

MINUTES

ISLANDS PLANNING COMMISSION

FEBRUARY 20, 2018 - 6:00 P.M.

St. Williams Catholic Church, 2300 Frederica Road, SSI

MEMBERS PRESENT: Patrick Duncan, Chairman
Stan Humphries, Vice Chairman
Carla Cate
Ed Meadows
Odessa Rooks
Desiree Watson
Joel Willis

STAFF PRESENT: Pamela Thompson, Community Development Director
Stefanie Leif, Planning Manager
Denise Grabowski, Planning Consultant
Will Worley, Senior Assistant County Attorney
Janet Loving, Admin/Recording Secretary

ALSO PRESENT: Alan Ours, County Manager

Chairman Patrick Duncan 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 and meeting procedures. Afterward, Chairman Duncan opened the floor for Mr. Stan Humphries who proceeded to make a motion to “modify the agenda to re-conduct the 2018 election of Chairman and Vice Chairman of the Islands Planning Commission with all members present, and to conduct the vote by secret ballots of each person casting a vote in anonymity, and the prior recommendation of the nominating committee should stand for the vote.” The motion was seconded by Mr. Ed Meadows and a general discussion followed.

Relying on an explanation from Attorney Will Worley, Ms. Desiree Watson pointed out that it is her understanding that we have an ordinance which states that it takes four votes by the commission to accomplish any of its business, and that the language in our by-laws would be subsequent to that. However, Attorney Will Worley explained that he would address questions and concerns on this item if the item is added

to the agenda. Also, as a point of clarification he asked the commission to specify where on the agenda the item would be placed if the vote is in the affirmative. Mr. Humphries replied that he would like for the item to be added first on the agenda. There being no further discussion, the following vote was taken. Voting Aye: Ms. Carla Cate, Mr. Stan Humphries and Mr. Ed Meadows. Voting Nay: Mr. Patrick Duncan, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. The motion was defeated.

MINUTES

December 13, 2017 - Regular Meeting

Mr. Stan Humphries stated that he will vote against approving the December 13th Minutes because it contains the election of Chairman and Vice Chairman for 2018. He believes that the election was not conducted in accordance with past precedence of the commission with all members present; the election was conducted when two members were not present.

At this time, a motion was made by Mr. Joel Willis to approve the Minutes of the ***December 13, 2017 Regular Meeting***. The motion was seconded by Ms. Desiree Watson. During discussion, Mr. Ed Meadows stated that the December 2016 Minutes indicate that the election was not held because one member was absent. Also, the Board of Commissioners did not elect officers in December of 2017 because not all members were present as required. Mr. Meadows stressed that he appreciates being nominated as Chairman but made it very clear at this time that he does not want to be Chairman. He stated that the issue is not about who was elected. He is interested in seeing this Board operate in a manner that the public and the members can trust. Instead, he feels that “the Islands Planning Commission operates under a cloud.”

Mr. Meadows requested that the Minutes of this meeting reflect that the December election was held without the full membership being present as classified by the ordinance and by-laws. He then asked that the motion on the floor (***to approve the December 13th Minutes***) be amended to include that the December election did not comply with the by-laws. The motion for this amendment was seconded by Mr. Stan Humphries. Voting Aye: Ms. Carla Cate, Mr. Stan Humphries and Mr. Ed Meadows. Voting Nay: Mr. Patrick Duncan, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. The amendment was not accepted and discussion continued.

Ms. Desiree Watson stated that according to the ordinance, this commission operates on four votes (to take action on an item). She then asked if an ordinance takes precedence over a policy. Attorney Will Worley replied yes. Generally speaking, the ordinance is a higher order than a by-law. He elaborated briefly on the difference. Continuing, he stated that what Ms. Watson is referring to regarding the four votes is when the Board of Commissioners amended the Planning Commission Ordinance to say

that a minimum of four votes is necessary to transact any business. Ms. Watson stressed that the allegation that this commission did something improper or against the rules is not correct, from her point of view.

Ms. Carla Cate stated that according to the ordinance, “After the appointment of all members as hereinabove set out, the full membership of the commission shall meet as soon as practicable and shall elect one of its members as Chairman and as Vice Chairman.” Ms. Cate stated that this body did act inappropriately in the December election with two members being absent.

Chairman Duncan added that today is the first time that he was made aware of the concerns about the elections that took place in December. However, once he heard about these concerns he conferred with the staff attorney who was not in agreement with the claims of any wrong doing. Attorney Worley had a fair explanation that the ordinance, in the hierarchy of rules, actually overrules the by-laws. Chairman Duncan stated that he is satisfied with the attorney’s position that no rules have been broken.

Ms. Cate noted that for the record and for the public’s benefit, she forwarded e-mails to the IPC members informing them that she would not be attending the December meeting and she asked that the elections be postponed until full membership of the commission could be present. She also pointed out that the December meeting was changed from its original date inappropriately and not by formal vote, which would have prevented this issue.

There being no further comments, the following vote was taken on the motion to approve the *December 13, 2017 Minutes*: Voting Aye: Mr. Patrick Duncan, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Ms. Carla Cate and Mr. Stan Humphries. Abstained From Voting: Mr. Ed Meadows. The motion carried for approval.

For public hearing items, Chairman Duncan reminded everyone to keep comments relevant to the items listed on the agenda and to not be repetitive. He also stated that if there is an issue with “Robert’s Rules of Order,” we will rely on our Parliamentarian, Mr. Will Worley, Senior Assistant County Attorney, to keep us in order.

For the record, Ms. Carla Cate recused herself from discussion and action of the next agenda item, application VP3677.

VP3677 - 400 Ocean Boulevard Signage: Consider approval of one new sign for a commercial business located at 400 Ocean Blvd., Suites 110 and 1106, zoned Village

Mixed Use (VMU) and Island Preservation Design Overlay District. Parcel ID 04-04926. Village Holdings Associates, owner.

Mr. David Gardner of GardnerKeim Coastal Realty was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Stefanie Leif. Afterward, Mr. David Gardner gave a brief presentation. During discussion among the members and staff, it was expressed that since the applicant does not own the building at 400 Ocean Blvd., what's to stop other tenants from asking for a sign permit. Attorney Worley explained that the Planning Commission is being asked to approve the appearance of a sign; not a permit to allow the sign.

The floor was opened at this time for public comments. There was no one present to speak in favor of this request. Ms. Susan Harrelson was present to oppose. There being no other comments, the public hearing was closed and a motion was made by Mr. Joel Willis to approve application **VP3677** for a permanent freestanding sign not to exceed 6 ft. The motion was seconded by Ms. Odessa Rooks. Voting Aye: Mr. Patrick Duncan, Mr. Stan Humphries, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Ed Meadows.

VP3692 - 549 Ocean Boulevard Signage: Consider approval of two new signs for a commercial business located at 549 Ocean Blvd., zoned Village Mixed Use (VMU) and Island Preservation Design Overlay District. Parcel ID 04-04695. Dianne Durand, DRD-SSI, LLC, owner.

Ms. Dianne Durand was present for discussion. Mr. Palmer Fortune was also on hand to answer questions.

The staff's report was included in the packages for review and was presented by Ms. Stefanie Leif. At the end of a general discussion among staff and the members, Ms. Durand gave a detailed presentation and discussion continued. Afterward, the floor was opened for public comments. Mr. Julian Smith was present to speak in favor of this request and Mr. Jeff Kilgore was present to oppose. Mr. George Ragsdale was present to express concerns about sign codes. There being no other comments, the public hearing was closed and a motion was made by Ms. Desiree Watson to approve application **VP3692** as presented. The motion was seconded by Mr. Joel Willis. Voting Aye: Mr. Patrick Duncan, Mr. Stan Humphries, Mr. Ed Meadows, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. Abstained From Voting: Ms. Carla Cate.

TA3708 - Article VIII, Section 810.3: Amendment to Article VIII, Section 810.3 of the Glynn County Zoning Ordinance to create regulations for canopy signs and wall signs in the Freeway Commercial District; and for other purposes.

A detailed report, which also contained an explanation of changes of the proposed amendment, was included in the packages for review and was presented by Attorney Will Worley. At the end of a general discussion among the IPC members, the floor was opened for public comments. Mr. James Holland was present to oppose this amendment. There were no other comments and the public hearing was closed. A motion was then made by Mr. Joel Willis to recommend approval of the proposed amendment **TA3708, Article VIII, Section 810.3** as presented. The motion was seconded by Ms. Desiree Watson. Voting Aye: Ms. Carla Cate, Mr. Patrick Duncan, Mr. Stan Humphries, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Mr. Ed Meadows.

SP3683 - St. Williams Catholic Church: Consider site plan for an addition and remodel of an existing church located at 2300 Frederica Road, St. Simons Island, Georgia. The property is zoned Planned Development (PD). Parcel ID 04-02452. Robert C. Ussery, Ussery-Rule Architects P.C., agent, for Monsignor John Keneally, applicant and Bishop of the Diocese of Savannah, owner.

Mr. Robert Ussery was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Leif. Staff also provided a drone illustration of the property for additional visual information. At the end of discussion among the IPC members and staff, Mr. Robert Ussery introduced Ms. Tracy Morelan, Design Architect with Ussery-Rule Architects, who provided more details about this request. The floor was then opened for public comments. Mr. Julian Smith was present to speak in favor of this request. Ms. Miriam Lancaster was present to ask questions and offer comments. There was no one present to oppose, and the public hearing was closed.

At the end of discussion, a motion was made by Ms. Odessa Rooks to approve application **SP3683** as presented. The motion was seconded by Mr. Ed Meadows. Discussion continued. During which time, Mr. Stan Humphries asked that the motion be amended stipulating that shrubbery remain between the new parking lot facing Frederica Road, and that the Azaleas be retained on site to the maximum extent possible. This was seconded by Ms. Odessa Rooks. However, by a 1 to 6 vote, the amendment was not accepted. The following vote was taken on the motion for approval as presented: Voting Aye: Ms. Carla Cate, Mr. Patrick Duncan, Mr. Ed Meadows, Ms. Odessa Rooks, Ms. Desiree Watson and Mr. Joel Willis. Abstained From Voting: Mr. Stan Humphries.

Ms. Pamela Thompson advised that staff will work with the applicants to ensure that the shrubbery is retained.

For the record, Ms. Desiree Watson recused herself from discussion and action of the next agenda item, application XS3694, and joined her colleagues in the audience.

XS3694 - J. Preston Martin Property: Consider the appeal of the decision of the Community Development Director to deny an expedited subdivision of one lot into two lots located at 4311 and 4315 Second Street, SSI, zoned R-6. Parcel ID Numbers 04-03295 and 04-15054. Joseph Odachowski, Taylor, Odachowski, Schmidt, Crossland LLC, for J. Preston Martin, owner.

Mr. J. Preston Martin was present for discussion.

The staff's report was included in the packages for review and was presented by Ms. Pamela Thompson. However, upon a recommendation from Attorney Will Worley, a motion was made at 8:00 p.m. by Mr. Joel Willis to adjourn to Executive Session to discuss potential litigation. The motion was seconded by Ms. Odessa Rooks. Voting Aye: Ms. Carla Cate, Mr. Patrick Duncan, Mr. Stan Humphries, Ms. Odessa Rooks, and Mr. Joel Willis. Abstained From Voting: Mr. Ed Meadows.

At 8:45 p.m. a motion was unanimously adopted to adjourn the Executive Session and return to the open meeting of the Islands Planning Commission. No Action Taken.

Continuing with item **XS3694**, Mr. J. Preston Martin elaborated on the history of this request including expenses he incurred based on what he was told by county staff at the time. He is now seeking approval of this request. Mr. Martin pointed out that he spoke with adjacent neighbors who are in favor of this request.

After a brief discussion, Chairman Duncan opened the floor for public comments. There was no one present to speak in favor of this request; however, it was noted that two letters of approval were submitted from adjacent property owners. These letters are contained in the application file. The following residents were present to oppose this request: Mr. Bob Kelly, Mr. Jeff Kilgore and Mr. Randall Thomas. There being no other comments, the public hearing was closed and discussion continued among the Planning Commission members. Afterward, a motion was made by Mr. Stan Humphries to uphold

the Community Development Director's decision and deny the appeal of application **XS3694** based on failure to comply with Section 802(f)(1) of the Glynn County Subdivision Regulations. The motion was seconded by Mr. Ed Meadows. Voting Aye: Mr. Stan Humphries, Mr. Ed Meadows and Ms. Odessa Rooks. Voting Nay: Ms. Carla Cate, Mr. Patrick Duncan and Mr. Joel Willis. The motion failed to carry a majority vote and there was no other motion, which constitutes no action.

SUP3696 - Forbes Farm (originally submitted as Sinclair Oaks): Consider a request for special use permit for a special event facility located at 2610 Lawrence Road, St. Simons Island, GA. The property is approximately 36 acres, with a development area of approximately 8 acres, zoned FA. The proposed development consists of an event facility of approximately 8,000 square feet and associated infrastructure. Parcel ID 04-14586. James Bishop, The Bishop Law Firm, agent, for Michelle Hagan, Sinclair Oaks LLC, applicant and Matthew Eller, owner.

Attorney James Bishop was present for discussion. Ms. Michelle Hagan was also on hand to answer questions.

The staff's report was included in the packages for review and was presented by Ms. Denise Grabowski. Staff also provided a drone illustration of the property for additional visual information. Following discussion among the IPC members and staff, an extensive presentation, including a conceptual plan narrative, was provided by Attorney James Bishop and Ms. Michelle Hagan. During additional discussion, Ms. Desiree Watson offered the following list of conditions to be placed on this special use permit application if an affirmative motion is adopted:

1. No fireworks;
2. No overnight parking;
3. Prior to site plan approval, applicant and staff will work with the Glynn County Police Department to develop a traffic control plan and guidelines for traffic control at future events at the facility; and
4. Hours of operation – event shall cease by 11 p.m.

At the end of discussion, Chairman Duncan opened the floor for public comments. Those speaking in favor of this request were Dave Snyder and Justin Henshaw. Those present to speak in opposition, express concerns or ask questions were Bob Potokar, Lawton Nalley, Miriam Lancaster, Julian Smith, Karen Pace, Randall Thomas and Jeff Kilgore. Some concerns expressed included traffic, parking, removal of trees, alcoholic beverages being served and hours of operation. Mr. John Dow suggested a deferral to address concerns and specific use. There being no other comments, the public hearing was closed.

During a brief rebuttal, Ms. Michelle Hagen stated that she would like to utilize the space for fund raisers or charitable events and she would be very respectful to the surrounding neighbors. Additionally, she pointed out that she has no intentions of clear cutting the property and she would save as many trees as possible, which is why she chose this particular area. She wants to preserve the natural vegetation. In conclusion, Ms. Hagen stated that she intends to follow the guidelines of the ordinance.

During additional discussion, some of the IPC members stated that they would be amenable to deferring this item to allow the applicant to address the concerns and come back with more details. However, the applicant chose not to defer. There being no other discussion, a motion was made by Mr. Joel Willis to recommend approval of application **SUP3696** with the following conditions:

1. No fireworks;
2. No overnight parking;
3. Prior to site plan approval, applicant and staff will work with the Glynn County Police Department to develop a traffic control plan and guidelines for traffic control at future events at the facility; and
4. Hours of operation – event shall cease by 11 p.m.

The motion was seconded by Ms. Desiree Watson. Voting Aye: Mr. Patrick Duncan, Ms. Desiree Watson and Mr. Joel Willis. Voting Nay: Ms. Carla Cate, Mr. Stan Humphries, Mr. Ed Meadows and Ms. Odessa Rooks. The motion failed to carry a majority vote and there was no other motion, which constitutes no action.

There being no further business to discuss, the meeting was adjourned at 10:45 p.m.