

# **DRAFT/MINUTES**

## **ISLANDS PLANNING COMMISSION**

**SEPTEMBER 20, 2011 - 6:00 P.M.**

**The Casino Bldg, 530 Beachview Drive, SSI**

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**MEMBERS PRESENT:** John Dow, Jr., Chairman  
William Lawrence, Vice Chairman  
Stan Humphries  
Preston Kirkendall  
Patricia Laurens  
Desiree Watson

**ABSENT:** Paul Sanders

**STAFF PRESENT:** David Hainley, Community Development Director  
Iris Scheff, Planner III  
Eric Landon, Planner II  
Janet Loving, Admin/Recording Secretary

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Chairman John 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**

#### **August 16, 2011 Regular Meeting**

A motion was made by Mr. Preston Kirkendall and seconded by Ms. Desiree Watson to approve the Minutes of the *August 16<sup>th</sup> Regular Meeting*. Voting Aye: Mr. John Dow, Mr. Stan Humphries, Mr. Preston Kirkendall, Mr. William Lawrence and Ms. Desiree Watson. Ms. Patricia Laurens did not attend the August 16<sup>th</sup> Meeting and therefore abstained from voting.

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**ZM2263 (I) Island Medical Park**

Consider a request to rezone from PD zoning district to PD zoning district by amendment of the existing Planned Development Text for 2.271 acres of property consisting of Lots 3, 4, 5, & 6, Island Medical Park, located east of Arthur J. Moore Drive on the south side of Hamilton Road on St. Simons Island. The purpose of the request is to allow residential with commercial medical office uses. Parcel ID's: 04-12015; 04-12016; 04-12017; 04-12018. Nick Chilton, agent for Leeward Bluff, LLC and/or South Leeward Bluff, LLC, owners.

Mr. Nick Chilton was present for discussion.

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

This is a request to allow residential with commercial medical office uses. The upper second floor of a medical office was apparently converted to use as a space for temporary living quarters and a space for child care during medical office working hours.

The site is served by existing public rights-of-way: Hamilton Drive, Arthur J. Moore, and Sea Island Road.

Utilities for future expansion will be provided by JWSC. Also, an impact of 0.54 school children per dwelling unit would be anticipated. The maximum number of dwelling units would be expected to correspond with the number of office buildings. There are four lots; if each contained a medical office and a dwelling unit a total of slightly over two (2) children would be generated. The total impact on public schools is not a concern because two (2) additional children are not statistically significant.

**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.

*The proposed use is consistent with existing uses and adjacent residential property, and therefore is compatible with uses in the vicinity.*

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

*No adverse effect is expected; there are existing office and residential uses in the area.*

- 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. Parking and traffic circulation will undergo site plan review at time of development. Excessive or burdensome use of streets, transportation facilities, utilities or schools is not anticipated.***

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

***Yes, the Comprehensive Plan anticipated this area to continue to be developed.***

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

***If approved, the existing use of the property with a residential component will conform to its zoning district. In addition, future development will occur in compliance with the revised zoning, which may serve to make development more attractive to buyers by featuring combined medical office/residential use.***

Mrs. Scheff stated that staff recommends approval of rezoning application **ZM2263 (I)** to allow residential use with medical offices. For clarification, she pointed out that in the existing submittal some of the language was changed from the original submittal from multi-family to single-family attached for a more accurate description, which would be commercial medical office use on separate levels in a building designed and occupied for commercial medical office uses. Staff recommends that this change be reflected in the motion.

Mr. Kirkendall stated that they have received two copies of changes and it is unclear as to which is correct. He stated that it appears that the change involves the whole tract of land and he is not sure if he is willing to allow that much residential to the entire tract. Mrs. Scheff attempted to explain the difference between the two submittals, but Chairman Dow stated that he would prefer to see a complete clean copy to avoid any confusion with all of the addendums. He would like to see one clean copy of the PD text as it relates to the existing property and then perhaps one addendum. During the course of discussion, the majority of the members concurred with Chairman Dow. Afterward, a motion was made by Mr. Preston Kirkendall to defer this item to the October 18<sup>th</sup> IPC meeting beginning at 6:00 p.m. to allow staff to clarify all comments in

a clean version of the PD Text singling out the four parcels that will be treated separately for the specified use in addition to the other requirements for the rest of the parcel. The motion was seconded by Ms. Desiree Watson and unanimously adopted.

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**ZM2264 King and Prince Resort**

Request to rezone from Resort Residential (RR) and Local Commercial (LC) to Planned Development (PD) for 7.37 acre property fronting on Forest Street, Neptune Drive, Beachview Drive, Downing Street, and Arnold Road. The purpose of the request is to unify the zoning of the existing resort and to allow for future growth and development. Parcel ID's: 04-03436; 04-11613; 04-03427; 04-03416; 04-03413; 04-03414; 04-03387; 04-03886; 04-14347; 0414348. Ussery Rule Architects, applicant for Inn of Lake City Inc., MM Louisiana Inc., owner.

Mr. Robert Ussery was present for discussion.

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

The proposed request is to unify the zoning of the King and Prince Resort and to bring the existing uses into compliance with zoning. In addition, this will provide specifications for the property owner if they wish to redevelop or expand the uses of the property. The intent of the request is to continue on with the existing resort/hotel.

This site is served by existing public rights-of-way (Forest Street, Neptune Drive, Beachview Drive, Downing Street, and Arnold Road). Utilities for future expansion will be provided by JWSC.

**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.

*The proposed use is consistent with current use of the property and compatible with other uses in the vicinity.*

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

*No, provided that parking, traffic circulation and beach access is carefully planned.*

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

*Yes. However, the proposed zoning will make the existing uses compliant with the Zoning Ordinance.*

- 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, provided that parking and traffic circulation is carefully planned. Other infrastructure should not be adversely affected.*

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

*Yes.*

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

*If approved, the existing use of the property will conform to zoning. In addition, it will provide the property owner the ability to allow for future growth and development within the zoning specifications.*

Mr. Landon stated that staff recommends approval of application **ZM2264**, the proposed rezoning to PD, along with the proposed Planned Development Text and Master Plan.

Chairman Dow explained that there are several items in the applicant's PD text that he would like to address, although most of his concerns were probably addressed and resolved at the September 13<sup>th</sup> workshop of which he was unable to attend. The following took place during discussion:

1) Chairman Dow stated that on page 3 of the text under **General Description**, paragraph 4 references the amended and revised date being "as of July 29, 2011." He is requesting that the amended and revised date be changed to a date certain or date of adoption. Mr. Ussery concurred.

2) Chairman Dow expressed concerns about parking and space calculations for staff members, etc., as noted under *Off-Street Parking and Loading Requirement*. He feels that this should be changed as it is unenforceable in his opinion. Mr. Ussery stated that he would not have a problem changing this but the way he calculated the parking and counting space for staff members, etc. in this case is the formula that seems to work with the current Zoning Ordinance. He stated that at the workshop he presented an extensive list of the number of employees, and if he could use another formula to net the same results he would not have a problem, but he's just not prepared to say what that formula would be at this time.

3) Chairman Dow stated that on page 7 under *Maximum Density* the word **net** should be inserted as follows: The maximum density for "The District" is 35 sleeping rooms per **net** acre. Mr. Ussery concurred.

4) Chairman Dow had several questions about buffers in relation to district property. Mr. Hainley expounded on the potential for having certain adjacent properties developed to meet the requirement. He then pointed out the buffers that are located outside of the district and stated that the district is only the lots in question under the zoning request. Mr. Ussery stated that the intent was that anything outside of the district would have to have a buffer.

5) Chairman Dow asked for clarification regarding the trees, specifically palm trees, root zone and planting space as referenced under *Landscaping and Trees Preservation*. Mr. Hainley explained that the text is a slight amendment to the Canopy Tree Preservation Ordinance that allows palm trees to be counted at the ratio listed. Where ever the tree is planted there could not be any type of structure, i.e., curb, parking lot, building or fence within a 5 ft. radius. Mr. Ussery stated that they wanted to make sure that they could count the palm trees. He stated that it is very difficult to get trees to grow on the ocean side of the King and Prince but the palm trees work well on that side. This was an effort to include them into the tree count in order to comply with the Tree Ordinance. He stated that they are not asking for any less tree credit but they were merely seeking a way to include palm trees. (It was also noted that under this section, the first sentence containing the word "landscape" should read **landscaped**.)

Mr. Lawrence had questions about the redevelopment plan. Mr. Ussery explained that the only plan that the King and Prince currently have is the remodeling of the existing pool in order to comply with recent ordinances. He stated that they have discussed ways to accommodate additional over-flow parking on site which is why they were interested in incorporating Tract E. This also addresses comments submitted by Mr. Bill Bozarth regarding Tract E. Mr. Ussery stated that the most likely use will be parking. After conducting the parking study and looking at long-range plans, he stated that he would rather not remove that potential use. Over-flow parking is the most likely use for this particular parcel.

There was no one present to oppose this request.

At the end of discussion, a motion was made by Ms. Patricia Laurens recommending approval of **ZM2264**, the proposed rezoning to PD, along with the proposed Planned Development text and Master Plan as amended during discussion. The motion was seconded by Mr. Preston Kirkendall and unanimously adopted.

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There being no further business to discuss, the meeting was adjourned at 7:00 p.m.