment. The motion was seconded by Ms. Patricia Laurens and unanimously adopted.

Workshop on Traffic Studies for Demere Road and Frederica Road

During the discussion on the rezoning proposal for Zaxby's, the Islands Planning Commission asked that the issue of traffic solutions on Demere Road and Frederica Road be discussed.

Following review, a motion was made by Ms. Patricia Laurens instructing staff to proceed with the workshop on traffic studies for Demere Road and Frederica Road. The motion was seconded by Mr. William Lawrence; however, the motion was amended

instructing staff to include the traffic study for Sea Island Road as well. The amendment was accepted and the motion was unanimously adopted.

Election of Officers

A motion was unanimously adopted to elect Mr. John Dow as Chairman, Mr. William Lawrence as Vice Chairman and Mr. Preston Kirkendall as Alternative Vice Chairman of the IPC for 2011. It was noted that Mr. Hainley requested that the newly appointed members not take office until after resolution of the vote on application **ZM1968** Red Barn Development. The members concurred.

A motion was unanimously adopted to retain Mrs. Janet Loving as the 2011 Recording Secretary for the IPC.

2011 Meeting Calendar

A motion was made by Mr. Paul Sanders to approve the **2011 Meeting Calendar** with the December meeting date being changed from 12-20-11 to 12-13-11 due to the holiday season. The motion was seconded by Mr. John Dow and unanimously adopted.

There being no further business to discuss, the meeting was adjourned at 7:20 p.m.