

MINUTES
ISLANDS PLANNING COMMISSION
APRIL 19, 2005 - 6:00 P.M.
St. William's Church, St. Simons Island

MEMBERS PRESENT: Robert Ussery, Chairman
Mike Aspinwall, Vice Chairman
Millard Allen
Preston Kirkendall
William Lawrence
Paul Sanders
Joan Wilson

STAFF PRESENT: York Phillips, Planning Manager
Eric Landon, Planner II
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Ulrich Keller, County Commissioner

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.

The agenda was amended as follows: Addendum - a) Site Plan Approval/Shops at Sea Island West; and b) Presentation by David Beard/Ice Machine in the Village. Mr. Phillips advised that Mr. Jarrell Jones requested a deferral of his presentation on the Village Preservation District. It was also noted that as agent/architect for agenda item #1(**ZM-2005-007**), Chairman Robert Ussery consented to join his colleagues in the audience to avoid a conflict of interest. The meeting would be turned over to Vice Chairman Mike Aspinwall at that point.

Upon a motion made by Mr. Mike Aspinwall and seconded by Mr. Preston Kirkendall, the changes were accepted and the agenda for the April 19th Islands Planning Commission meeting was approved and unanimously adopted.

ZM-2005-007 (I) Red Barn Development

Consider a request to rezone from Local Commercial and R-6 to Planned Development General, property located on the southeast corner of Frederica Road and South Harrington. The total site area is 14.6 acres, with 660 feet of frontage on Frederica Road and 670 on South Harrington. The proposed development consists of a commercial/residential complex with approximately 5 to 7 acres of commercial space and approximately 64 dwelling units. Robert Ussery, agent for Don Gentile, owner. (This item continued from the March 29th meeting.)

Mr. Robert Ussery was present for discussion.

It was noted that the staff's report (including property background, analysis and the six (6) criteria outlined in Section 1103 of the Glynn County Zoning Ordinance) is already contained in the March 29th Minutes for the record. Also at the March 29th meeting, a number of questions were raised concerning the traffic situation on Frederica Road in the vicinity of this project. Staff conveyed those concerns to the Traffic Safety Engineer and to the County Engineer, both of which provided comments covering site drainage, access locations, deceleration/acceleration lanes, turn lanes, and sidewalk alignment. All comments were included in the packages for the Planning Commission's review.

Staff recommends that this request be approved subject to a limitation on the number of residential units to 60. In addition, the Planning Commission may wish to request a study of the Frederica/Harrington intersection to determine if a traffic signal is warranted.

Mr. William Lawrence asked if anyone considered the possibility of installing a counter to monitor traffic on Frederica Road. Mr. Landon stated he believes that the Public Works Department has the ability to do traffic counting and may have data on daily trips generated at that particular intersection. However, staff does not have that data on hand. Mr. Lawrence then asked if anyone considered the possibility of eliminating parking on the northern portion of South Harrington Road. Mr. Landon stated that the Engineering Department has addressed that concern, assuming that parking would not be allowed at the intersection of Frederica and South Harrington.

In response to previous concerns, Mr. Ussery stated that there is a drainage ditch on the southern end of the property which lies on Sea Palms property. They have contacted Sea Palms and are currently negotiating their ability to use the ditch. The concerns about capacity would be addressed during the site plan review stage.

Regarding the access near Friendly Express, Mr. Ussery stated that it is their intent to align with General Oglethorpe, and they are willing to work with county staff to accomplish this adjustment. He stated that acceleration and deceleration lanes will be needed at the entrances, along with some improvements for the main entrance adjacent to the Red Barn.

Mr. Ussery stated that when development is ultimately in place, parking around the Red Barn on Frederica Road and on South Harrington will be eliminated. All of the parking for the Red Barn would then be fully inside of the commercial development. Also, the owner has agreed to the 60 unit reduction.

Mr. Ussery stated that in further review of this project, a number of grocery stores expressed an interest in this location. He stated that this particular area is going to be a major commercial node for the north end of St. Simons, and with this development they can provide a lot of services that are not currently in the area. For that reason, Mr. Ussery pointed out that they would like to increase the size of the commercial development. Currently, they are asking for 5 to 7.3 acres and would like to make that one acre larger in light of the grocery store interest, which would probably take up more space than they initially thought.

Mr. Ussery stated that there have been comments about other uses that may or may not be allowed. One use in particular was a daycare center, which he stated is allowed in local commercial as a special use. He pointed out that their development text allows for special uses under the same approval process. Also, there was a question about schools that would teach dance, art, or aerobics, which are all allowed under local commercial as well. Mr. Ussery stated that a drycleaners, which was also mentioned as a possible use, is listed under local commercial and they would welcome an opportunity to include this use. An indoor kennel for dogs or cats was referenced, but a kennel is not listed under local commercial and the applicants have no interest in locating one at the site. However, if the commission feels that it would add to the development for services, they would be amenable to including a kennel.

Mr. Paul Sanders expressed concerns about the increase in density relative to the 60 unit reduction. Mr. Ussery explained that the idea of the development was to spread the development out and have more greenspace. According to their development text, there is 70% ground coverage, compared to 95% coverage of the Winn Dixie Shopping Center. He stated that their strategy was to condense the residential development down (allow more units per acre), and not increase the number but allow the greenspace to show up in the commercial development.

Regarding the drycleaners, Mr. Sanders asked Mr. Ussery if they anticipate having an onsite use of the chemicals, or a pickup station. Mr. Ussery stated that they would propose using a smaller type plant onsite.

Ms. Mary Sweeney, SSI resident, wanted to know what type of school is being proposed. Mr. Kirkendall stated that it would be schools offering instruction in art, music, dancing, drama or similar cultural activity. Mr. Aspinwall explained that the developer is merely adopting the current standards of what can be done already.

Ms. Meredith Trawick expressed concerns about Gould Cemetery in that she believes it intersects with the dwelling unit portion of the development. She stated that

she spoke with one of the residents of the area who reported to her that the cemetery use to be larger than what it is today and also noted that the restaurant, the driveway to the left of the cemetery, as well as the new Sea Palms golf cart path are actually on a portion of Gould Cemetery. Ms. Trawick asked if probing could be done in the area to pinpoint the cemetery and to find out where it actually intersects. Mr. Phillips stated that he would have to research the ordinance to determine if the regulations require identification of the cemetery location. He stated that they would need a definitive survey to help make that determination. He is not sure if this is necessary for the zoning but it would be needed before issuance of any permits.

Ms. Trawick wanted to know if the area that intersects with Gould Cemetery would be considered common ground or would it be sold as private property. Mr. Ussery stated that he was not aware that the development abuts Gould Cemetery along any of the property being considered at this time. In fact, he believes that there is a separation. He pointed out that Mr. Gentile and his family has owned this property for a very long time and the family is not aware of any grave sites being close to this property. The existing restaurant is not part of this application at all. Mr. Ussery stated that as far as he knows, this development would have no impact on the cemetery. At some point during the site plan review stage a phase one environmental study would be required and more things would be looked at, including the history of the area. However, he reiterated that at this point he feels very comfortable that the development would have no impact on the cemetery. He stated that the area that Ms. Trawick is referring to is currently private property.

Mr. Millard Allen had questions about the date of the last survey. Mr. Ussery stated that he believes the last survey was done in 2003. Mr. Allen wanted to know the original date of the zoning to R-6 and Local Commercial. Mr. Ussery stated that the zoning has been in place for at least 30 years. Mr. Allen pointed out that Ms. Trawick's concerns are valid and should be explored but he doesn't think it has anything to do directly with rezoning the property.

Ms. Kim Gollin of St. Simons Island stated that by Mr. Ussery's admission, this area is becoming a significant commercial area. She pointed out that there is also a large amount of traffic being packed into this small section and increasing the density in the residential area merely compounds the problem. Ms. Gollin stressed that Mr. Ussery does a great job with projects and he has an eye for maintaining greenspace and preserving as many trees as possible; however, in this instance she would prefer to have a good project, leaving the zoning for the residential as R-6 and working with the commercial development. Therefore, she is asking that this Planned Development Text be denied.

Mr. Frank Quinby of St. Simons Island expressed concerns about traffic and drainage problems in the area. He stated that he is not sure what the water pressure is or if there is enough water to take care of fire prevention with the number of units being proposed. He agreed that an environmental study needs to be done and stated that zoning is often approved before these kinds of questions are answered. He also expressed

concerns about preserving the trees and feels that there should be aisles in the parking lot to protect the trees. Mr. Quinby stated that the 70% density is just too much. Finally, he stated that a dog kennel should not be allowed anywhere near a residential area. Mr. Aspinwall stated that most of the residents concerns would be addressed at the site plan approval stage. He stressed that the owner has a legal right to develop his property and we are here to discuss how to adopt a development text that makes sense.

In response to Mr. Quinby's comments, Mr. Ussery stated that there is a major drainage structure at the back end to the south end of the property. The ditch is part of the Sea Palms Golf Course drainage system and their intent is to tie into that drainage. There would be a fair network of underground drainage, which would tie back to that same ditch. Mr. Ussery expects that improvements might have to be made to the ditch in order to accommodate the drainage. The ultimate outfall of the ditch is the marsh. He pointed out that the 70% site coverage is for the commercial only. In the residential area the maximum requirement is 50% site coverage. Regarding preservation of the trees, he stated that the Gentile's have included in the development text a modest approach to saving the trees and Mr. Ussery feels that "it is a good first step."

Ms. Joan Wilson asked Mr. Ussery if there would be more traffic if the Planning Commission were to vote to enlarge the commercial area. Mr. Ussery replied yes because currently the only thing there is the Red Barn. He stated that they are allowed to develop the property with the current Local Commercial zoning with all of the uses proposed. If they were to remove the site coverage stipulation and be allowed to develop 100% of the ground rather than 70% they could get as much on the property as they intend to have in the future.

For clarification, Mr. Phillips pointed out that staff had not heard about changing the configuration of the proposal, which would perhaps require a re-advertisement. Also, regarding the discussion of a grocery store, while it is listed as one of the uses and incorporated by reference in the proposal, the configuration on the master plan does not show a grocery store. If the site plan is not consistent with the master plan, they would have to go back through the process. Mr. Ussery stated that in order to avoid confusion, they would drop that particular request, and if at some point there is a need, perhaps they would revisit that idea. Staff concurred.

There being no further discussion, a motion was made by Mr. Preston Kirkendall to recommend approval of this rezoning with the adjustments recommended by staff of 60 units. The motion was seconded by Mr. Millard Allen. During the course of discussion, Mr. Allen urged the members to be very attentive at the site plan review stage of this development. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Paul Sanders and Ms. Joan Wilson. Abstained From Voting: Mr. Robert Ussery.

(At this time, the meeting was turned back over to Chairman Robert Ussery.)

Site Plan Extension-Arnold House Inn

Request by Larry Bryson for extension of the site plan approval for Arnold House Inn, located on the northeast side of Neptune between Ocean Boulevard and Forest. The site plan was originally approved in 2001 with extensions approved on May 7, 2002; May 6, 2003; and May 4, 2004. A new application for site plan approval based on a revised plan was denied July 6, 2004.

Mr. Larry Bryson and Mr. James Timbes were present for discussion.

According to the staff's report, this proposal involves two projects which are related and are abutting, but which are on parcels with different zoning classifications and have therefore been designed and reviewed as separate projects. In each case, the use is a hotel with only limited accessory uses. Since the original approval, the ordinance was amended to allow for reduction in parking in order to increase green space. Also, after the most recent extension, the Zoning Ordinance was amended to add a definition of "sleeping room" and to set a density limit for hotels in the Resort Residential District. The original (and still effective) plan meets the density limit. Otherwise, there have been no changes in regulations or conditions that substantively affect this proposal.

Mr. Phillips stated that staff recommends approval of the extension of the site plan; extension to expire May 4, 2006.

Following a brief discussion, a motion was made by Mr. Paul Sanders to grant the extension of this site plan. The motion was seconded by Ms. Joan Wilson and unanimously adopted.

SP-2005-009 (I) Shops at Sea Island West

Request for site plan approval for property located on the south side of Sea Island Road, approximately 1,200 feet west of its intersection with Frederica Road. The proposed request consists of a 4,527 square foot theater expansion, 5,800 square feet of retail shops, 3,300 square feet of restaurant space, and 22,400 square feet of office space on 6.645 acres. The property is zoned Planned Development.

Mr. Bill Stembler was present for discussion.

Mr. Eric Landon explained that the applicant has provided a copy of the proposed site plan. An amendment was done to the Planned Development approximately one year ago and the site plan is consistent with the amendment of the new zoning text. Mr. Landon stated that staff has no significant comments that cannot be addressed during the building permit stage, and therefore recommends approval of this request subject to

meeting all requirements. Mr. Phillips stated that staff would check the criteria and the complete Planned Development Text before issuance of any building permits.

Following a brief presentation by Mr. Stembler, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

Under *Chairman Items*, the following report on the Building Height Ordinance Amendment was included in the packages and presented by staff:

During 2002 and 2003 there was a continuing discussion about the limitations on building height and how height is measured. The issue was referred to the Planning Commission, which spent several meetings and conducted a number of hearings to discuss the issue. The result of the deliberations was a determination that the method for measuring height should take into account the flood elevation of the property. County regulations adopted pursuant to the FEMA regulations require a minimum elevation for the occupied portions of buildings located in flood plains. The change in the building height regulations adopted in September 2003 allows the height to be measured from the flood elevation rather than the ground elevation, which in turn allows the full utilization of the height limit for the district. The following is a copy of the current provision:

Building Height

The vertical height of a building shall be measured from average natural grade of the building footprint or from the Base Flood Elevation established by FEMA (up to 14 feet, MSL); whichever is greater, to the highest peak of the roof. Building height shall not exceed the height specified in the applicable zoning district as set forth in this ordinance. See also Section 617 of this ordinance, which provides for exceptions from the height regulations.

During the course of discussion, it was the consensus of the Planning Commission to have staff provide additional language establishing the definition of a “floor,” and subsequently bring the amendment back for further review. However, it was determined that an official motion was needed to this affect. Thereupon, a motion was made by Mr. Millard Allen recommending that staff provide additional language establishing the definition of a “floor,” and subsequently bring the amendment back for further review. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

Chairman Ussery asked staff how it is anticipated for the two Planning Commissions to move forward with ordinance amendments. Mr. Phillips stated that the Mainland Planning Commission has created a committee to consider ordinance amendments, and during discussions they have suggested that perhaps the Islands Planning Commission could also select a committee for this purpose. Staff would then

schedule joint meetings of the two committees to help streamline the issues and submit the proposed amendments to the two Planning Commissions and forward recommendations to the Board of Commissioners for final action. He stated that staff would have to confer with the County Attorney relative to the sequence of events.

Under *Planning Commission Items*, Mr. Allen, as a representative serving on the Technical Coordinating Committee of the Metropolitan Planning Organization (MPO), encouraged everyone to attend the public hearing scheduled for Monday, April 25th at 6:00 p.m. at the Historic Courthouse to discuss the Long Range Transportation Plan Update. Also for consideration, Mr. Allen asked the members to think about looking more proactively at real planning issues and suggested that two members of this commission (who would act as the principal conductor) be assigned to work in concert with other planning entities, such as the SSI Land Trust, Sea Island, Historical Society, etc. and move forward on these issues. He stated that this suggestion could be reflected in more detail at the next meeting. The planning members concurred.

At this time, Mr. David Beard gave a brief presentation on a proposal to place an ice machine on property zoned General Commercial, located in the Village Preservation District on the east side of Ocean Boulevard. He stated that the area is the former site of an old gas station near "Hotdog Alley." Mr. Beard stated that the property is divided into two lots, 533 and 541 Ocean Boulevard. He pointed out that there is no survey for the property but it is owned by the Bank of Alma. He stated that there is a parking area in the front where the gas station use to be and "Hotdog Alley" is located on the side. He is proposing to put the ice machine off to the right side of the property, which would be about 35 ft. from the street and 8 ft. off of the setback. The dimensions of the machine are 22 ft. x 8 ft. and 8 ft. tall. Mr. Beard is asking for the proper procedure for submitting this type of proposal.

Mr. Phillips stated that the property is zoned General Commercial and a retail use is permitted. What Mr. Beard is proposing is a vending machine. He explained that he would have to submit a site plan, and because the property is located in the village, a Village Preservation Application is required. Procedurally, the use is probably permitted, the site plan is essentially functional issues and the Village Preservation is basically aesthetic issues. Chairman Ussery agreed and added that one of the stipulations of a site is to have a survey showing the proposal and the existing structure on site. Also, if the ice machine affects the parking in any way for the existing facility, everyone needs to know what that impact would be.

At the end of discussion, Mr. Beard was advised to confer with staff on the process for submitting the necessary paperwork, filing fee and deadline dates in preparation for the Planning Commission's review.

Under *Staff Items*, Mr. Landon presented demographics for St. Simons Island, which he stated was provided by the U.S. Census Bureau based on the 2000 Census Data. The first fact sheet outlines population, social, economic and housing characteristics. The second fact sheet includes detailed information on sex, age, race, household type, and household occupancy. Mr. Paul Sanders distributed additional demographics for St. Simons and Sea Island, which included the 2000 census, 2004 estimates and 2009 population projections.

Also under *Staff Items*, Mr. Phillips briefed the members on obtaining zoning information via the county's website. As a precaution, he advised that the information is not always accurate. He further advised that staff is in the process of trying to get an atlas prepared through the GIS Department for each planning member.

Mr. Phillips pointed out that a running list of ordinance amendments has been included in the packages for review. Staff would like to continue this process in an effort to keep the members up-to-date on any ordinance changes.

In other business, Mr. Phillips reminded everyone of the joint meeting scheduled for Monday, April 25th at 6:00 p.m. in the Historic Courthouse to discuss the Long Range Transportation Plan. He also encouraged everyone to attend an upcoming workshop on "Saving Money Through Smart Development," which is scheduled to take place on May 4th from 9:00 a.m. to 4:00 p.m. at the Stellar Conference Center in Brunswick.

There being no further business to discuss, the meeting adjourned at 8:10 p.m.