

MINUTES
ISLANDS PLANNING COMMISSION
MAY 17, 2016 - 6:00 P.M.
Strickland Auditorium, Epworth-by-the-Sea, SSI

MEMBERS PRESENT: Karen Ward, Chairman
 Desiree Watson, Vice Chairman
 Ed Ellis
 Stan Humphries
 Preston Kirkendall
 William Lawrence

ABSENT: Joel Willis

STAFF PRESENT: David Hainley, Community Development Director
 Will Worley, Senior Assistant County Attorney
 Cayce Dagenhart, Planner II
 Karl Bursa, Planner II
 Julie Grimm, Planner I
 Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Alan Ours, County Manager

Chairman Karen Ward called the meeting to order and the invocation was given, followed by the Pledge of Allegiance. She then gave a brief recap of the rules, voting procedure and audience participation in discussing agenda items.

MINUTES

April 19, 2016 - Regular Meeting

Upon a motion made by Mr. Preston Kirkendall and seconded by Ms. Desiree Watson, the Minutes of the *April 19th Regular Meeting* were approved and unanimously adopted.

AGENDA - Additions, Deferrals, Deletions, Postponements, Adjustments

Upon the applicant's request, a motion was made by Mr. Preston Kirkendall, seconded by Ms. Desiree Watson and unanimously adopted to defer application *SP3176, Pilar Hotel*, until the *June 21, 2016 IPC Meeting beginning at 6:00 p.m. (Tentative Location: The Strickland Auditorium, Epworth-by-the-Sea)*

Upon staff's request, a motion was made by Mr. Preston Kirkendall, seconded by Ms. Desiree Watson and unanimously adopted to defer applications *SP3249* and *VP3269, The Marshall Building Phase II*, until the *June 21, 2016 IPC Meeting beginning at 6:00 p.m. (Tentative Location: The Strickland Auditorium, Epworth-by-the-Sea)*

ZM3220 Marshall Building: Consider a request to rezone 350 Ocean Boulevard from VR Village Residential to VMU Village Mixed Use. The purpose of the request is to make the .5 acre property, currently vacant, the same as adjacent parcels and ultimately combine it with the Marshall Building site. Parcel ID: 04-04901. Vassa Cate, agent for Haven Paxton, applicant and owner.

Mr. Johnathan Roberts of Roberts Civil Engineering was present for discussion.

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

A request to rezone this parcel from VR Village Residential to VMU Village Mixed Use was previously heard by the Islands Planning Commission (IPC) on October 21, 2014 and by the Glynn County Board of Commissioners on November 20, 2014. The IPC recommended approval of the rezoning upon the condition that several of the VMU uses not be permitted; however, the application was ultimately denied by the Board of Commissioners.

Currently, the applicant is requesting a change in zoning for the property at 350 Ocean Blvd. The purpose of this rezoning is to merge it with the adjacent Marshall Building property and develop it as a parking lot and hotel for the Marshall Building, Phase II; under the VR District the applicant would not be able to do this.

The VR district is reserved for residential purposes to encourage the formation and continuance of a stable healthy environment and to prohibit unwarranted encroachment of high density residential, commercial, industrial or other uses which would detract from the less intensive residential character of the area.

The VMU is commercial in character. The intent of the VMU is to encourage the formulation and continuation of a compatible and economically healthy environment for professional, business and residential uses which benefit from being in close proximity to

each other; and to discourage any encroachment by uses considered capable of adversely affecting the commercial character of the district. Changing the zoning of this parcel from VR to VMU would be up-zoning; intensifying and expanding the possible uses of the property.

The parcels on the other side of 350 Ocean Blvd are zoned R6 One-family Residential. One of these parcels is designated green space for “The Grove Subdivision” and the other parcel is a pond. This area is also in the Community Mixed Use Center or “Village Center.” The purpose of the Village Center is to designate areas that can be used to meet the immediate needs of several neighborhoods or communities. Appropriate land uses in this area include office, retail and commercial services.

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.

Staff comment: The proposed VMU district has permitted uses that are not necessarily suitable in view of the use and existing development of adjacent properties and the location of the subject property. The proposed use of this parcel is a parking lot and a small portion of a “condo-hotel” development.

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

Staff comment: The proposed zoning change would impact the existing use of adjacent or nearby properties by increasing noise levels and increasing vehicular traffic. The condo-hotel project would provide a connection between Ocean and Lord Avenues. The applicant has proposed the addition of parking to both avenues.

Rezoning this parcel would provide enough square footage for 17 of the proposed 42 sleeping rooms for the condo-hotel. The intensity of the proposed use would bring an additional 436 average trips per day to this area, as calculated by the Trip Generation metrics provided by the International Traffic Engineers manual. This traffic generation calculation does not include the traffic that will be generated from the new parking spaces built on Ocean and Lord Avenues. Given the size and intensity of the proposed condo-hotel project, it would adversely affect the stability of existing residential uses in the area.

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

Staff comment: The property currently has a reasonable economic use as it is 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 comment: The intensity of the proposed use would bring an additional 436 average trips per day to this area, as calculated by the Trip Generation metrics provided by the International Traffic Engineers manual. This does not include the traffic generated by the proposed additional 52 parking spaces along Lord Avenue that the applicant is willing to build for the county.

The flow of traffic along Ocean and Lord Avenues would be improved with this project because the applicant is willing to provide an access easement across the property, thus connecting the two roads. As previously stated, the applicant is willing to repave and install parking along Lord Avenue. The site plan also shows a proposed sidewalk going from the condo-hotel to the end of the applicant's property on Lord Avenue.

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

Staff comment: The proposed land use does not comply with the density provisions of the Future Land Use Map (FLUM) as set forth in the Glynn County Comprehensive Plan. The project site has a FLUM designation of Community Mixed Use (Village) Center – CMUC/VC. The Village Center FLUM designation provides for areas that can meet the immediate needs of several neighborhoods or communities. The “appropriate land use” for the Village Center is a use that can meet the immediate needs of several neighborhoods or communities.

The guidelines for the Village Center suggest low to medium intensity office, retail and commercial service uses. The proposed use for this parcel is a parking lot and small portion of a three-story, 42 room condo-hotel. The FLUM states that more intense uses should be focused on properties near the geographic center of the Village Center and away from existing or planned residential development. Given the size and the intensity of the use proposed, it may have an impact on the existing residential uses in the area.

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

Staff comment: This project stands in direct contrast to the stated goals of the Preamble and Enactment Clause of the Glynn County Zoning Ordinance. Specifically, this portion of the ordinance states its purposes to include “lessening congestion in the streets... preventing the overcrowding of land, avoiding undue concentration of population...and regulating with reasonable consideration, among other things, the character of the various districts and their peculiar suitability for particular uses, with a view to promoting desirable living conditions and the sustained stability of neighborhood... and conserving the value of buildings and encouraging the most appropriate use of the land.”

The intensity of the proposed use would bring an additional 436 average trips per day to this area, as calculated by the Trip Generation metrics provided by the International Traffic Engineers manual. The proposed condo-hotel would provide 42 individual rental units, in addition to the 14 which are already under construction from the Marshall Building Phase I project.

The proposed use contrasts with the character of the surrounding district, which consists of one-family residential, open space and, toward Mallery Street, high-density residential (the Village Villas). According to the FLUM, this property should be a use that meets the immediate needs of several neighborhoods or communities.

At the end of the staff’s report, Mr. Johnathan Roberts outlined the applicant’s intent for the property and answered questions from the Planning Commission members during his presentation. Afterward, the floor was opened for public comments beginning with those speaking in favor of this request as follows: John Dow, Linda Olsen and Bo Chambliss. Those in favor were of the opinion that what the applicant is proposing will alleviate garbage and drainage issues and rehabilitate Lord Avenue by eliminating the number of unsightly dumpsters in the area. They also feel that this proposal would have a positive impact and an overall improvement to the Island. Those speaking in opposition disagreed. They feel that the proposal does not meet the criteria of the ordinance and if approved, there would be an increase of traffic, additional problems with water run-off, and it would have an overall negative impact on their quality of life. It was also stated that the dumpster issue has nothing to do with rezoning property. For the record, those speaking in opposition were Julian Smith, Buff Leavy, Harold Peck, David London, Terri Simpson, Paula Eubanks, David Dale and Ivan Figueroa.

At the end of the public comment period, Mr. Johnathan Roberts was allowed a brief rebuttal followed by additional discussion from the Planning Commission. Afterward, a motion was made by Mr. Ed Ellis, seconded by Ms. Desiree Watson and unanimously adopted to recommend denial of application **ZM3220**, Marshall Building.

PP3229 Pleasant Grove Subdivision: Consider preliminary plat approval for a 13 lot subdivision. The parcels are zoned R-6 One-Family Residential. The proposed development is located on the southeast side of South Harrington Road's intersection with Mamalou Lane. Parcel IDs: 04-05424 and 04-09474. Paul Carter with Altamaha Preserve, LLC applicant and owner.

Mr. Skip Goodbread was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Cayce Dagenhart as follows:

The proposed 13 lots are designed to accommodate one-family detached dwellings. The smallest lot would be at least 6000 sq. ft. which complies with the minimum lot size in the R-6 Zoning District.

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: No former subdivision name.**
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; however, based on the letter from the JWSC dated October 13, 2015, the system currently lacks the capacity to handle any additional residential units other than those already platted. JWSC's comment for this project is: "The receiving basin for this proposed project currently has conveyance and/or capacity deficiencies. The JWSC preliminary plat review has been approved with no guarantee that sewer capacity will be available until such time that downstream wastewater capacity improvements are made per JWSC requirements. Required improvements may be deemed the responsibility of the developer."**

To address this, the applicant has put the following statement on the proposed preliminary plat:

"On May 17, 2016 The Islands Planning Commission approved the preliminary plat for Pleasant Grove PP3229 with such approval being conditioned upon and subject to the applicant receiving all necessary approvals from the JWSC for the subdivision to be served by public water and sanitary sewer systems, and there being sufficient wastewater capacity to serve the subdivision, in compliance with the environmental protection division of the Georgia Department of Natural Resources regulations and all local ordinances, including the Glynn County Code of Ordinances which pertains to water and sewer utilities."

This statement has been used several times to ensure the water and sewer capacity is in place before new residences are built.

13. Proposed unit division or stage of development, if any, by the subdivider. **Staff Comment: Not applicable.**
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.**

At the end of the staff's report, Mr. Kip Goodbread outlined the applicant's intent during a brief presentation. Afterward, Mr. Stan Humphries expressed concerns about granting a blanket approval for something that may occur five years down the road before resolving infrastructure problems first. Senior Assistant County Attorney Will Worley explained that if the IPC is inclined to grant approval subject to approval of capacity by JWSC, the applicant needs to know that he cannot obtain approval of any construction plans unless or until JWSC grants approval of capacity. Also, there is a possibility that the plat will expire within five years which would then require the applicant to come back for a new plat approval. Mr. Goodbread acknowledged that the applicant is fully aware of these potential stipulations.

At the end of discussion, a motion was made by Mr. Stan Humphries to deny application ***PP3229 Pleasant Grove Subdivision***; however, the motion died for lack of a second. A motion was then made by Mr. Preston Kirkendall to approve application ***PP3229*** subject to approval of JWSC connections. However, discussion continued. During which time, Mr. Kirkendall explained that the Planning Commission must state all reasons for denying an application that meets all criteria of the Ordinance. For clarification, Senior Assistant County Attorney Will Worley explained that the Planning

Commission can deny a preliminary plat for not meeting the requirements of the Subdivision Regulations. One of the reasons listed in the Regulations is that the applicant either has to connect to public water and sewer or obtain a variance approved by the Board of Commissioners. Approval of the Preliminary Plat may be granted by the Planning Commission subject to conditions. At the end of discussion, the motion for approval of application **PP3229 Pleasant Grove Subdivision** subject to approval of JWSC connections was seconded by Ms. Desiree Watson. Voting Aye: Mr. Ed Ellis, Mr. Preston Kirkendall, Mr. William Lawrence and Ms. Desiree Watson. Voting Nay: Mr. Stan Humphries and Ms. Karen Ward.

VP3240 Queen's Court: Consider a request to approve the alteration of the existing exterior color scheme for Queen's Court Motel. The site, located at 437 Kings Way, is approximately 100 feet north from the intersection of Ocean Boulevard and Mallery Street. Parcel ID: 04-04446. Larry Bryson, agent, for Queen's Inn, LLC, applicant and owner.

Mr. Larry Bryson was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Julie Grimm as follows:

The applicant is requesting a change of the exterior paint color scheme of the 1954 Queen's Court Motel. Historically, the building paint colors have remained white for the walls of the motel with Kelly Green trim for the eaves, doors and stairs. The proposed alteration of the outward appearance within the island preservation overlay includes application of four Behr paint colors; 1) Silver Shadow to the exterior walls; 2) Durango Blue to the eaves and soffits; 3) Twinberry to the doors; and 4) Ultra-Pure White to the stair railings and steps.

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.

Mr. Larry Bryson gave a brief presentation and a general discussion followed. Afterward, a motion was made by Ms. Desiree Watson, seconded by Mr. William Lawrence and unanimously adopted to approve application **VP3240**.

In other business, Mr. Hainley reminded the members of the Joint Planning Commission Meeting which is scheduled to take place at the “Strickland Auditorium” at Epworth-by-the-Sea, SSI on Monday, May 23rd at 6:00 p.m. to discuss Substandard Lots-of-Record.

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