

# DRAFT/MINUTES

## ISLANDS PLANNING COMMISSION

MAY 20, 2014 - 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  
Oliver Seabolt  
Robert Ussery

ABSENT: Preston Kirkendall  
William Lawrence

STAFF PRESENT: David Hainley, Community Development Director  
Eric Johnson, Planning Manager  
Eric Landon, Planner II  
Cayce Dagenhart, Planner II

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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

**March 18, 2014 - Regular Meeting**

**April 15, 2014 - Regular Meeting**

A motion was made by Mr. Robert Ussery to approve the Minutes of the *March 18<sup>th</sup> Regular Meeting*. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

A motion was made by Mr. Stan Humphries to approve the Minutes of the *April 15<sup>th</sup> Regular Meeting*. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

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**PP2822 The Reserve at Demere Phase II:** Consider approval of a preliminary plat for 24 lots on 2.55 acres located south of the intersection of Demere Road and Main Street. The property is zoned Planned Development (PD). Parcel ID 04-05879. Mary Wan LLC, property owner.

Mr. Bobby Shupe of Shupe Surveying Company was present for discussion. Mr. Johnathan Roberts of Roberts Civil Engineering and Mr. Vassa Cate, property owner, were also on hand to answer questions.

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

Zoning allows for this property to be developed as a 93 unit multi-family residential project. The proposed subdivision represents Phase II of the Reserve at Demere and consists of 24 lots on 2.55 acres. Phase I of this development was previously approved for 43 lots. This phase, along with the entire development, is subject to the requirements of **ZM2574**, which established the zoning requirements for this development. This includes that *“Prior to the issuance of a Certificate of Occupancy for the 27th unit, a center turn lane within Demere Road shall be constructed as approved by Glynn County. The construction of the turn lane shall be at the developer’s expense.”*

The project proposes to use a 40 ft. wide right-of-way in lieu of the required 50 ft. right-of-way. The County Engineer has agreed that the 40 ft. wide right-of-way is sufficient for the project and this would be consistent with the approved Phase I.

Mr. Landon stated that staff recommends approval of a **variance** of Section 602.4 Design Standards for Paved Streets, *a) Minimum Right-of-Way Width of the Glynn County Subdivision Regulations*, for The Reserve at Demere Phase II. Staff also recommends approval of application **PP2822**, The Reserve at Demere Phase II, subject to meeting all requirements during the development process including all requirements of application **ZM2574**.

Mr. Sanders wanted to know if this proposal would be considered fee simple or a condo. Mr. Hainley stated that it is fee simple. He added that the roads are private within the development.

Mr. Shupe stated that staff has adequately outlined this proposal. Therefore, he respectfully asked for the Planning Commission’s approval of the variance and the preliminary plat for The Reserve at Demere, Phase II.

Mr. Hainley asked Mr. Vassa Cate if this request is subject to all terms and conditions of **ZM2574** to which Mr. Cate replied yes, including construction of the turn lane on Demere Road.

Chairman Dow wanted to know if the Planning Commission would have a chance to see the final phase of this development. Mr. Hainley stated that Phase III is in the works and will be presented to the Planning Commission at some point.

At the end of discussion, a motion was made by Mr. Robert Ussery to approve the *variance* of Section 602.4 Design Standards for Paved Streets, *a) Minimum Right-of-Way Width of the Glynn County Subdivision Regulations*, for The Reserve at Demere Phase II. The motion was seconded by Mr. Paul Sanders. Discussion continued, during which time Ms. Leslie Brantley expressed concerns about ingress and egress. She also asked if there would be any more entrances onto the main road included in the variance or in this phase of the project. Mr. Hainley replied no, there is only one access point allowed in accordance with the zoning case. He stated that Mary Wan Road is not included within the confines of this case. Chairman Dow thanked Ms. Brantley for her comments and stated that they would be taken into consideration. There being no other comments, the motion for approval of the variance was unanimously adopted.

A motion was made at this time by Mr. Ussery to approve application **PP2822**, The Reserve at Demere Phase II, subject to meeting all requirements during the development process including all requirements of application **ZM2574**. The motion was seconded by Mr. Oliver Seabolt and unanimously adopted.

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**PP2823 Preliminary Plat for Pikes Bluff Drive Realignment:** Consider approval of a preliminary plat for the realignment of Pikes Bluff Drive between Pikes Bluff Road and the existing end of Pikes Bluff Drive. This property is currently zoned Planned Development (PD). The Parcel ID 04-13666. Frederica Development Group LLC, owner.

Mr. Bobby Shupe was present for discussion.

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

This site is located in the Islands Future Development Area and designated as Low Density Residential on the adopted Future Land Use Map. The proposed realignment will adjust the future location of this roadway segment between Pikes Bluff Drive and the existing end of Pikes Bluff Drive.

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 and/or application.**
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: Not Applicable.**
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: Not Applicable.**

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

**Staff Comment: Utilities do not exist at this location presently.**

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: Not Applicable.**

Ms. Dagenhart stated that staff recommends approval of application **PP2823**, Preliminary Plat of Pikes Bluff Drive Realignment, subject to meeting all requirements during the development process.

Mr. Bobby Shupe gave a brief presentation and a general discussion followed. Afterward, a motion was made by Mr. Oliver Seabolt, seconded by Mr. Robert Ussery and unanimously adopted to approve application **PP2823**, Preliminary Plat of Pikes Bluff Drive Realignment, subject to meeting all requirements during the development process.

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**CUP2821 201 Longview Plaza:** Consider a request for a conditional use for overnight boarding of dogs in the Highway Commercial (HC) zoning district. The property is located in the Longview Shopping Plaza. Parcel ID 04-02252. Thomas Stark, applicant.

Mr. Stark was present for discussion.

According to the staff's report, this proposed request is to allow the overnight boarding of dogs in an existing storefront on property zoned Highway Commercial. This location is currently being remodeled for a dog daycare facility.

Highway Commercial zoning allows overnight boarding as a conditional use as described in Section 713.3:

*“Animal hospital and/or boarding facility provided all boarding arrangements are maintained within a building and no noise connected with the operation of the facility is perceptible beyond the premises.”*

**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, special use permit, or a conditional use permit:**

- 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 conditional use is surrounded by commercial uses on all sides. It is located within a Highway Commercial shopping center and is over 250 ft. from any residence. It is a requirement of the applicant to maintain this operation within the facility and to keep all noise associated with this use within the structure.*

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

*The property is located within a commercial retail and service center. The storefronts within the development contain a mixture of commercial uses that generally do not operate overnight.*

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

*The zoning is not proposed to be changed, only a modification of the use.*

- 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.

*The proposed conditional use is expected to impact existing facilities.*

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

*Yes, this is consistent with the adopted Future Land Use of existing Village Center.*

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

***The proposed use is consistent with the nature of the development as a retail service, provided that noise associated with the business is contained within the facility.***

Mr. Landon stated that staff recommends approval of application **CUP2821** to permit overnight boarding of dogs in Highway Commercial zoning as a conditional use.

Mr. Humphries stated that as always, there are concerns about barking and animal feces. He then asked Mr. Stark if he had any assurances for the neighbors regarding these concerns. Mr. Stark stated that the dogs will not be outside of the building and there won't be any opened windows. When the remodeling was done sound barriers were put inside of the building. Therefore, the neighbors won't hear any barking. He stressed that he spent a lot of time focusing on minimizing the sound. Regarding the animal feces, Mr. Stark stated that he has invented "pee boxes" with asher turf on top and shower pans underneath. He also built a cemented wash floor area containing a hair catch pipe and drainage to the sewer. Additionally, "poop bags" will be used and carted off with sanitation.

Mr. Seabolt asked if there would be any exterior fenced-in areas relative to walking the dogs. Mr. Stark replied no. He explained that the "pee boxes" were designed to simulate outdoors. The dogs will think that they're outside but everything takes place inside of the building.

Chairman Dow asked Mr. Stark if he would be willing to give up the conditional use permit if it is determined that the dogs are being taken outside of the building for walks and/or to relieve themselves. Mr. Stark replied "absolutely." He stated that the only time dogs will be outside of the building is when they're being dropped off or picked up, or if he is doing a demonstration with his personal dog.

Mr. Wayne Rayburn, property owner in Skiff Landing, stated that he is also representing other homeowners in Skiff Landing. He pointed out that they've observed the 15 day public hearing notice, but as a board (Homeowners Association Board of Directors) the homeowners have not had enough time to get a consensus among them regarding this proposal. He stated that they would welcome an opportunity to consider a deferral at this time, which would allow them to meet and discuss this item as a group. He stated that they also have the same concerns noted by Chairman Dow regarding noise and sanitation issues.

Ms. Michelle Lane, property owner in Skiff Landing, stated that most of the concerns from the property owners have been adequately addressed by Mr. Stark. However, she would also like a postponement. During which time Mr. Stark could invite the residents to an open house or perhaps have some type of public relations event to ensure that everyone adheres to the practices that he has outlined.

For the record, staff received letters from Robert & Elizabeth Mues and Bim & Nancy Byers of Skiff Landing expressing their concerns about noise and sanitation issues as well. While they support the doggie daycare they are basically opposed to the conditional use for overnight boarding. (These letters are contained in application file *CUP2821*.)

Chairman Dow wanted to know what would happen if there is a violation of the conditional use, i.e., noise or dogs defecating outside of the building. Mr. Hainley stated that staff has the authority to revoke the conditional use permit if there is a violation of any of the conditions.

At the end of discussion, a motion was made by Mr. Robert Ussery to approve application *CUP2821* to permit overnight boarding of dogs in Highway Commercial zoning as a conditional use. The motion was seconded by Mr. Paul Sanders and unanimously adopted.

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There being no further business to discuss, the meeting was adjourned.