

MINUTES

ISLANDS PLANNING COMMISSION

OCTOBER 21, 2014 - 6:00 P.M.

The Casino Bldg., 530 Beachview Drive, SSI

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

ABSENT: Preston Kirkendall

STAFF PRESENT: David Hainley, Community Development Director
Eric Johnson, Planning Manager
Cayce Dagenhart, Planner II
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Alan Ours, County Administrator

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.

MINUTES

September 16, 2014 Regular Meeting

Upon a motion made by Mr. William Lawrence and seconded by Mr. Oliver Seabolt, the Minutes of the *September 16th Regular Meeting* were approved and unanimously adopted subject to the following: *Page 2) Paragraph 4, Line 4: change **Chairman** Dow to **Commissioner** Dow. Page 8) Paragraph 3, Line 3: delete **and** add **or** (...The Gray Owl Inn **or** alternatively allow a single-family dwelling.)*

AGENDA - Additions, Deferrals, Deletions, Postponements

Upon a request from the applicant, a motion was made by Mr. Robert Ussery, seconded by Mr. Paul Sanders and unanimously adopted to defer site plan application **SP2906** to a later date.

At this time, Mr. Bill Edenfield advised that he would give a full report at the next meeting regarding his agreement to assemble a group of citizens consisting of landscape architects to compare conceptual landscape drawings for a portion of Demere Road. The drawings would then be submitted to the Board of Commissioners and the Glynn County Airport Commission for the benefit of community and civic groups.

ZM2919 350 Ocean Blvd: Consider a request to rezone 350 Ocean Blvd from VR Village Residential to VMU Village Mixed Use. The purpose of the request is to make the 0.5 acre, currently vacant property the same zone as adjacent parcels. Parcel ID: 04-04901.

Mr. Haven Paxton, owner/applicant, was present for discussion.

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

Several parcels adjacent to this property have been recently rezoned under the “Marshall Building” rezoning case (ZM2830). If rezoned to VMU, the allowable uses would expand to allow limited commercial and office space along with residential uses. Prior to any development on this site the applicant will be required to submit a site plan application and obtain Village Preservation approval from the Islands Planning Commission.

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 zoning will permit a use that is suitable in view of the use and development of adjacent property and nearby property.

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

The proposed zoning will not adversely affect the existing use or usability of adjacent or nearby property. Adjacent property is zoned VMU and R-6 One-Family Residential.

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

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

- 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.

Staff does not believe the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities or schools.

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

The proposed zoning is in conformity with the policy and intent of the Comprehensive Land Use Plan.

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

None

Ms. Dagenhart stated that staff believes that this application meets all ordinance requirements, and as such, the following are four possible motions for the Planning Commission to consider:

- 1) Recommend approval of the proposed zoning decision as presented;
- 2) Recommend approval of the proposed zoning decision with modifications or conditions;
- 3) Defer action on the proposed zoning decision; or
- 4) Recommend denial of the proposed zoning decision.

For clarification, Chairman Dow explained that instead of a recommendation being submitted by staff, as previously practiced, the Islands Planning Commission voted (5 to 2 at the IPC Meeting dated 2/19/2013) to have staff submit possible motions for the commission members to consider.

At this time, Mr. Haven Paxton gave a brief presentation and a general discussion followed.

During the Public Hearing phase, Mr. Buff Levy and Ms. Monica Smith, local residents, were present to speak in opposition to this request. They contend that the current zoning should remain in place, and they objected to some of the permitted uses.

After discussing with the applicant the possibility of eliminating some of the objectionable uses, a motion was made by Mr. Robert Ussery, seconded by Mr. Stan Humphries and unanimously adopted to recommend approval of application **ZM2919** subject to elimination of the following uses:

1. Grocery Store
2. Conditional Use for Restaurants
3. Hotel, Motel or Bed & Breakfast
4. Package, Liquor and Wine Store

PP2908 Lake View Cottages: Consider preliminary plat approval for a 21 lot subdivision. The property is located on the east side of Harrington Lane just north of South Harrington Road. Parcel ID: 04-05380. W.P. Portman, Jr., agent for Oak Village, LLC, owner.

Attorney Foster Lindberg was present for discussion.

The following report was included in the packages for the Planning Commission's review and was presented by Mr. Eric Johnson:

An application for a preliminary plat (PP-2005-018 Oak Village) for a 22 lot subdivision was approved by the Islands Planning Commission in 2006. No final plat was ever approved. The applicant is now requesting preliminary plat approval for a subdivision consisting of 21 lots, (for one-family dwelling units). Each lot would be at least 6,000 sq. ft. The drawing shows a 7,167 sq. ft. parcel that would be used for storm water retention purposes. The County Engineer anticipates that more land area would be needed for storm water retention; however, all drainage solutions can/will be addressed prior to final plat approval.

The following are preliminary plat requirements (and staff's comments) in accordance with Section 703 of the Glynn County Subdivision Regulations - The preliminary plat shall consist of a map or maps, drawn at a scale of not less than one inch, two hundred feet depicting the following:

1. The proposed name of the subdivision and proposed street names shall not duplicate or too closely approximate phonetically the name of other subdivisions or streets in Glynn County. If shown to the contrary, the Planning Commission or Geographic Information System (GIS) office may refuse to accept such subdivision and street names; must indicate whether the streets are to be public or private.

Staff Comment: Provided by applicant on plat.

2. Name, address and telephone number of the owner of record.

Staff Comment: Provided by applicant on plat.

3. Name, address and telephone number of the subdivider.

Staff Comment: Provided by applicant on plat.

4. Date of survey, north point and graphic scale, source of data, date of plat drawing, and space for revision dates.

Staff Comment: Provided by applicant on plat.

5. Preliminary Plat Certificates and Statements.

Staff Comment: Provided by applicant on plat.

6. A vicinity map locating the subdivision in relation to the surrounding area with regard to well-known landmarks such as major streets and thoroughfares, railroad rights-of-way, rivers, streams and other named bodies of water. Vicinity maps may be drawn in freehand and at a scale sufficient to show clearly the information required, but not smaller than one inch to one mile.

Staff Comment: Provided by applicant on plat.

7. Name of former subdivision(s), if any.

Staff Comment: Provided by applicant on plat.

8. Exact boundary lines of the tract or parcel to be subdivided, indicated by a heavy line giving length and bearings, and total subdivision land area in acres. The boundary lines shall apply to the entire tract to be subdivided.

Staff Comment: Provided by applicant on plat.

9. Natural features within the proposed subdivision, including drainage channels, bodies of water, flood plain, wetlands and other significant features.

Staff Comment: Provided by applicant on plat.

10. Cultural features within the proposed subdivision, including rights-of-way widths, and names of existing and proposed streets and alleys, existing structures, existing easements, buildings, city and county lines, zoning districts and boundaries, and other significant information.

Staff Comment: Provided by applicant on plat.

11. Proposed layout including lot lines with rough dimensions, lot numbers, block letters, street and alley lines, sites reserved through covenants, dedication or otherwise for public uses.

Staff Comment: Provided by applicant on plat.

12. Location of existing water and sewer utilities, if a connection to these public systems is proposed.

Staff Comment: Provided by applicant on plat.

13. Proposed unit division or stage of development, if any, by the subdivider.

Staff Comment: Provided by applicant on plat.

14. The names of owners of record and zoning of land adjacent to the tract to be subdivided.

Staff Comment: Provided by applicant on plat.

15. FIRM Panel Number and flood zone designation.

Staff Comment: Provided by applicant on plat.

16. Building setback information per Zoning Ordinance including setback lines on odd shaped lot.

Staff Comment: Provided by applicant on plat.

Mr. Johnson stated that staff believes that the proposed preliminary plat meets all ordinance requirements, and as such, the following are four possible motions for the Planning Commission to consider:

- 1) Approve the proposed preliminary plat as presented;
- 2) Approve the proposed preliminary plat with conditions;
- 3) Defer action on the proposed preliminary plat; or
- 4) Deny the proposed preliminary plat.

Chairman Dow stated that in accordance with what the County Engineer anticipates, if it is determined that more land is needed, he'd like to know if the applicants would still be entitled to 21 lots with some reductions or would the lots be reduced to accommodate the additional drainage. Mr. Johnson stated that all lots would have to be at least 6,000 sq. ft. so however they configure the lots, the applicants could have 21 buildable lots, which would be determined prior to final plat approval.

Mr. William Lawrence had questions regarding the GIS Mapping System. He stated that last year he raised similar questions pertaining to the map which refers to Harrington Lane, and two references to Harrington Road. He asked at that time that these roads be specified on the map as South Harrington on one end, North Harrington on the other end, and Harrington Lane in the center. However, as of this date, nothing has been done to clear up the confusion. Mr. Hainley stated that he would discuss this issue with the GIS Department tomorrow morning (10/22/14).

Attorney Foster Lindberg, agent for the applicant, gave a brief history of the property and a general discussion followed.

During discussion, Mr. Vassa Cate asked that if off-site drainage is approved on North Harrington Road and could be tied into this proposal, or if this is approved by the county to tie into the lake, could the parcel that's being proposed for stormwater retention become a lot of record. Mr. Hainley explained that there could be an extradited plat done that would create the one lot. Mr. Cate stated that in other words, a percolation test would be necessary to determine if the square footage account is correct, but it has been approved that on-site retention is okay. Mr. Hainley concurred; the square footage is in question.

Ms. Monica Smith encouraged the commission members to make drainage and stormwater treatment a high priority.

At the end of discussion, a motion was made by Mr. Robert Ussery to approve preliminary plat application **PP2908**. The motion was seconded by Mr. William Lawrence and unanimously adopted.

SP2913 Sea Palms Resort: Consider site plan approval for a 1,377 square foot fitness building for the Sea Palms Resort. The property is located on the east side of North Windward Drive. Parcel ID: 04-02788. Gamble & Gamble Architects, agent for Sea Palms Resort and Conference Center LLC, owner.

Ms. Sherrye Gibbs, representing Sea Palms Resort, was present for discussion.

According to the staff's report, the proposed is permitted within the Club House Facilities use in accordance with the Planned Development Text of Sea Palms East. The Development Text has recently been amended to allow a 6 ft. setback from right-of-way access easements. This proposed site plan complies with the Glynn County Zoning Ordinance Article VI, Section 619 as indicated below:

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: Stormwater drainage will be addressed during 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: According to the Tree Canopy Regulations, this site requires 5.84 tree canopy credits. The development area currently contains five elms, which fulfill five of the tree canopy credits. To meet the remaining .84 credits needed, the developer must plant one small and one medium tree from Article VI, Section 624.8 Preferred Tree Species listing.**
- 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: Not applicable.**
- 9) Adequate provisions are made for water supply, fire protection, and sewage collection and treatment. **Staff comment: This requirement will be addressed during the building permit process.**

Ms. Dagenhart stated that staff believes that this application meets the requirements for site plan approval, and as such, the following are four possible motions for the Planning Commission to consider:

- 1) Approve the proposed site plan as presented;
- 2) Approve the proposed site plan with conditions;

- 3) Defer action on the proposed site plan; or
- 4) Deny the proposed site plan.

Ms. Sherrye Gibbs gave a brief presentation and a general discussion followed. It was noted that Mr. Robert Bugby, adjacent property owner, stated that he has no objections to this request.

At the end of discussion, a motion was made by Mr. Paul Sanders to approve site plan application *SP2913*. The motion was seconded by Mr. Oliver Seabolt and unanimously adopted.

VP2809 Mellow Mushroom: Consider a request to update the original Mellow Mushroom Village Preservation permit VP2809 approved on April 15, 2014. This application is to add a review of a sign for the restaurant. The property is zoned VMU Village Mixed Use and located in the Island Preservation District. Parcel ID: 04-04463. Property owned by Bo Chambliss.

Ms. Jessica Snyder was present for discussion.

According to the staff's report, the applicant proposes to mount a single oval shaped 20.73 sq. ft. sign to the building. The building is located at 440 Ocean Boulevard and the property is zoned VMU Village Mixed Use. The original application requested approval for the development of a restaurant, which was unanimously approved on April 15, 2014.

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.

Ms. Dagenhart stated that staff believes that the submitted application for the sign permit meets all ordinance requirements, and as such, the following are three possible motions for the Planning Commission to consider:

- 1) Approve the application update with or without changes and/or modifications; or
- 2) Defer the application update pending more information; or
- 3) Deny the application update.

Following a brief review, a motion was made by Mr. Robert Ussery to approve the updated request for the sign as presented. The motion was seconded by Mr. Oliver Seabolt and unanimously adopted.

In other business, Mr. Robert Ussery stated that there needs to be some sort of tracking designation of the VMU applications to alert us of the history, restrictions, etc. Mr. Hainley stated that staff is currently working on the mapping system to help with this situation; along with a means for tracking property that has received variances, as well as restrictions. Chairman Dow wanted to know what is created as public records, in addition to the Minutes, when the Planning Commission approves a request, i.e. VMU application. Mr. Hainley advised that the map changes and a case number is assigned to it, which also becomes part of the public records.

There being no further business to discuss, the meeting was adjourned at 7:00 p.m.