

# MINUTES

## ISLANDS PLANNING COMMISSION

**MAY 21, 2013 - 6:00 P.M.**

**The Casino Bldg, 530 Beachview Drive, SSI**

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MEMBERS PRESENT: John Dow, Chairman  
Paul Sanders, Vice Chairman  
Stan Humphries  
Preston Kirkendall  
Oliver Seabolt  
Robert Ussery

ABSENT: William Lawrence

STAFF PRESENT: David Hainley, Community Development Director  
Janet Loving, Admin/Recording Secretary

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Chairman Dow 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

#### **April 16, 2013 Regular Meeting**

Upon a motion made by Mr. Preston Kirkendall and seconded by Mr. Paul Sanders, the Minutes of the *April 16<sup>th</sup> Regular Meeting* were approved and unanimously adopted.

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### AGENDA

Upon a request by Mr. Hainley, application number **PP2608**, Juanita Wiley Parcel, was added to the agenda under "*Requests for Preliminary Plat Approval & Plat Vacation.*"

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**PP2619 The Residences at Coast Cottages:** Consider approval of a preliminary plat for a 0.61 acre lot located on the north side of Olive Way. The property is zoned RR Resort Residential. Parcel ID: 04-10501. Jackson Surveying, agent for BB&T, owner.

Mr. Phillip Jackson was present for discussion.

According to the staff's report, this project is the remaining portion of land that was developed as the Residences at Coast Cottages condominium. For several years this parcel was used as a retention area for the condominium project. Recently infrastructure improvements have been made and the pond has been filled. The intent of this subdivision is to create this as a separate parcel for future use. Additional right-of-way, along with drainage and utility easements are being dedicated to the county and JWSC, which requires preliminary and final plat approval.

Mr. Hainley stated that staff recommends approval of application **PP2619**, The Residences at Coast Cottages, subject to meeting all requirements during the development process.

Following a brief presentation by Mr. Phillip Jackson, a motion was made by Mr. Robert Ussery, seconded by Mr. Oliver Seabolt and unanimously adopted to approve application **PP2619**, The Residences at Coast Cottages, subject to meeting all requirements during the development process.

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**PP2608 Juanita Wiley Parcel:** Consider approval of a preliminary plat for a 1.65 acre tract located at a physical address of 5715 Frederica Road, which is on the western side of the road across from Musgrove Subdivision with a variance in the allowable percentage of flag lots. The subdivision is located on a section of Frederica Road that has insufficient right-of-way and is required to dedicate right-of-way, which requires the full platting process. David Dowdy of Jackson Surveying, Inc., agent for Perth F. and Rhonda Pearson, owners.

Mr. Phillip Jackson was present for discussion.

The following report from staff was forwarded to the Planning Commission Members via e-mail on May 20<sup>th</sup> and was presented by Mr. Hainley:

This project does not meet the requirements of the ordinance and requires a variance for approval. As established in the Glynn County Subdivision Regulations, Article VI, Subdivision Design Standards: (A) There are proposed 66.6% flag lots (>50%) (Section 603.1 (e) 2; (B) The County Traffic Engineer has a concern that the preliminary plat proposal is for three curb cuts (two on the flag lots and one on the front lot) that are too close together on a collector or arterial streets (Section 603.1(e) 8). It

should be noted that this section of Frederica Road is narrow and has a constricted right-of-way, which will in all probability never be widened.

There have been difficulties with the alternative to the flag lot arrangement, which is a shared easement that results in the shared driveway being constructed in the middle of the easement with the middle person constructing a home directly adjacent to the easement and having a garage that faces the easement, and parked cars frequently blocking the rear person or emergency vehicles from accessing the property. The police are then called to arbitrate a purely private property agreement issue. This is the basis for supporting the variance in the number of flag lots because the configuration resolves this issue.

The preliminary plat is not labeled “*Preliminary Plat*” and does not have the required certification block, “*Certificate of Preliminary Plat Approval,*” with the following required language:

“All requirements of the Glynn County Subdivision Regulations relative to the preparation and submittal of a Preliminary Plat have been fulfilled.”

This Certificate shall expire \_\_\_\_\_ (date) \_\_\_\_\_ Date of Approval \_\_\_\_\_

\_\_\_\_\_ Chairman, Glynn County Planning Commission

PRELIMINARY PLAT- DO NOT RECORD (Section 703.5 b).

Mr. Hainley stated that staff recommends approval of application **PP2608**, Juanita Wiley Parcel, with the variance in the number of allowed flag lots. (The change has been made on the Plat Certification to include the chairman’s signature.)

Mr. Robert Ussery stated that he agrees with the Traffic Safety Engineer, and as an alternative to what the applicant is proposing, he suggested that with the 145 ft. along Lot 1 the applicant could join the two 25 ft. strips and make a tag or a stub road, which then becomes a 50 ft. right-of-way. There would be one flag lot. Mr. Hainley asked Mr. Ussery if he is suggesting that the applicant build a road, to which Mr. Ussery replied yes; if someone is going to do a subdivision, they need to provide the basic services. There are also drainage issues that would need to be resolved. Mr. Ussery stated that this plan, as submitted, looks like a “work around” to avoid doing any of the work.

Chairman Dow asked if septic tanks would be provided or individual sewer lines. Mr. Hainley stated that sewer is available. Mr. Ussery pointed out that there is also a force main that would possibly be tapped into. He stated that he would rather give a variance to the number of lots allowed on a stub road and restrict it to one curb cut on Frederica Road, which would essentially be much better for the community, as opposed to having three individual driveways.

Mr. Paul Sanders stated that he has a problem with staff speculating that “in all probability Frederica Road will never be widened.” This, in his opinion, is improper language. He also has a problem with the comments about the police being called under certain situations. Mr. Sanders feels that this language is unnecessary and has no

relevance in this case. Mr. Humphries agreed with Mr. Sanders. However, Mr. Hainley stated that he can actually attest to the number of times the police are called to the site at South Harrington due to the problems created by having a shared access easement, and South Harrington has the same configuration as this proposal. Mr. Hainley pointed out that the applicant would have to respond to the possibility of building a road, which would be an expensive change.

Chairman Dow stated that he agrees with Mr. Ussery about there being a better way to do this project. He stated that he has a problem with having three curb cuts within 132 ft. on Frederica Road. Also, taking one parcel and making it three is a self-imposed hardship. Chairman Dow stated that if he were to vote on this item tonight he would vote to deny it. Instead, he would prefer to have Mr. Jackson ask for a deferral so that he can discuss the suggested alternative with the property owners or perhaps some other cost benefit analysis.

Mr. Jackson explained that the owners of the property are just trying to build a house; they are not developers. He stated that they are having difficulties in getting financing for the house, but by creating the other two lots this somehow gets them the financing that they need. Mr. Jackson stated that he cannot speak for the owners on adding 145 ft. of road, but he assumes that they cannot afford this expense. Although he has seen cases where people argue over a driveway, he believes that the owners would be agreeable to a joint driveway. Therefore, he would like to request a deferral at this time.

For clarification, Mr. Ussery pointed out that he is not sure what the options would be relative to pavement or non-pavement or anything that would lower the impact of the cost for the owners, but he would like to see a subdivision with one access rather than three, and a workable drainage plan.

At the end of discussion, a motion was made by Mr. Paul Sanders to defer application **PP2608**, Juanita Wiley Parcel, to the June 18<sup>th</sup> IPC Meeting, beginning at 6:00 p.m. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

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**SP2611 Shops at Market Street:** Consider a request to approve a site plan for construction of three 8,000 sq. ft. buildings, an aggregate 24,000 sq. ft. on a 14.84 acre tract. The property is located north of Sea Island Road. Proposed buildings are to be located to the rear of the CVS Drug Store and Zaxby's Restaurant. The property is zoned PD, Planned Development. Parcel ID: 04-05141. Johnathan Roberts of Roberts Civil Engineering, agent for John Varner, JLV-VASI, LLC, applicant.

Mr. Johnathan Roberts and Mr. Bill Edenfield were present for discussion.

According to the staff's report, this request is to construct three buildings for office and retail uses as allowed by the zoning district.

The proposed building will tie into existing public (JWSC) water and sewer. Stormwater is to be discharged into the adjacent marsh so detention will not be necessary.

Under Section 619.4 (a) of the Zoning Ordinance, the Planning Commission's 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, subject to review by Engineering as part of the building permit process.**
- 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 has been met.**
- 8) Open space, as required, has been provided and appropriate means are proposed to assure maintenance of common areas and facilities. **Staff comment: This requirement has been met.**
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff comment: This requirement has been met or will be met during the building permit process.**

Mr. Hainley stated that staff recommends approval of *SP2611*, The Shops at Market Street, subject to meeting all requirements.

Mr. Ussery asked if there are any requirements for loading zones. Mr. Hainley stated that there is a requirement that the loading zone be shown but there is no requirement that it be independent. For instance, there are several loading zones that float out into areas that are shared with travel lanes.

During a brief presentation, Mr. Edenfield stated that he and Mr. Roberts discussed options for the loading areas. He pointed out the area that he thought would be sufficient space for loading but he is willing to amend the plan for the record to include another area at the other end of the building as well. Mr. Edenfield asked how many loading zones are they required to have. Mr. Hainley stated that this plan calls for one; maybe two at the most.

Mr. Ussery stated that due to the size of the building, perhaps the applicant needs to consider two areas for loading. Also, with the designated area being at the end of the buildings, they need to ensure that the turn radius is wide enough to accommodate large trucks. Mr. Roberts stated that the median on the west side will probably be removed during the construction plan phase to accommodate the trucks.

Chairman Dow expressed concerns about traffic. He stated that when Harris Teeter was approved a few years ago, the applicant at the time, who happens to be the same developer in this case (Mr. Varner), stated that he would address the right-in/right-out problem at the Harris Teeter parking lot and develop a permanent improvement. Chairman Dow wanted to know if the developer has given any more thought to this issue because a lot of drivers are still making illegal left turns at that particular site. Mr. Edenfield stated that he has discussed this issue with Mr. Varner and they both feel that the current remedy may or may not be effective. Therefore, he stated that they are willing to install something (at the developer's expense) that is effective based on consultation with the Glynn County Traffic Safety Engineer as well as Mr. Roberts. For the record, Mr. Edenfield stated that "they will fix it."

At the end of discussion, a motion was made by Mr. Robert Ussery to approve *SP2611*, The Shops at Market Street, subject to meeting all requirements. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

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**TA2515 - Section 619.1 Amendment:** Consider recommending approval to the Board of Commissioners for an amendment to Article VI Section 619.1 of the Zoning Ordinance of Glynn County, Georgia; to provide clarification that sign permits do not require site plan approval; and for other purposes.

Mr. Hainley pointed out that this amendment was referred back to the Planning Commission for additional clarification. An outline of the amendment and an explanation of changes were included in the packages for review. Mr. Hainley stated that in accordance with the explanation, this amendment would clarify that a building

permit is not required for construction of a sign. An application for a sign permit for construction of a sign does not require site plan approval or a building permit; only a sign permit. He stated that the Mainland Planning Commission recommended approval of this amendment. Staff also recommends approval.

Following review, a motion was made by Mr. Stan Humphries, seconded by Mr. Oliver Seabolt and unanimously adopted to recommend that the Board of Commissioners approve application **TA2515**, an amendment to Article VI Section 619.1 of the Glynn County Zoning Ordinance to provide clarification that sign permits do not require site plan approval.

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**TA2600 - Section 302 Amendment:** Consider recommending approval to the Board of Commissioners for an amendment to Article III Section 302 of the Zoning Ordinance of Glynn County, Georgia; to provide a definition of structure that excludes signs, walls, and fences; and for other purposes.

Mr. Hainley stated that this amendment was also referred back to the Planning Commission for additional clarification. As outlined in the explanation of changes, this amendment establishes that signs, walls and fences are excluded from the definition of a structure, and as such, it is not a requirement to apply for or obtain a building permit for any of those items. The Mainland Planning Commission recommended approval of this amendment. Mr. Hainley stated that staff also recommends approval.

Following review, a motion was made by Mr. Preston Kirkendall, seconded by Mr. Oliver Seabolt and unanimously adopted to recommend that the Board of Commissioners approve application **TA2600**, an amendment to Article III Section 302 of the Glynn County Zoning Ordinance to provide a definition of structure that excludes signs, walls, and fences; and for other purposes.

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There being no further business to discuss, the meeting was adjourned at 6:55 p.m.