

**C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS**

1. **ZOTA 2017-7: AMENDMENT TO ALLOW HOTELS AS A PRINCIPAL PERMITTED USE WHEN LOCATED IN PROFESSIONAL OFFICE PROJECTS IN THE PROFESSIONAL OFFICE (P-1) ZONE** - petition for a Zoning Ordinance text amendment to Article 8-15(o)(1) of the Zoning Ordinance to allow hotels as a Principal Permitted Use when located in Professional Office Projects in the Professional Office (P-1) zone.

REQUESTED BY: PWM Real Estate Holdings, LLC

PROPOSED TEXT: Copies are available from the staff.

**ARTICLE 8-15: PROFESSIONAL OFFICE (P-1) ZONE**

**8-15(o) Special Provisions**

1. A Professional Office Project may be permitted by the Planning Commission for a tract of land with a minimum of ten (10) acres, upon the approval of a preliminary development plan and a final development plan as provided in Article 21, and subject to the P-1 zone regulations.

Subdivision of land in a Professional Office Project is permitted, subject to the following regulations:

- a. There shall be no minimum lot size, lot frontage, yard or open space, nor maximum lot coverage or height requirements for each subdivided lot; however, all said requirements for the approved final development plan shall be applicable to the subdivision.
- b. Each subdivided lot shall have access to adjacent streets or joint parking areas, as provided by appropriate easements shown on the final development plan and the final record plan.

In addition to the uses otherwise permitted in the Professional Office zone, the following uses shall be permitted in the Professional Office Project:

**As a principal permitted use:**

1. ~~Hotels and~~ Extended-Stay Hotels.
2. Mail Service Facilities.

**As accessory uses:**

1. Receiving, shipping, and storage of new fixtures, equipment and other non-perishable materials for distribution to corporate or affiliated units subsidiary to the tenant(s) of a principal structure. Such activity, including loading and unloading, shall be conducted entirely within the walls of the principal structure and shall be limited to a maximum of twenty percent (20%) of the total floor area of said principal structure.
2. Shoe repair, clothing alteration or tailoring services.

**As conditional uses:**

1. Helistops and heliports, provided such facilities conform to the requirements of all appropriate Federal, State and local regulations.
2. Beauty shops and barber shops, with no restrictions.

In addition to the uses otherwise permitted in the Professional Office zone, the following accessory use shall be permitted in a P-1 area of at least twenty (20) contiguous acres:

Restaurant(s), with or without a cocktail lounge, entertainment, dancing, and sale of alcoholic beverages, provided it meets the following conditions:

- a. It shall be located in an office building containing a minimum of 40,000 square feet of floor area.
- b. It shall occupy not more than twenty-five percent (25%) of the building in which it is located.
- c. It shall have no more than one public entrance and one service entrance directly to the outside of the building, and that this use shall be at least one hundred fifty (150) feet from any residential zone.
- d. It shall have no drive-in or drive-through food service.
- e. There shall be no more than two restaurants within an office building, provided that the 25% limitation is not exceeded.
- f. Signs permitted per office building may be used to identify the restaurant and/or the office use.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement, for the following reasons:

1. The staff would like to engage the petitioner to discuss possible locational criteria and maximum ratio of hotels within any Professional Office Project, prior to formulating a substantive recommendation to the Planning Commission.

Staff Presentation – Ms. Wade presented and summarized the staff report and recommendations for this text amendment. She indicated that a supplemental staff report had been prepared and was available. She said that Professional Office Projects have to be approved by the Planning Commission and must have 10 acres of contiguous P-1 zoning. She said the county's average Professional Office Project is about 40 acres and they get a reduction in parking requirements. She depicted, on a map, the 11 Professional Office Projects designated within the community.

Ms. Wade said that the staff had a few concerns with hotels as a principal use within the P-1 zone. She said the major concerns were the proximity to residentially-zoned land (lighting and noise); loss of standard "jobs land;" percentage of land dedicated to hotels; and lack of a parking generator. She said that the applicant amended their application to address these concerns, however, they are still providing hotels as a principal permitted use but providing a distance setback from residentially-zoned land of 200' and limiting hotels to one (1) for every twenty (20) acres of land within the Professional Office Project. She said that these changes had fully met the staff's concerns and they are now recommending approval of the amended application.

Commission Questions – Ms. Mundy asked if 200' from residentially-zoned will be enough for a very large hotel. Ms. Wade said that the distance will be greater than the height of a 5-6 story building.

Applicant Presentation – Mr. Nicholson, attorney representing the petitioner, said the applicant is in agreement with the staff's recommendations and is available for questions. He said that the applicant also believes that a 200' setback from residentially-zoned land is appropriate because that requirement doesn't exist for a professional office building that could be constructed there now. He said the maximum height for buildings in the P-1 zone is 3:1 ratio.

Citizen Comment – There were no citizens present to speak to this application.

Discussion – There was none.

Action – A motion was made by Mr. Penn, seconded by Ms. Richardson, and carried 10-0 (Berkley absent) to approve ZOTA 2017-7: AMENDMENT TO ALLOW HOTELS AS A PRINCIPAL PERMITTED USE WHEN LOCATED IN PROFESSIONAL OFFICE PROJECTS IN THE PROFESSIONAL OFFICE (P-1) ZONE, for the reasons provided by the staff.

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\* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.