

MINUTES
ISLANDS PLANNING COMMISSION
JULY 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
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Uli 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.

ADOPTION OF AGENDA

The following changes were made to the agenda: Add Item 2a) Review Proposed Sign/Barberito's; and Delete Item 5) Building Height Exception (at the applicant's request).

There being no further changes to the agenda, a motion was made by Mr. Millard Allen, seconded by Mr. Paul Sanders and unanimously adopted to accept the changes and approve the agenda for the July 19th Islands Planning Commission meeting.

ZM-2005-025 (I)

Consider a request to rezone from Highway Commercial to Medium Residential, property located on the southwest corner of Demere Road and Salt Air Drive. The total site area is 1.368 acres, with approximately 240 feet of frontage on Demere Road. The proposed development consists of a 21 unit multi-family building. Larry Evans, agent for Salt Air LLC, owner.

Mr. Larry Evans was present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Landon as follows:

The applicant wishes to construct a 21 unit multi-family building at the above referenced location. The property is currently zoned Highway Commercial, and has an approved site plan for a 46 unit hotel.

The county's adopted Comprehensive Plan designates this area for Medium to High Density Residential.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

- 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 use will be consistent with surrounding uses.

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

The proposed use will not adversely affect the existing use of adjacent or nearby property.

- 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.

The proposed use will require service by Glynn County Water and Sewer. The property has frontage on Demere Road, and also has frontage on a private access called Salt Air Drive. Salt Air is currently being used as an access for an existing condominium adjacent to this property.

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

The future land use map identifies this area as Medium to High Density Residential.

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

The requested use is consistent with the residential development patterns.

This property is adjacent to Medium Residential zoned property with an existing multi-family residential project. Rezoning this property to MR would be in conformance with the character and zoning of the surrounding area. Therefore, staff's recommendation is for approval.

During the course of discussion, the most concerns expressed were about density. Mr. Millard Allen stated that density is a continuing concern of his. He stated that we cannot stop progress nor do we want to, but we do need to minimize density. Twenty-one units in his opinion, is too much. Mr. Landon explained that 46 individual units approved under the Highway Commercial zoning would have more impact than 21 multi-family units. However, Mr. Allen stated that a reduced density for this particular zoning request would be more favorable to him. Mr. Landon noted that although there is an approved site plan for this property, it does not necessarily have to be developed as a 46 unit hotel. Anything that can be built on property zoned Highway Commercial would be allowed.

Chairman Ussery stated that there are several multi-family projects in the area and most of them are between 11 and 12 units per acre. They are also mostly two-story structures. He pointed out that the last rezoning that took place on Demere Road for a multi-family use was 7 units per acre. Chairman Ussery stated that he is concerned about what the remainder of the road would look like. He agreed with Mr. Allen regarding the 21 units being too much and added that he would feel better about the request if it were more in keeping with the existing density of 11 to 12 units per acre. Mr. Kirkendall stated that the calculation for multi-family dwelling is 2,722 sq. ft. per unit, or 22 units for that particular size area.

Mr. Phillips explained that when establishing density, we have to keep in mind that a smaller site and a larger site will have differences that will show up in the numbers but not necessarily in the character. The existing development has some retention areas that in fact serve the site. We are also dealing with a net density in this particular case, as opposed to a gross density due to the size of the site. He pointed out that if the Planning Commission desires to make a recommendation other than what the applicant is requesting there are other zoning choices to select from. There is also the option to recommend approval of the rezoning stipulating a lower density.

Mr. Larry Evans explained that the objective in this case was to minimize the site coverage and try to save the trees located on the site. The idea was to compact everything and keep the parking in one area to achieve a look that fits in with the trees, rather than have the buildings spread out all across the site.

Mr. Allen stated that he has no objection to the rezoning but he is still very much concerned about the density issue. He then asked Mr. Evans how he felt about 16 units rather than 21 units for the development. Mr. Evans stated that he is not sure if he would be able to achieve the same economic value with 16 units because the site coverage, building height and square footage would remain the same. He pointed out that density is not just numbers.

Following discussion, a motion was made by Mr. Millard Allen to recommend approval of the rezoning with a reduced density of 12 units per acre. The motion was seconded by Mr. Mike Aspinwall. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. Preston Kirkendall, Mr. William Lawrence, Mr. Robert Ussery and Ms. Joan Wilson. Voting Nay: Mr. Paul Sanders.

Mr. Phillips asked if the site plan (*SP-2005-018 I*) should be addressed at this time. Chairman Ussery explained that due to the change in the density, he would like to give the applicant an opportunity to review the plans again. However, at this time Mr. Larry Evans requested that the (rezoning) application be withdrawn. Chairman Ussery reminded Mr. Evans that the Planning Commission's recommendation will be forwarded to the Board of Commissioners for final action and that the Board does not necessarily have to agree with the Planning Commission's recommendation. It was then suggested that Mr. Evans meet with staff to discuss possible options along with the details of his request for a withdrawal. Mr. Evans concurred.

VP-2005-008

Application by Roland Daniel for approval to construct three apartments on the second floor of an existing commercial structure located at 314 Mallory Street on the southeast corner of Oglethorpe and Mallory.

Mr. Roland Daniel and Mr. Larry Evans were present for discussion.

The staff's report was included in the packages for review and was presented by Mr. Landon as follows:

The proposed changes to the structure will consist of an internal renovation to change existing second floor office space into three apartments. In addition, the exterior will be painted, windows will be expanded, shutters will be added, awnings will be

provided (canvas and metal), and an observation tower will be added to the roof. Elevations of the proposed changes have been provided.

Under Section 709.5 (Village Preservation), new construction must remain within certain size limitations based on the size of structures on the property and neighboring structures as they existed at the time of the adoption of the Village Preservation provisions.

709.5 General Provisions

In all zoning districts except General Commercial Core Districts, no new construction or alteration to existing construction of a principal building or accessory building or structure will be allowed which will result in lot coverage of greater than fifty percent (50%). Furthermore, no building footprint may be increased more than the average of the building footprint of the building and structures located on the adjacent side lots existing at the time of the adoption of this Ordinance.

In all zoning districts, no new construction or alteration to existing construction of a principal building or accessory building or structure will be allowed which will increase the height more than ten (10) feet from the building or structure originally located on the property at the time of adoption of this Ordinance or from the average height of the principle structures located on the adjacent side lots at the time of adoption of this Ordinance.

For vacant lots which have been vacant for a period of one (1) year or longer, the footprint of new buildings or structures on the lot shall be no greater than the average footprint of the buildings or structures located on the adjacent side lots of the new construction. The height shall be no more than ten (10) feet greater than the average height of the principle structures located on the adjacent side lots at the time of adoption of this Ordinance.

When no building or structure is located on adjacent lots, the nearest building or structure will be considered to determine allowable scale of new construction.

The application indicates that the average height of the adjacent buildings is 18 feet. This height may be increased by 10 feet to establish the maximum height for the new structure. This calculation sets a maximum height of 28 feet. The applicant has submitted a request for a building height exception under Section 617 of the zoning ordinance to allow an observation deck at the height of 35 feet 2 inches. The existing footprint of the building will not be changed. In addition, Section 709.8 provides that the Planning Commission will review the plans according to the following criteria.

- 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.

Provisions of Section 709 appear to have been met, with the exception of the addition of the observation deck. Staff recommends that the application be approved with the condition that a building height exception (*Agenda Item 4*) be approved for the observation deck.

At this time, Chairman Ussery read *Agenda Item 4* into the record for clarification:

Height Exception

Building height exception for Roland Daniel to allow a roof access and observation tower for property located at 314 Mallory Street on the southeast corner of Oglethorpe and Mallory.

Mr. Larry Evans presented larger scale drawings for the Planning Commission's review. Chairman Ussery stated that the building is attractive but he is concerned about the room at the top being called an observation tower. Mr. Landon pointed out that observation tower is the phrase used by the applicant in his letter of request. He stated that it is not actually defined but it is listed under Section 617 of the ordinance. Chairman Ussery stated that it is large enough to be a room. Mr. Aspinwall also expressed concerns about the area being called an observation tower and stated that if approved as such, it could set a dangerous precedent. Mr. Evans explained that the tower could not be seen from Mallory Street. He elaborated on the language included in the ordinance relative to the distance of buildings and the height of on site buildings with respect to his request.

Ms. Joan Wilson had questions about the wind velocity for the tower as well as the dumpster site for the development. Mr. Evans stated that according to the design criteria, the tower could withstand winds at 120 mph. He stated that arrangements would be made for a lease agreement for the dumpsters. Ms. Wilson had additional questions about access via the staircase in the back of the property and whether there is enough room for emergency exits. Mr. Evans stated that the area has an exit but because of where the property line is they would need to use someone else's property for access. From a legal standpoint, there may be a grandfathered status for portions of the area.

Chairman Ussery was adamant about the room being called an observation tower and if approved, he feels that it would cause an "avalanche" of all sorts of things.

Mr. Evans asked if the area could be called a skylight, to which no one responded. Chairman Ussery wanted to know if there is a danger in using the interpretation that the area is no more than 10 ft. taller than the existing structure. Mr. Phillips replied no, there is not a serious danger but he does not feel comfortable pursuing that particular angle without there being more discussion, perhaps at a work session.

Mr. Kirkendall wanted to know what would happen if nothing is put in place. Mr. Evans stated that they would lose the ability to access the roof as well as the ability to have a roof top view of the ocean. Ms. Wilson comments that this appears to be more of a recreation area.

Following discussion, a motion was made by Mr. Paul Sanders to forward the request to the County Commission without a recommendation; however, it was pointed out to Mr. Sanders that Village Preservation applications do not go to the County Commission. Final action is taken by the Planning Commission. The motion was withdrawn. Chairman Ussery advised that this request requires two separate motions.

There being no further discussion, a motion was made by Mr. Preston Kirkendall to approve the request to construct three apartments on the second floor of the existing commercial structure. The motion was seconded by Mr. Millard Allen and unanimously adopted.

Chairman Ussery passed the gavel to Vice Chairman Mike Aspinwall and proceeded to make a motion to approve the roof access as drawn because it is no more than 10 ft. higher than the existing structure. The motion was seconded by Mr. Paul Sanders. During the course of discussion, Mr. Allen noted for clarification that no exception is being made in this case. Chairman Ussery stated that Mr. Allen is correct. After discussion, the following vote was taken. Voting Aye: Mr. Millard Allen, Mr. Mike Aspinwall, Mr. William Lawrence, Mr. Paul Sanders, Mr. Robert Ussery and Ms. Joan Wilson. Voting Nay: Mr. Preston Kirkendall.

VP-2005-006

Application by Harry Williams for approval of a monument sign (Barberito's) to be located at 509 Ocean Boulevard on the northwest corner of Ocean Boulevard and Neptune Way.

Mr. Don Hutchinson was present for discussion.

Mr. Landon explained that this is property previously submitted for Village Preservation to add a restaurant at 509 Ocean Boulevard. Also, a sign was previously approved to be located on the actual building itself. The second sign request is for a monument sign. During review, it was previously thought that the sign could not exceed 30 inches in height; however, General Commercial is exempt of that condition. The sign

is 24 inches off the ground and 19 inches high. Staff's recommendation is for approval subject to meeting all other requirements.

Mr. Phillips added that the Planning Commission reviewed the site plan for this request about two months ago and instructed staff (at staff's request) to work with the applicant and traffic safety staff to try and rework the site, improve the traffic flow, cut down on the driveway width, etc. He stated that the plan enhances the site and provides a space for the proposed sign. Mr. Phillips stated that staff feels that this is an overall improvement to the site and all of the various requirements have been met.

Following discussion, a motion was made by Mr. Preston Kirkendall to approve this request. The motion was seconded by Mr. Millard Allen and unanimously adopted.

**Presentation by St. Simons Land Trust of
"Master Trail Plan for St. Simons Island"**

Mr. Phillips explained that this presentation is for informational purposes only and it does not require any action at this time, unless the Planning Commission deems necessary.

Mr. Fred Freyer, Land Trust Executive Director, introduced Mr. Merle Grimes and Mr. Ed McBrayer of the Path Foundation in Atlanta, GA. It was pointed out that the proposed bike trail is part of the St. Simons Island Land Trust's overall "Greenprint Plan" for the island and is listed as a Priority #1. If approved by the Glynn County Commission, construction will commence in approximately six phases.

During the presentation Mr. McBrayer stated that a large part of the project will be to make the bike trails as safe as possible. Right now, the trails are not as safe as they should be (as demonstrated in the slide presentation). The illustration also included before and after appearances of the trails.

Improving the trails from a safety standpoint means widening them to the national standard of 8 ft. and repairing the broken up surfaces, as well as other substantial areas of the bike trail. The plan calls for a "clear zone" along the trail, which means trimming vegetation back for visual clearance. In addition, directional and traffic control signs would be placed along the trail.

The improvements will include brick pavers delineating where the bike trail crosses Frederica to let drivers know where the trail is. This will induce drivers to stop before they get to the trail while they wait on the traffic light. It will also help keep bikers and pedestrians on the trail.

The enhancements may also include a pedestrian and bicycle traffic light at heavily traveled intersections like Kings Way and Frederica Road. The bike trails would also include a white, dashed centerline stripe, similar to streets to encourage people to walk and ride on the right.

Phase I of the project would include improvements from the pier village west along Kings Way to the Frederica River Bridge. At the bridge, the trail will split off to the left from where it continues across the F. J. Torras Causeway and a boardwalk will be built looping under the bridge then turning north to connect with the park in Gascoigne Bluff, which would be known as a “trail head.”

Other phases of the project include dealing with the safety issues all over the south end of the island, connecting the Gascoigne area with Frederica Road via the Sea Island Road, and a bike trail along Lawrence Road to Hampton Point and the north end of the island. Amenities with the project may include pocket parks with benches, landscaping, bicycle racks, bathrooms and water fountains.

The Land Trust has funded the Bike Trail Master Plan but they are hoping that the County Commission will assist by applying for Federal TE-21 Transportation Grants that are designated for projects like the bike trail.

At the end of the presentation, there was a brief question/answer session among audience members, the Planning Commission and the Land Trust representatives. It was noted that the majority spoke with enthusiasm and acknowledged their support of this project. However, Ms. Meredith Trawick commented that some of the proposed improvements would change the character of the island and she does not want that to happen. She likes the overgrowth and the way the trees and bushes hang over the roads. She stated that it is all part of the character of the island and the reason she moved to St. Simons.

After a brief discussion, Mr. Millard Allen made a motion stating that the Islands Planning Commission endorses the concept of the Master Trail Plan for St. Simons Island. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

MINUTES

June 21, 2005 Regular Meeting

The Minutes of the June 21st Islands Planning Commission meeting were approved and unanimously adopted as written.

Under *Chairman Items*, it was noted that the Islands Ordinance Subcommittee meeting was tentative scheduled for Tuesday, July 26th at 3:00 p.m. in Room 234 of the

Office Park Building. The purpose of the meeting is to discuss possible changes in the ordinance and prioritize the list of amendments.

Under *Staff Items*, Mr. Phillips advised that a general information joint workshop to discuss Planning & Zoning issues is scheduled for Friday, July 29th at 3:00 p.m. in Room 234 of the Office Park Building. All members were encouraged to attend.

Also under *Staff Items*, the running list of ordinance amendments was distributed and reviewed at length. Mr. Phillips agreed to provide updated copies of the amendments of the Glynn County Subdivision Regulations.

In other business, the members were encouraged to have their picture taken at the Glynn County Human Resource Department, 3rd Floor Pate Building, between the hours of 8:00 a.m. and 5:00 p.m. for Picture ID Badges.

There being no further business to discuss, the meeting adjourned at 7:30 p.m.