

MINUTES
GLYNN COUNTY PLANNING COMMISSION
JULY 6, 2004 - 6:00 P.M.

MEMBERS PRESENT: Perry Fields, Chairman
Robert Ussery, Vice Chairman
Mike Aspinwall
Jay Kaufman
Gary Nevill
Jonathan Williams

ABSENT: Ann McCormick

STAFF PRESENT: John Peterson, Director
York Phillips, Planning Manager
Paul Andrews, Assistant County Engineer
Janet Loving, Admin/Recording Secretary

Chairman Perry Fields called the meeting to order and the invocation was given, followed by the Pledge of Allegiance.

Upon a motion made by Mr. Robert Ussery and seconded by Mr. Jay Kaufman, the agenda for the July 6th Planning Commission meeting was approved and unanimously adopted.

GC-2004-08

Consider a request to rezone from R-9 One-Family Residential to Highway Commercial, property located at 4584 New Jessup Highway consisting of approximately 19,000 square feet on the northeast side of New Jessup Highway, 220 feet southeast of its intersection with Park Way, and having 67 feet of frontage on New Jessup Highway. Clara C. Gaetz Executor of the Estate of Lois B. Chaney.

Ms. Judy Kicklighter, realtor, was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a request to rezone property to facilitate its sale. The property is involved in an estate, and no specific use or development is proposed. The property currently contains a home, and there appear to be homes on some of the adjacent properties. To the north is Glenwood Estate Subdivision with a number of existing homes. There are commercial developments to the west and south across New Jessup Highway. This area is not served by public water or sewer.

The county's adopted Comprehensive Plan designates this area and the area to the north for low-density residential use. Areas to the northwest and across New Jessup Highway are designated for commercial use.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Yes, provided that there is a comprehensive approach to the development of the several parcels making up the “triangle” area bounded by US 341, the Altamaha Canal right-of-way, and Glenwood Estates Subdivision.

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

An adverse impact is possible if the properties are developed in a piecemeal fashion.

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

Yes.

- 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.

Not likely.

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

The future land use map identifies this area as low density residential.

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

No.

This parcel is part of a triangle area bounded by the highway, the residential subdivision to the north, and the right-of-way for the Altamaha Canal. In view of the frontage for this triangle area along New Jesup Highway, single family residential is a less desirable use. Uses will, however, need to be selected that do not create undesirable impacts on neighboring residential property, and function well. While it would be reasonable to change the zoning on the properties in this triangle, it would be appropriate to consider all of the properties together.

Among other issues, access is significant. The subject property has virtually no access that will allow it to be developed. Even if an access point can be developed, the adjoining properties will need adequate access if they are developed, and will need to share access since they may not be able to meet the criteria for separate entrances. In addition, some consideration needs to be given to creating a buffer between the existing residential area to the north and this area. This will be much more difficult to do as a practical solution without treating all of the properties in the triangle collectively.

Staff recommends that this request be continued to allow the applicant to approach the other owners in the immediate area and consider a consolidated application.

Mr. Nevill asked if staff had a current survey of this property. Mr. Phillips replied no, a survey is not required.

During a brief presentation, Ms. Kicklighter pointed out that the property located on the left side is rental and currently vacant. Property located on the right side is in estate and the owner is deceased. She explained that the property in question is more suitable for an office rather than for residential. Ms. Kicklighter stated that the owners have all agreed that combining the property would be ideal.

Chairman Fields stated that a survey may not be required, as pointed out by staff, but a general layout plan is required for the purpose of showing access, etc. He then referred to Section 1102.4 of the Glynn County Zoning Ordinance as follows: "Applications to rezone property, special use permit or conditional use permit...shall be accompanied by a general layout plan..." Ms. Kicklighter stated that had she known, she would have submitted a general layout plan. Chairman Fields stated that this application is not ready for a vote. Thereupon, it was the consensus of the Planning Commission to defer this request until the July 20th meeting beginning at 6:00 p.m. Mr. Phillips noted that the deferral would not interfere with the August 5th Board of Commissioners meeting for final action.

GC-2004-10

Consider a request to amend the planned development zoning text and master plan on property located south of Sea Island Road and west of Frederica Road (west of the Shops at Sea Island) and consisting of 10.176 acres with 550 feet of frontage on Sea Island Road. The property has been divided into two ownerships and the purpose of the changes to the planned development is to facilitate the separate development of the parcels and to amend the standards for that development. Bill Edenfield, agent for William Stambler, Terrence McGuirk, and Sea Island Company, owners.

Mr. Bill Edenfield, Mr. William Stambler and Attorney Jim Gilbert were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a request to amend the planned development master plan and text for the shops at Sea Island, West Planned Development. The original development had a single owner and provided for sharing of facilities (particularly parking) throughout the development. Since the property has been divided into two parcels (designated as Parcel A and Parcel B), the owners would like to make more of a separation of the shared facilities. In part, this clarification will facilitate some expansion of the uses in the future, notably the theater parcel.

The county's adopted Comprehensive Plan designates this area for commercial use.

The principle change proposed is to allow joint use of parking spaces between theater uses and non-theater uses (such as offices). This is based on the premise that the peak use of parking for the theater will be in the evenings and the peak use of office space will be during the day. The proposal also allows some reduction in parking based on additional provision of greenspace. Note that the original planned development approval provides for a parking ratio of one space per 6 seats, rather than the one per 4 seats otherwise used in the Zoning Ordinance.

In conformance with Section 1103 of the Glynn County Zoning Ordinance, the following findings of fact were considered in making the recommendation:

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

Yes.

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

No.

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

Yes.

- 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.

No.

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

The future land use map identifies this area as commercial.

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

No.

The changes are primarily technical in nature. The primary incentive to keep parking and the size of uses in balance will be the owners desire to have adequate parking. As long as buffers and appearance standards are maintained, the project should not have any adverse impact on the community. Staff's recommendation is for approval.

Attorney Jim Gilbert gave a brief history of the property. He stated that the entire parcel at one time was in a common ownership. There are easements throughout the entire property and there are access agreements. The applicants are here today as two parties owning two separate parcels in that the parking and access are interrelated. He pointed out that Mr. Stambler and his family has been part of this community for many years as owners of the GA Theater Corporation, and his goal is to improve the property in a way that would make his family and the community proud.

Mr. Stambler stated that he and Terrance McGuirk actually own the ground that they lease the site from for the theater. He stated that all parties involved are pleased with the proposal and would like to get the site developed for co-use. As pointed out by Mr. Gilbert, they only want to improve the property for the benefit of the citizens in the area.

Mr. Ussery questioned the difference in what was as opposed to what is being proposed with the development text. Mr. Edenfield stated that the biggest difference is the calculation of parking for retail commercial services that are not theater uses. Prior to the proposed amendment, the retail commercial service was based on 1 space per 200 square feet of building. This proposal in essence borrows from the abundance of parking provided for the theater and allows future developments to use 80% of the theater parking for retail commercial services. In simple terms, Chairman Fields wanted to know the total number of parking spaces for the theater. Mr. Edenfield replied that there are currently 170 spaces (6 per seat). For clarification, Chairman Fields stated that what Mr. Edenfield is saying is that there are 34 spaces for the movie theater and 146 spaces would have a dual use.

Mr. Ussery asked if there would be any shared parking between parcels A and B. Mr. Edenfield stated that shared parking is allowed but it is not structured in this plan.

Following discussion, a motion was made by Mr. Mike Aspinwall recommending approval of the amendment to the planned development master plan and planned development text. The motion was seconded by Mr. Robert Ussery and unanimously adopted.

PP-2004-0318-1630 The Battery

Request by William F. Strother, Jr., owner, for a variance from the requirement for minimum elevation of a minor street within a subdivision, consisting of 10 lots.

Mr. Strother and Mr. Don Hutchinson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The preliminary plat for this subdivision originally received approval from the Planning Commission on April 20, 2004. At the time, it had not been determined that the project would not be in compliance with the requirement relative to elevation of the minor street within the proposed subdivision. A letter from the project engineer outlining the situation and the need for the variance was included in the packages for review.

Staff concurs that there is a need and that the variance would not violate the intent of the Subdivision Regulations and therefore recommends approval.

Mr. Gary Nevill asked if this request would involve having curb and gutter. Mr. Strother replied no.

There being no further discussion, a motion was made by Mr. Jay Kaufman to approve this variance request. The motion was seconded by Mr. Gary Nevill. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Gary Nevill and Mr. Jonathan Williams. Abstained From Voting: Mr. Robert Ussery.

PP-2004-0520-1500 Airport Industrial Drive Realignment

Application by Brunswick-Glynn County Development Authority, owner, for approval of a preliminary plat for property consisting of 1.515 acres located in the vicinity of the intersection of Airport Industrial Drive and Indigo Drive in the Brunswick-McBride Industrial Park. The purpose of the action is to provide for the realignment of Airport Industrial Drive. The property is zoned Planned Development.

Mr. Phil Overton of the Development Authority and Mr. Bobby Shupe were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The realignment of the Airport Industrial Drive would remove a jog in the street and improve traffic flow. The Development Authority does not intend to convey the "islands" that are crated or the former right-of-way, since this would involve utility relocations or would require easements. The area where the existing street would be removed will be landscaped.

Staff has reviewed this proposed preliminary plat and has no significant comments that cannot be addressed during the construction plan review phase. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Robert Ussery to approve this request. The motion was seconded by Mr. Jay Kaufman. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Gary Nevill.

PP-2004-0527-1500 Paloma Place

Application by Bill Kirby for approval of a revised preliminary plat for property located on the south side of Island Drive, approximately 200 feet west of its intersection with Skylane Road. The property is zoned R-6 One-Family Residential.

Mr. Bill Kirby was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The purpose of this request is to add property to the approved preliminary subdivision plat and modify the lot layout. The original project included four lots that are increased to seven lots on 1.22 acres in the revised layout. The project is to be served by public water and sewer and a public street.

There are no significant changes resulting from the new design other than the increase in area and the increase in the number of lots.

Staff has reviewed this proposed preliminary plat and has no significant comments that cannot be addressed during the construction plan review phase. Staff's recommendation is for approval subject to the corrections and changes on the construction plans.

Mr. Nevill stated that he was not in attendance for the original approval, but he does have some concerns about the airport property access. Chairman Fields stated that at the time of the original approval there were concerns about access to Lots 6 and 7 through Baisden Lane and there was suppose to have been a note placed on the plat stating there would be no access to Baisden Lane by Lots 6 and 7, which at that time were probably noted as different lot numbers. Mr. Phillips stated that Chairman Fields is correct. The note was included on the earlier approved preliminary plat and he assured the Planning Commission that it would be placed on this plat.

Following discussion, a motion was made by Mr. Gary Nevill to approve this request subject to adding the statement to the preliminary plat that there be no access to Baisden Lane to the subdivision. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

PP-2004-0603-1605 Pike's Bluff Drive

(Frederica Township-formerly known as North End, Phase I) - Application by Sea Island Company, owner, for approval of a preliminary plat for the re-subdivision of property located west of Hampton Point Drive. The property is zoned Planned Development and is part of the St. Simons Island North End Planned Development.

Attorney Jim Gilbert and Mr. Bill Edenfield were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

The purpose of this request is to provide for the realignment of Pike's Bluff Drive generally between the entrance and St. Annie's Lane. There are no existing or proposed lots involved in the change.

After platting the North End Development, it came to the attention of the developer that the proposed arrangement of the roadway and the lake areas would be an improvement over the arrangement depicted in the approved plat. Accordingly, the developer has submitted a revised preliminary plat and revised construction plans.

Staff had a number of comments, which are technical in nature and have been largely resolved through discussions and explanations. Some of these issues will need to be formalized in the final plat before it is approved. Staff's recommendation is for approval.

Following review, a motion was made by Mr. Mike Aspinwall to approve this request. The motion was seconded by Mr. Jay Kaufman and unanimously adopted.

SP-2004-0510-1145 North End Clubhouse & Boathouse

Request by Sea Island Company, owner, for site plan approval of a golf course clubhouse with guest cottages and a community recreation center (boathouse) on a 24.9 acre parcel. The property is located on a private drive accessed by Hampton Point Drive. The property is zoned PD and is located within the St. Simons Island North End Planned Development.

Attorney Jim Gilbert and Mr. Bill Edenfield were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

Staff has reviewed the proposed plan and finds no significant issues. Technical comments can be resolved during the building permit site plan review process. Staff's recommendation is for approval.

Chairman Fields wanted to know if the access road to the clubhouse to the boathouse is private. Mr. Phillips replied yes and added that it would be considered a driveway.

Following discussion, a motion was made by Mr. Robert Ussery to approve this request. The motion was seconded by Mr. Mike Aspinwall and unanimously adopted.

SP-2004-0408-1645 Hawk's Eye Condominium

Request by Hawk's Eye Development LLC, owner, for site plan approval of a 60 unit residential condominium. This property is located on the east side of US 17 north, approximately 800 feet south of its intersection with Cardinal Drive. The property is zoned MR.

Messrs. Ken Tollison, John Jones, Don Hutchinson and Larry Bryson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This property contains 16.7 acres and will consist of 5 residential buildings, with a separate manager's office/support building. Each residential building will have 12 units, with parking under each building. The site lies behind a commercial building with a restaurant and lounge.

Staff has reviewed the proposed plan and has discussed several issues with the design team. The plans have been revised to address most of the issues. Any further technical comments can be resolved during the building permit site plan review process. Staff's recommendation is for approval subject to meeting all requirements.

Following review, a motion was made by Mr. Gary Nevill to approve this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

SP-2004-0601-1345 SS Storage Climate Controlled Facility

Request by St. Simons Storage Company, owner, for site plan approval of a 9,000 square foot storage building. This property is located on the west side of Skylane Road just northwest of its intersection with Sandcastle Drive, on the south portion of Malcolm McKinnon Airport. The property is zoned Planned Development and is located within the McKinnon Airport Planned Development.

Mr. Bill Kirby was present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a site plan approval application for a 9,000 square foot storage building and a 6,950 square foot paved drive. The property is located on Skylane Road in the south part of the McKinnon Airport Planned Development.

Staff has reviewed the proposed plan and finds no significant issues. Some of the comments have been resolved and others can be resolved during the building permit site plan review process. Staff's recommendation is for approval subject to meeting all requirements.

Following a brief presentation by Mr. Kirby, a motion was made by Mr. Robert Ussery to approve this request. The motion was seconded by Mr. Jonathan Williams and unanimously adopted.

SP-2004-0615-1405 Beachview House Inn

Request by James Timbes, owner, for site plan approval of a 15-unit hotel (2 sleeping rooms each). This property is located on the east side of Neptune Drive between Forrest Street and Beachview Drive. The property is zoned Resort Residential.

Mr. James Timbes and Mr. Larry Bryson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a site plan approval application for a 15-unit (30 sleeping room) hotel. The building will be three stories over parking. This project is approximately ½ acre in size and is located on Neptune Drive between Forrest Street and Beachview.

Staff has reviewed the proposed plan and finds no significant issues. Technical comments can be resolved during the building permit site plan review process.

One issue is the current discussion involving the definition of "hotel" and the determination as to whether certain projects should be reviewed as hotels vs. residential. Staff's recommendation is for approval subject to meeting all requirements.

Mr. Robert Ussery stated that the difference in this plan and the one that was reviewed and approved is that this plan shows what appears to be a lockout. In other words, you could actually lockout one of the bedrooms and create another separate unit. He stated that this seems to be the case on all of the floors on this plan. Another difference is that the other plan did show similarities of a hotel in that it had a check-in area; however, this does not, which Mr. Ussery feels is very significant. Also, since this is now a hotel it will be required to have a handicap accessible unit.

Mr. Phillips stated that Mr. Ussery is correct. This plan does appear to show a lockout unit. He stated that when Mr. McDonough's plans were discussed, there was a stipulation that there would not be lockout units.

Mr. Aspinwall expressed concerns about the parking calculation. He stated that he thought the parking should be 1.5 in accordance with Section 609 for RR zoning, but the plans show 1.1 per sleeping room. He stated that Sea Island is using the 1.5 parking calculation.

At this time, Mr. Larry Bryson addressed Mr. Ussery's concerns about the lockout unit and the check-in area. He stated that it was not their intention to show a lockout unit. The door was placed for the purpose of egress. He apologized for the oversight and stated that it would be corrected and modified. He explained that they do have two locations that would be used for check-in areas. He pointed out that Mr. Timbes would also own the Arnold House Inn when it is developed, which is being planned as a motel and his intention is to operate management from either the Arnold House Inn or from the Ocean Boulevard office, which is a real estate office. Chairman Fields interjected and stated that he would not vote to approve this project without the other project being developed. He stated that if this building is constructed and the other one is not, then this project becomes a condo and not a hotel. He stated that the two should be built in conjunction with each other. He reiterated that he would not vote to approve this plan contingent on the other building being constructed.

Mr. Aspinwall wanted to know how many parking spaces are being provided. Mr. Bryson stated that there would be 33 parking spaces. Mr. Aspinwall stated that he believes there should be 45 spaces. Mr. Phillips stated that there is a provision in Section 609 in conjunction with residential and group dwellings indicating that you could have parking garages with a maximum allowable number of spaces. The parking standard itself requires 1.1 spaces per sleeping room for a hotel use. He then elaborated on the definition of a group dwelling. Mr. Aspinwall stated that in his mind, a hotel would fall within the definition of a group dwelling. Given the amount of parking and the congestion in the area, he feels that there should be 1.5 per sleeping room with 45 spaces.

Mr. Ussery stated there needs to be a definition of a hotel in place. He still believes that a two-bedroom unit is not a hotel room. He further stated that in this particular request the applicant has doubled the density, not only for what would be allowed for a multi-family project but for a hotel as well. He feels that more work needs to be done.

Following discussion, a motion was made by Mr. Mike Aspinwall to deny this request. The motion was seconded by Mr. Robert Ussery. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Gary Nevill.

SP-2004-0615-1400 Arnold House Inn

Request by James Timbes, owner, for site plan approval of a 6-unit hotel (2 sleeping rooms each). This property is located on the east side of Neptune Drive between Ocean Boulevard and Forrest Street. The property is zoned Resort Residential.

Mr. James Timbes and Mr. Larry Bryson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a site plan approval application for a 6-unit (12 sleeping room) hotel. The building will be three stories over parking. This project is approximately 1/3 acre in size and is located on Neptune Drive between Ocean Boulevard and Forrest Drive.

Staff has reviewed the proposed plan and finds no significant issues. Technical comments can be resolved during the building permit site plan review process.

One issue is the current discussion involving the definition of "hotel" and the determination as to whether certain projects should be reviewed as hotels vs. residential. Staff's recommendation is for approval subject to meeting all requirements.

Mr. Bryson explained that this item was recently extended under a different request, which was for 10 motel units. The applicant is now requesting 6 two-bedroom motel units. He stated that they have indicated having a door for egress and this would be modified for egress windows to resolve the issue previously expressed by Mr. Ussery.

During a brief presentation, Mr. James Timbes stated that approximately four years ago when he originally submitted the Arnold House Inn, it was his intent at that time to have just one project. Unfortunately, part of the property was zoned Highway Commercial and the adjacent contiguous property was zoned Resort Residential. Staff at that time would not allow him to bring it through as one project. He had to submit it as two separate zoning pieces; however, it was always intended to be one hotel project in which it was designed. He stated that basically, the design has not changed.

Mr. Timbes stated that he had to have a different site plan for the three lots that were zoned Resort Residential, as opposed to the Highway Commercial lots. When he purchased the Beachview tract, which is separated by Forrest Street, it was originally intended to be with the other unit as a later addition, which is why it was designed to be part of the original Arnold House Inn. He placed a different name on the project to avoid confusion.

Mr. Timbes stated that he would have no problem separating Beachview House Inn (Item 10 on the agenda, which was just voted down) and making it a separate freestanding building. He would also take out the lockout units. In fact, he stated that he was out of town and was not aware that those units existed until he returned. Mr. Timbes

further stated that he would not have a problem with having a lobby area, laundry facility and check-in area.

It was noted that the comments from the Planning Commission were basically the same as with the previous request (Beachview House Inn). At the end of discussion, a motion was made by Mr. Mike Aspinwall to deny this request. The motion was seconded by Mr. Robert Ussery. Voting Aye: Mr. Mike Aspinwall, Mr. Perry Fields, Mr. Jay Kaufman, Mr. Robert Ussery and Mr. Jonathan Williams. Abstained From Voting: Mr. Gary Nevill.

SP-2004-0615-1410 Sea Point Lodge

Request by Sea Point LLC, owner, for site plan approval of a 27-unit hotel (2 sleeping rooms each). The property is located on the south side of Ocean Boulevard between 6th and 7th Streets, adjacent to the Atlantic Ocean. The property is zoned Resort Residential.

Mr. Tommy Stewart and Mr. Larry Bryson were present for discussion.

The following report from staff was included in the packages for the Planning Commission's review:

This is a site plan approval application for a 27-unit (54 sleeping room) hotel. The building will be three stories over parking. This project is approximately 1.125 acres in size and is located on the southeast corner of Ocean Boulevard and 7th Street adjacent to the Atlantic Ocean.

The site consists of several small properties that have been combined for this project. There is also a tabby structure on the site that the applicant wishes to retain for this project.

Staff has reviewed the proposed plan and finds no significant issues. Technical comments will need to be resolved with several departments during the building permit site plan process. Due to the fact that this property is located adjacent to the Atlantic Ocean it will require state approval.

One issue is the current discussion involving the definition of "hotel" and the determination as to whether certain projects should be reviewed as hotels vs. residential. Staff's recommendation is for approval subject to meeting all requirements.

Mr. Ussery had questions about the development setback line on the ocean side of this proposed development. Mr. Phillips stated that there is a fairly substantial setback, but staff has no means of measuring it at this time. Mr. Ussery wanted to know if the development setback line would affect the site coverage calculations. Mr. Phillips replied yes. Mr. Ussery then asked if the state would have to submit approval due to the building being over the state jurisdiction line. Mr. Phillips replied that staff would need documentation to that affect but the state uses a different delineation. Mr. Ussery feels that the state documentation should have been submitted prior to the Planning Commission's review.

Mr. Larry Bryson stated that he spoke with EMC who did the survey work on this project to clarify the high ground area and how it is calculated. Mr. Ussery stated that according to the Beach & Dune Section of the ordinance, the development setback line is 20 ft. landward of the high tide line.

Chairman Fields asked if this motel would be used in conjunction with one that already exists. Mr. Bryson replied yes. Chairman Fields then asked if the units would be individually metered for power and water. Mr. Bryson stated that there would be one power meter and one water meter. Mr. Tommy Stewart added that the development has a

lobby for check-in and a fairly substantial laundry facility. Chairman Fields asked Mr. Stewart if he intends to own the units or if he intends to sell them. Mr. Stewart stated that he intends to sell some and own some, but simultaneously operate it as a hotel. Chairman Fields asked if individuals would be required to participate in the rental pool. Mr. Stewart stated that he hasn't given that issue much consideration at this time. Chairman Fields stated that in essence, someone could buy a unit and live at the hotel year round.

Mr. Ussery had more questions about the DNR jurisdiction line. Mr. Stewart stated that he has been communicating with DNR and there are currently two permits in place on the property that the entire structures are seaward of the jurisdictional line. He pointed out that he has no written documentation at this time. He stated that Ms. Shipman of DNR advised that once this request is approved by the Planning Commission she and Mr. Gain of DNR would look at it again and see how much of the structure would be across seaward of the state jurisdictional line.

Chairman Fields stated that with all due respect to Mr. Timbes, this request is a different distinction in that it is part of an existing motel currently housing guests. However, he is concerned about the jurisdictional line in relation to this property. Mr. Ussery stated that he would feel more comfortable if he were to see the jurisdiction line before submitting an approval of the plans. Mr. Aspinwall agreed with Mr. Ussery. He stated that it would help if DNR could respond at least within the next two weeks. Mr. Stewart stated that he cannot be sure when DNR will do the inspection. Chairman Fields explained that there are objective standards to determine the jurisdiction line as opposed to subjective standards. Mr. Ussery disagreed and stated that the new structure is 50 ft. into the line. Mr. Bryson presented a copy of the current permit for review and a general discussion followed.

Mr. Frank Quinby of the Southeast GA Sierra Club stated that he is very concerned about encroachment of the jurisdictional lines on St. Simons. He stated that this issue might very well have to go before the Coastal Marshland Protection Committee to establish and approve the line. He feels that the Planning Commission should not act on this request until the jurisdictional line is clearly established.

Ms. Kim Gollin of RUPA commented that the site plan approval is for a hotel and she has never heard of hotel rooms being sold out to another owner.

Following discussion, a motion was made by Mr. Robert Ussery to deny this request. The motion was seconded by Mr. Mike Aspinwall. Voting Aye (in favor of denial): Mr. Mike Aspinwall, Mr. Gary Nevill and Mr. Robert Ussery. Voting Nay (against the denial): Mr. Perry Fields and Mr. Jonathan Williams. Abstained From Voting: Mr. Jay Kaufman.

At this time, the Planning Commission took a 10-minute recess. The meeting resumed at 8:40 p.m.

MINUTES

Regular Meeting: June 1, 2004

The Minutes of the June 1st Planning Commission meeting were approved and unanimously adopted subject to any necessary corrections.

Under **Chairman Items**, the Planning Commission discussed at length, a proposed definition of “Hotel.” Chairman Fields pointed out that this item is included on the agenda for information purposes and discussion only. No formal action is required.

Recent applications (including those submitted for tonight’s meeting) have raised questions about the definition of a hotel as opposed to a condominium. It appears that there is a concern about what qualifies as a hotel room and how density is calculated for such a structure.

Staff included in the packages a collection of sample definitions for the term “Hotel” from the American Planning Association. The following are some of the sample definitions used in other counties and municipalities.

Hotel: A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming or boarding house as herein defined. (Boone County, MO)

Any building containing six or more quest rooms which are used, rented or hired for sleeping purposes by transient guests and with access to units primarily from interior lobbies, courts or halls. (Santa Rosa, CA)

A building in which lodging, with or without meals, is offered for compensation but not including kitchen facilities in individual rooms (Johnstown, CO)

Hotel/Resort: One or more structures containing guest rooms and providing outdoor recreational activities. (Rancho Mirage, CA)

A hotel and accessory recreational components as well as service uses designed primarily for convenience of guests and containing guest rooms with a maximum density of 10 guest rooms per acre and with a minimum of 10% of the total area maintained for landscaping. (Monterey County, CA)

A hotel, including all accessory buildings...and having a building site or hotel grounds containing not less than 50,000 square feet. Such hotel may have accessory commercial uses operated primarily for the convenience of the guests thereof, provided there is no street entrance directly to such commercial uses, and further provided such commercial uses shall not occupy more than 20% of the ground floor area of such hotel building. (Cathedral City, CA)

A building or group of buildings containing guest rooms, with a large portion of the site devoted to recreational activities, such as tennis, horseback riding, swimming and golf. (Pima County, AZ)

From the examples given and the issues discussed regarding density, ownership, etc. in relation to a hotel, Chairman Fields appointed Mr. Robert Ussery and Mr. Mike Aspinwall as a committee, along with staff, to formulize a definition for review at the July 20th Planning Commission meeting.

There being no further business to discuss, the meeting adjourned at 9:15 p.m.