

PLANNING COMMISSION

Anna Butler
Beau Livingston
Robert J. Matkowski
Elaine McGruder
Michelle Nooney
David Roberts
Marie Rodriguez-Beebe



CITY MANAGER

Bret Bell

COMMUNITY DEVELOPMENT DIRECTOR

Patricia Sinel

CITY ATTORNEY

Edward M. Hughes/ Tracy O'Connell

**Planning Commission Meeting
MINUTES
September 16, 2024**

Chair Elaine McGruder called the September 16, 2024, Tybee Island Planning Commission meeting to order. Commissioners present were **Anna Butler, Marie Rodriguez-Beebe, Beau Livingston, Robert Matkowski, Michelle Nooney** and **David Roberts**. Staff members present were **Patricia Sinel** (Community Development Director) and **Lisa Schaaf** (Zoning Specialist).

Pledge of Allegiance

Consideration of Minutes:

Chair Elaine McGruder asked for consideration of the June 17, 2024, meeting minutes. **Robert Matkowski** made a motion to approve. **Michelle Nooney** seconded. The motion to approve was unanimous.

Disclosures/Recusals:

Chair Elaine McGruder asked if there were any Disclosures or Recusals. There were none.

Old Business:

Chair Elaine McGruder asked if there was any old business. There was none.

New Business:

SUBDIVISION OF LAND MINOR: requesting to combine three lots into two lots - 0 5th Avenue - 40003 11014 - Zone C-1 and R-2 - William Navon.

Patricia Sinel stated this is three vacant lots, other than the presence of the billboard. The goal is to combine the three into two lots. The northern most lot is zoned R-1-B single family residential. The bottom two lots are zoned C-2 Highway Business. As part of the comprehensive plan the northern portion of the property is part of the Fort Screven historic district. The southern portion is part of the Commercial Gateway character area. Currently, these properties are vacant.

There is a plan once this plat is approved to potentially move a historic structure on to the residentially zoned lot. The applicant is requesting the subdivision to gain two feet to make sure that the proposed historic structure will meet all the setback requirements. The bottom (southern) two parcels will be combined and those are zoned C-2, creating one large C-2 parcel. There are no current plans for the combined commercial parcel.

This proposal does meet all the requirements of our land development codes, subdivision standards, including the minimum lot sizes and the minimum lot width of sixty square feet. Staff recommends approval.

David Roberts stated that he has two problems with the proposal. This is a really intact nice neighborhood. Looking at the master plan the first line which applies to all properties reads is to ensure residential development and redevelopment matches the context of the surrounding traditional neighborhoods. This would be the anomaly in the neighborhood. **David Roberts** asked what zoning will apply to the north lot if the two foot of commercial is added to it. **Patricia Sinel** stated the residential zoning district. She stated the way the code is written, with conflicts or split zoning on a property, the least intensive zoning district will take precedent. **David Roberts** asked can you tell me where in the Land Development Code (LDC) that word is defined. Also, what would prevent someone from arguing that they want to us the C-2 zoning on that property? Who is going to be the arbiter on what is less or more intense use.

Patricia Sinel replied stated yes and read to the Commission Sec. 1-050 of the LDC called Severability and Conflict. *“If any section, subsection, clause, provision of these regulations shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, subsection, clause, provision, or portion of these regulations which is not invalid or unconstitutional. Where the provisions of this Land Development Code are in conflict with each other or with other ordinances, the most restrictive provisions shall be enforced.”*

Patricia Sinel also stated there is another conflict section in the LDC regarding split zoning. **David Roberts** responded that was in Section 4-040. He asked why is that “least intense” meaning not in the code? **Patricia Sinel** stated in the planning world those definitions are actually known. They are considered best planning practices.

Kennon Stroud with Roberts Civil Engineering at 2 E. Bryan St. Savannah, Ga. representative for the applicant approached the Planning Commission and stated what were looking to do is combine the two lots in the commercial which it is already zoned C-2. The reason for combining the two lots is to provide ample room for whatever may come in the future for parking and stormwater. And by adding the two feet to the residential lot would be easier than getting a variance for the setbacks for adding the 15th St. house to that lot. **Marie Rodriguez-Beebe** made a motion to approve. **Michelle Nooney** seconded. Voting in favor were **Marie Rodriguez-Beebe**, **Michelle Nooney** and **Beau Livingston**. Voting against was **Anna Butler**, **Robert Matkowski** and **David Roberts**. **Elaine McGruder** broke the tie by voting in favor. Motion to approve, 4-3.

SITE PLAN APPROVAL: requesting to redevelop the wastewater treatment plant maintenance facility – 923 Bay Street – 40021 08001 – Zone R-1/NEP – City of Tybee Island.

Patricia Sinel stated this request is for the wastewater treatment plant maintenance facility. The closest intersection is Bay Street and Polk. This request is to replace the existing building with a new building in the same footprint. This site currently has two zones associated with it. The R-1 single family residential and the NEP north end parks and public overlay. The closet residential district is R-2 which is one hundred and forty feet from property line to the boundaries of this site plan.

The site plan will have several modifications including the addition of dedicated parking, as well as ADA parking which would meet ADA parking standards, which it does not currently. There is also a proposed concrete sidewalk and a gravel storage area.

The site plan considerations to look at are: the impact or lack thereof on available resources and utilities; whether the proposed development is of a scale and mass so as to be compatible with the character of the neighborhood; whether the proposed development is consistent with the character area under the master plan; and density considerations for the neighborhood including demands on infrastructure, traffic, and other relevant factors. Staff recommends approval.

Kevin Smith from Thomas and Hutton, as representative for the Water and Sewer department approached the Planning Commission and stated this is updating the existing site that will bring it up to code. **Beau Livingston** made a motion to approve. **Robert Matkowski** seconded. The vote was unanimous to approve, 6-0.

Adjournment: 7:30pm

Lisa L. Schaaf