

DRAFT/MINUTES
ISLANDS PLANNING COMMISSION
OCTOBER 25, 2016 - 6:00 P.M.
Strickland Auditorium, Epworth-by-the-Sea, SSI

MEMBERS PRESENT: Desiree Watson, Chairman
 Stan Humphries, Vice Chairman
 Ed Ellis
 Preston Kirkendall
 William Lawrence
 Ed Meadows
 Joel Willis

STAFF PRESENT: David Hainley, Community Development Director
 Will Worley, Senior Assistant County Attorney
 Frank Etheridge, Interim Planning Manager
 Cayce Dagenhart, Planner II
 Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Commissioner Bob Coleman, BOC
 Commissioner Dale Provenzano, BOC

Chairman Desiree Watson 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

September 20, 2016 - Regular Meeting

Upon a motion made by Mr. Preston Kirkendall and seconded by Mr. William Lawrence, the Minutes of the *September 20th Regular Meeting* were approved and unanimously adopted.

AGENDA - **Additions, Deferrals, Deletions, Postponements, Adjustments**

Mr. Hainley advised that the applicant for **PP3347**, The Park at Village Creek, has requested to withdraw this application. Thereupon, a motion was made by Mr. Stan Humphries, seconded by Mr. Joel Willis and unanimously adopted to grant the request to withdraw application **PP3347**, The Park at Village Creek.

Mr. Hainley also advised that due to a public safety issue, staff is requesting to add application **VP3382** to the agenda as an emergency item. A motion was then made by Mr. Stan Humphries, seconded by Mr. Preston Kirkendall and unanimously adopted to add application **VP3382** to the agenda as an emergency item due to a public safety issue.

Upon staff's request, a motion was made by Mr. Joel Willis, seconded by Mr. Ed Meadows and unanimously adopted to address application **SP3346**, Dollar General, first on the agenda.

SP3346 Dollar General: Consider site plan application for Dollar General, a commercial retail store. The property, 1810 Frederica Road, is zoned HC Highway Commercial and is located approximately 275 ft. south of its intersection of Laurel View Drive and approximately 190 ft. north of its intersection with Riverview Drive. Parcel ID: 04-02469. Tidewater Engineering, Inc. agent for applicant, Teramore Development, LLC, for Frederica Land Holdings, LLC, owner.

At this time, a motion was made by Mr. Preston Kirkendall, seconded by Mr. Ed Meadows and unanimously adopted to defer **SP3346**, Dollar General, until a ruling is made on pending litigation involving this application.

PP3367 Brickhill: Consider preliminary plat approval for a 27 lot subdivision. The current zoning for the parcel is R-12 One-Family Residential. The proposed development is located on the west side of Hampton Point Drive, approximately 1,220 ft. north of its intersection with Pikes Bluff Drive. Parcel ID: 04-09794. Frank DeLoach with St. Simons Holdings, Inc., applicant and owner.

Mr. Frank DeLoach was present for discussion. Mr. Bobby Shupe of Shupe Surveying was also on hand to answer questions.

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

The applicant is proposing a 27 lot subdivision designed to accommodate one-family (detached) dwellings. The smallest lot would be at least 12,000 sq. ft. and will comply with the minimum lot size in the R-12 Zoning District. There are two entrances into the proposed subdivision, which is now a requirement for subdivisions with more than 25 lots.

The following are preliminary plat requirements (along with 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. According to Section 602.4 Design Standards for Paved Streets: “At the discretion of the County Engineer, the minimum right-of-way width for...minor streets may be reduced by 10 ft. by providing curb and gutter on each side of the paving edge or an equally acceptable engineering design method with a proper design and installation of catch basins, drop inlets and pipe culverts to provide for storm water run-off.”

Brickhill Court has a right-of-way that is 40 ft., which is 10 ft. less than the minimum right-of-way required for minor streets in the county. (At this time, the preliminary plat does not have engineering approval for this road.)

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

Staff Comment: There are no existing utilities on the property. The JWSC has provided the following comments: “Please note that downstream wastewater conveyance capacity problems exist. The JWSC cannot guarantee that sewer capacity for new construction will be available until such time that downstream wastewater conveyance improvements are made per JWSC requirements.”

The applicant is aware of the capacity situation and has included a notice on the preliminary plat stating that “approval of this preliminary plat is conditioned upon and subject to the applicant receiving all necessary approvals from the Brunswick–Glynn County Joint Water and Sewer Commission 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 Georgia Department of Natural Resources regulations and all local ordinances, including the Glynn County Code of Ordinances which pertains to water and sewer utilities.”

The applicant does have the option of requesting a water and sewer variance but as of this time, no such request has been received.

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.

Ms. Dagenhart pointed out that with the exception of the location of the proposed connection to public water and sewer, staff believes that this submittal meets all ordinance requirements.

During discussion, concerns were expressed by the Islands Planning Commission regarding capacity, connection, etc. Currently, JWSC has enacted a moratorium on sewer connection permits until upgrades to the system are made in specific areas of the Island. Mr. William Lawrence asked if staff knew when the wastewater problem would be resolved. Mr. Hainley replied that there is no specific date for the sewer upgrades on the north end of the Island. He stated however that there is a five-year window on preliminary plats and hopefully the JWSC will have the issues resolved by then.

Referring to Basin 2032 on the north end of St. Simons Island, Chairman Watson stated she understands that JWSC is putting out a “lottery” or a survey asking developers for a time-line on when they intend to start building. Mr. Hainley stated that staff has not received any formal communication to that affect.

Mr. Stan Humphries questioned why the county would take this approach when the developers obviously don’t have the water and sewer hook-up. He then asked, “What is the advantage of trying to do it this way as opposed to delaying the applications until they have the water and sewer?” Mr. Hainley stated that the applicants have a right to request a preliminary plat, and one of the options that the IPC has is the right to defer it. Mr. Joel Willis stated that it appears to him that the developer is the one taking the risk in this case and not the county. Mr. Humphries then asked what could the developer do if

the IPC were to approve this request. Mr. Will Worley, the Senior Assistant County Attorney, explained that if the IPC were to approve this preliminary plat subject to the developer being able to get connections with the JWSC, the developer would not be able to get approval of construction plans or infrastructure improvements until they get the tap-in permits from the JWSC. If they were to build without the sewer permits, they would have to sign a "*Hold Harmless Agreement*" with the county. Mr. Humphries stressed that this appears to be a bad policy. A good policy would be to wait until the developer has all requirements satisfied for the full approval of the site.

Mr. Kirkendall asked if the developer could take down trees without removal of stumps and without a Land Disturbance Permit. Mr. Hainley replied yes. Regarding the five-year window on preliminary plat approvals, Mr. Kirkendall feels that it would be in the developer's best interest to get approval now because the rules may change in five years.

Mr. Meadows asked if a homeowner's association is proposed for this development. Mr. Hainley replied yes. Mr. Meadows then asked about future uses permitted on the western part of the property near the jurisdictional wetlands. However, because of the jurisdictional wetlands, Mr. Hainley stated that this particular area would have to be evaluated by the Army Corps of Engineers. Mr. Meadows had additional questions about the county's bike trail and crosswalks in relation to this proposed subdivision. Mr. Hainley explained that sidewalks, crosswalks, etc. would be dealt with during the construction phase of this project. The applicant would also have to comply with ADA requirements. Mr. Meadows stated that there appears to be a potential public safety issue. He then asked if the county typically requires the developer to post warning signs. Mr. Hainley replied no, the county does not have a consistent policy on this issue. He stated that a condition could be attached recommending that stop signs be placed on the walkway upon approval of the intersections. Mr. Meadows stated that he would prefer to have stop signs placed on the driveway as a precaution for users of the trail.

Mr. Ed Ellis had additional questions about JWSC issues and possible vested rights in the event of approval; however, Mr. Hainley explained that it is not clear to staff how the JWSC will set up the parameters of the proposed "lottery system."

Mr. Meadows stated that he is uncomfortable with the way that this is being handled without knowing the position of the JWSC. He feels that the JWSC should attend the meetings and make a formal presentation on these issues. Mr. Hainley suggested that this be handled during a worksession, which he agreed to coordinate.

During a brief presentation, Mr. Bobby Shupe stated that this preliminary plat is in compliance with all requirements, and as such, he is soliciting the Planning Commission's approval at this time. Also, in response to the bike trail questions and possibly posting a sign at the exit, Mr. Frank DeLoach stated that he would be willing to do whatever Traffic Safety asks them to do.

At the end of discussion, a motion was made by Mr. Joel Willis to approve application **PP3367**. The motion was seconded by Mr. Ed Ellis. Voting Aye: Mr. Ed Ellis, Mr. Preston Kirkendall, Mr. William Lawrence, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Stan Humphries. Abstained: Mr. Ed Meadows

VP3382 - 520 Ocean Boulevard: Consider Village Preservation application approval for the exterior alteration of the stairways and balconies of 520 Ocean Boulevard. The property is zoned VMU Village Mixed Use and is located in the Islands Preservation Overlay District. Parcel ID: 04-04661. Joe Nash, agent for Hodnett Cooper Real Estate, owner.

Mr. Robert Ussery was present for discussion.

According to the staff's report, the applicant would like to take down the balconies and stairways that are on both sides of the building because the railings are rusting and the materials are rotting. The existing balcony spans the entire side of the building. The proposed replacement is approximately half of the building width. The balcony will have a stucco finish matching the color of the building, Spanish tile for the roof and rod iron railings. There are no plans to change anything else about the building; the only alteration will be to the balconies on either end of the building.

In accordance with Section 709.7 (f), an application for design review which does not require site plan approval under Section 619 of the Zoning Ordinance shall contain that information deemed necessary by the Planning Division for review and processing of the application. Staff has determined that the plans for the building alteration were enough for the applicant to submit for this Village Preservation application.

Under Section 709.5, the following standards shall be adhered to in the rehabilitation, alteration of any structure and/or construction of new structures within a design overlay district. All development within the design overlay districts shall be reviewed by the Islands Planning Commission in accordance with the listed standards.

The following defects may render an application for design review inappropriate resulting in disapproval and requiring the resubmittal of plans:

- (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. (O-2009-08, 11/19/2009)

Ms. Dagenhart stated that staff has determined that this application is complete and contains the necessary information required under Section 709 of the Glynn County Zoning Ordinance.

Mr. Robert Ussery gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Preston Kirkendall, seconded by Mr. William Lawrence and unanimously adopted to approve application **VP3382**.

There being no further business to discuss, the meeting was adjourned at 6:45 p.m.