

City Council Minutes, September 28, 2022

Mayor Sessions called the meeting to order at 6:30PM, September 28, 2022. Those in attendance were Brian West, Monty Parks, Nancy DeVetter, Barry Brown, Jay Burke and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Michelle Owens, Assistant City Manager; Bubba Hughes, City Attorney; Jake Saas, Ellis Painter; and Jan LeViner, Clerk of Council. Note: Mayor Sessions attended via Zoom.

Opening Ceremonies

Call to Order

Public Hearings

Site Plan: 601 US Hwy 80 – requesting to open golf cart rental business – Zone C-2; Cameron Weeks. Dr. Gillen approached Mayor and Council. Dr. Gillen stated Mayor and Council heard this previously and what is before them tonight is a revised site plan showing designated parking for the golf carts. The revised site plan shows parking for 38 and up to 68 total golf carts. He continued, a buffer would be required between this property and the residential property as well as maintain the current fence on the property. Mr. Parks stated he does not believe the fence is still in place. Mayor pro tem Brown referred to the 6' setback at the rear of the property. He asked Dr. Gillen if parking was allowed in that area. Mr. Hughes stated for a C-2 property that has setbacks, there is no minimum lot size but setback are required of 6' for rear and side and 10' for front. Mayor pro tem Brown if this would change the site plan. Dr. Gillen confirmed and would shrink parking spaces. Mr. Hosti confirmed there is still sufficient room to park 60 carts. Dr. Gillen confirmed. Mr. Hosti asked if businesses that come before Mayor and Council for a site plan approval would they have to provide the same documentation. Dr. Gillen answered yes, only if new. Mr. Hughes stated existing businesses pre-existed the 6' setback and buffer rule, therefore they are grandfathered. Mr. Hosti recommended Dr. Gillen reach out to the new owners of the Sugar Shack to make them aware of the buffer and 6' setback. Mr. Parks asked Dr. Gillen if Staff has reviewed the new site plan. Dr. Gillen responded no. He then referenced the drainage plan. Dr. Gillen stated that one is not required at this time but if there were changes to the surface, a drainage plan would be required. **Paul Harvey** approached Mayor and Council. Mr. Harvey expressed his concerns regarding the increased traffic on Solomon; the business would not benefit the residents of Tybee; and Tybee does not need more tourism as well as carts. He continued, if this application is approved he would recommend putting a yellow curb on Highway 80 near the business. **Brooks Mackey** approached Mayor and Council. Ms. Mackey stated she still has concerns regarding traffic, pollution, and lighting. She is not opposed to the business and Mr. Weeks did reach out to her stating he would be a positive neighbor. Mayor Sessions thanked Ms. Mackey for her comments. **Cody Gay** approached Mayor and Council. Mr. Gay expressed his concerns regarding safety issues with traffic on Solomon. Mayor Sessions thanked Mr. Gay for his comments and concerns. **Dillan Patel** approached Mayor and Council. Mr. Patel stated he is very excited for another young professional to open a business, as there is a lack of young people opening businesses. Mayor Sessions thanked Mr. Patel for his comments. **Helen Hester and Cameron Weeks** approached Mayor and Council. Ms. Hester thanked Mayor and Council for the opportunity to speak and for setting the special meeting. She reminded Council that what is before them is the approval of a site plan. The property is zoned C-2 and she believes this use is permitted by right under the Code. Ms. Hester stated her client has submitted a revised site plan per the request of the Planning Commission. It is their desire not to be locked in to just 30 carts, as it is Mr. Weeks intent to grow the business. They are also willing to add a buffer if this is the will of Mayor and Council. Mayor pro tem Brown

stated the site plan show 60 carts on the property, does he plan to add more or is 68 his cap. Mr. Weeks confirmed that 68 is what they feel will fit on the property. He stated it is his plan to begin with 30 but is not sure where the business will be in the future. Mayor pro tem Brown stated he does not have an issue with him starting the business but does have a problem with no cap. Mr. Parks thanked Ms. Hester for her explanation. There was a brief discussion regarding the setbacks and buffer requirements. Mr. Hosti stated with the buffer, there will be a loss of the number of carts on property. Dr. Gillen outlined the potential motion by Mayor and Council to include buffer requirements, setbacks and maximum number of carts. Ms. DeVetter asked Mr. Weeks if it is his plan to have gas carts and as many as possible. Mr. Weeks confirmed and added as many carts appropriate for the business. Mayor pro tem Brown stated the carts could not be driven on the beach. Mr. Weeks confirmed. Dr. West referred to the improvements to the infrastructure on Solomon as there seems to be safety issues from the residents. Dr. Gillen stated he will discuss at the next Public Safety meeting. Mr. Burke stated his concerns are directed to the neighbors, as the flow of traffic will go back into their neighborhood. He feels there needs to be a number of carts. Ms. DeVetter stated she is also concerned regarding the impact on the residents, as they do not want additional golf carts on the Island. Mr. Parks referred to the "line of site" as stated in the ordinance and asked Mr. Hughes if there is a requirement. Mr. Hughes responded there is a "line of sight" requirement at every intersection. Mr. Parks asked Mr. Hughes to forward that section of the Code to Mr. Weeks. Mayor Session confirmed the cap is at 68 carts. Dr. Gillen responded due to the buffer requirements the number of carts may be less than 68. **Monty Parks** made a motion to approve the site plan with a new site plan submitted showing the buffers and buffer requirements prior to the business opens for operation. **Spec Hosti** seconded. Those voting in favor were Monty Parks, Spec Hosti and Brian West. Those opposed were Nancy DeVetter, Barry Brown and Jay Burke. Mayor Sessions voting against. Motion failed 4-3. **Jay Burke** made a motion to approve the site plan to include appropriate setbacks and buffers and reducing spaces that the new site plan accommodates, that is limit to the number than can be rented from/through that location. **Spec Hosti** seconded. Voting in favor were Brian West, Monty Parks, Jay Burke and Spec Hosti. Those voting against were Nancy DeVetter and Barry Brown. Motion to approve 4-2.

Brian West made a motion to adjourn. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Meeting adjourned at 8:15PM

Janet LeViner, MMC
Clerk of Council