

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
October 21, 2024**

Chair Elaine McGruder called the meeting to order at 6:30PM, October 21, 2024. Those in attendance were **Anna Butler, Marie Rodriguez-Beebe, Beau Livingston, Robert Matkowski, Michelle Nooney** and **David Roberts**.

Opening Ceremonies. Pledge of Allegiance

Consideration of Minutes for September 16, 2024, meeting minutes. **Beau Livingston** made a motion to approve. **Michelle Nooney** seconded. The vote to approve was unanimous.

Disclosures/Recusals. There were none.

Old Business. There was none.

New Business

SPECIAL REVIEW WITH SITE PLAN: requesting to change business from retail to a lounge within existing building – 1515 Butler Ave.- 40008 07009 – Zone C-1/SE – Stewart Putman (Nautical Properties, LLC).

Patricia Sinel presented a special review and site plan request for the redevelopment of the vacant storefront at 1515 Butler Avenue, which was previously a screen print t-shirt shop. The applicant plans to convert the space into a 557-square-foot lounge called "Atomic Bar." The space is located between King Neptune's (formerly Benny's) and Nickie's Bar and Grill. Since the property is an existing structure, the typical site plan requirements like drainage and tree preservation do not apply, but a special review is required due to the change of use to a lounge. The property is in the C-1 Beach Business zoning district, part of Tybee Island's South End Overlay, which encourages redevelopment of vacant properties while preserving the area's historic character. The lounge is considered compliant with the city's comprehensive plan, which supports revitalizing the historic downtown district and retaining small businesses.

Regarding parking, the lounge would require about 10 spaces based on its seating capacity (around 30 people). However, due to the proximity to municipal parking (within 750 feet), the existing structure is exempt from off-street parking requirements. The Planning Commission will evaluate whether the proposed use aligns with the city's land development code, comprehensive plan, and surrounding properties. Staff recommends approval of the project, though alcohol and entertainment permits will require separate approval. **Bob Matkowski** asked for clarification for the term "downzoning." **Patricia Sinel** replied that downzoning is zoning a property down to a less intense zoning district. **Marie Rodriguez-Beebe** asked if the structure would have two separate entrances. **Patricia Sinel** stated right now they are two separate storefronts, but they are in one building, so there still will be two separate entrances, one for King Neptune and one for the Atomic Bar. **Stu Putman**, the owner of Nautical Properties on Tybee Island, stated he is planning to transform the space at 1515 Butler Avenue

(previously a t-shirt shop) into a cafe and coffee shop by day, transitioning into a bar at night. The hours of operation will run from morning to 11 PM, with no entertainment or music due to the small size of the space. **Stu Putman** emphasizes that the Atomic Bar is designed to be a true reflection of Tybee Island's history and character, not a corporate chain or generic establishment. **Anna Butler** asked the applicant about his plans for music and entertainment. **Stu Putman** stated it will be background music, fifties, and sixties type. **Anna Butler** asked about the need for an entertainment license for background music. **Patricia Sinel** stated they start with the alcohol license after site plan approval and if they choose to do entertainment later then it would be required. **David Roberts** asked if building permit approval requires architect's drawing or will it go ahead based on this submittal. **Patricia Sinel** stated this submittal is for the change of use and while it is an existing structure, the applicant will have to meet the building code for all interior changes. **Patricia Sinel** also stated there was concern about the business having only one exit, which is typically required to have two methods of egress. However, since the space is only 557 square feet, the need for two methods of egress may not be necessary. **Stu Putman** confirmed that the space will undergo a fire marshal review before receiving a certificate of occupancy. The State Fire Marshal has already been consulted and reviewed the drawings, focusing on the space's capacity, and is aware of the details of the space.

David Roberts made a motion to approve. **Anna Butler** seconded. The vote to approve was unanimous, 6-0.

SITE PLAN APPROVAL-AMENDED: requesting to amend previously approved site plan -104 17th St. -40008 18001 -Zone C-1– Walter Freeman (Southern Belle Rentals, LLC).

Patricia Sinel stated this is an amendment to an approved site plan to modify the driveway access for the residential end unit on 17th street. On May 11, 2023, a site plan to add three town homes while keeping the existing structure, was approved by the city council. The applicant went back on November 3, 2023, to request a variance to put stairs in a setback that was denied by City Council for the same project. The applicant came back with a site plan to add right of way improvements that was also approved by the city council, In March of 2024. Staff is recommending an approval, but dependent on if the applicant can meet the 65% green space requirement. A curb cut permit will be required, and the applicant will need to submit updated civil plans to reflect the change in drainage because of adding more impervious surface. **Walt Freeman** introduces himself and provides his address as 1801 Chatham Avenue. He mentions that he does not feel he has anything specific to present but is open to answering any questions. **Anna Butler** commented on previous concerns about parking for the same unit, in previous site plans. **Walt Freeman** stated on the design process for the property, admitting they may have been particular about some aspects. They wanted the front of the house on 17th Street to appear clean, without visible driveways. Initially, the parking layout seemed to work, with space for two cars in the garage. However, after testing the design, the applicant realized it might cause issues for neighbors, especially since it's a single-family attached home. **Anna Butler** asked about the driveway being wider than the parking area, **Walt Freeman** stated the pedestrian gate on the right is primarily for private access to the pool for units A, B, and C. Its purpose is to provide pedestrian access for unit D, not to widen or increase the driveway. **Anna Butler** again expressed concern that the width of the driveway would be a greenspace issue. **Walt Freeman** stated he did work the greenspace out and handed out a copy to each commissioner using grass pavers. The green space created in this area has 40% grass coverage, and overall, calculations show 65% grass area in the design. **Patricia Sinel** stated the city's drainage engineer will verify the permeability and clarified greenspace is calculated within the building setback line. **David Roberts** expressed his agreement with the current plan as it is. The design, if fully landscaped and executed well, is a good one and does not need significant changes. **Michelle Nooney** asked about the loss of two parking spaces. **Patricia Sinel** stated when the plans were initially submitted in the packet, it showed a loss of two parking spaces. Mr. Freeman has reconfigured it. Staff received the plans today, and gave each of you a copy with a loss of one parking space. I did

reach out to our parking director as well as Director of Public Works, and they were both okay with the change. **Bob Matkowski** stated a concern about moving the driveway coming out onto 17th Street, since that is a road that is used delivery vehicles and about the discussions that have taken place at some level with GDOT, as it relates to the whole configuration. **Walt Freeman** stated the driveway for the original structure was on 17th Street right at the property line. **Patricia Sinel** stated one structure will have access off 17th, the other three will have access off Inlet. Regarding the GDOT project, it is still in the planning stage. This project does get approved, then GDOT can modify plans to reflect the as-built environment.

David Roberts made a motion to approve. **Marie Rodriguez-Beebe** seconded. Voting in favor were **Marie Rodriguez-Beebe, David Roberts, Beau Livingston, and Michelle Nooney**. Voting against were **Anna Butler, Robert Matkowski**. The vote to approve was 4-2.

SITE PLAN APPROVAL: requesting to install fence around perimeter of vacant property -1002 US HWY 80 – 40026 11002 -Zone C-2 – Walter Freeman (Southern Belle Rentals, LLC).

Patricia Sinel stated this next case involves the applicant's proposal for a site plan at 1002 US Highway 80, where he plans to install a brick lattice and aluminum fence around the perimeter of a vacant lot. The reason it is being brought to the commission is because fences are usually considered an accessory to primary uses, not standalone additions to vacant lots. The lot is adjacent to offices for Southern Belle. The proposed fence configuration includes a brick lattice fence in the front, facing Highway 80 (marked in purple) and an aluminum fence in the back (marked in orange). The materials for the fences (brick lattice and aluminum) have been shared by the applicant. The lot is zoned C-2 Highway, which is intended for central business areas with minimized impacts from traffic and noise on residential neighborhoods. The vacant lot will remain fenced, and no immediate development is planned. Staff recommends approval of the site plan with conditions: *The property cannot be used for commercial storage or parking of vehicles (e.g., a parking lot). Any future changes in use or development will require amending the site plan. The fence must not obstruct visibility on roadways or pedestrian sidewalks. Any land disturbance in the 25-foot Marsh buffer must be limited to no more than 100 square feet.*

Marie Rodriguez-Beebe stated she is concerned with the obstruction of visibility from Polk Street next to the lot, particularly when exiting onto the main road. **Patricia Sinel** stated if approved by Council, this applicant will have to come for a fence permit, and staff will ensure that site triangle requirements at that intersection of Highway 80 and Polk, are met. If the planning commission would like to recommend, going forward to the city council, that it sits back from the property line, then that is a condition that you can recommend. **Walt Freeman** stated the drawing may be a little bit misleading and asked about the ordinance regarding blocking an intersection. **Patricia Sinel** replied the site triangle is twenty-five feet and then anything in that site triangle cannot be between three and six feet tall. **Walt Freeman** stated his concern about the placement of the fence on his property, particularly the expensive and permanent nature of the fence, especially the gate portion. The lot is already limited in size due to marshland on both sides, and he does not plan to develop it further. The applicant expressed his desire to follow the city's rules and avoid blocking visibility in the site triangle, but also avoid unnecessary costs and disruption if the fence needs to be moved. **Patricia Leiby**, who lives on Butler Avenue, stated it would make it difficult to see pedestrians and other cars coming out of Polk Street.

David Roberts made a motion to continue to next month's Planning Commission meeting to give the applicant time to provide a to-scale plan with the site triangle and heights. **Robert Matkowski** seconded. Voting in favor were **Anna Butler, Beau Livingston, Robert Matkowski, Michelle Nooney and David Roberts**. Voting against was **Marie Rodriguez-Beebe**. The vote to approve was 5-1.

SITE PLAN APPROVAL WITH VARIANCE: requesting to redevelop site and with variance for parking -1601 Butler Ave. 40008 18004 -Zone C-1/SE -Walter Freeman (Tybee Eats, LLC).

Patricia Sinel stated the proposal for 1601 Butler Avenue involves a conceptual site plan for the redevelopment of a commercial property into a mixed-use structure with office, restaurant, and multi-family units, as well as a swimming pool and parking variance. This plan, presented without dimensions or engineering calculations, is aimed at receiving feedback from the planning commission, as the applicant has not yet submitted detailed plans for approval. The site, currently occupied by Southern Belle Realty, was formerly the location of Arby's and has minimal landscaping. The applicant's property line cuts through some parking areas, and part of the property borders Izlar. The site is in the C-1 Beach zoning district, where mixed-use developments are not typically permitted with a site plan review. However, the city's comprehensive plan encourages mixed-use development in the historic downtown area, creating a potential conflict between zoning rules and planning goals. The applicant seeks a variance for parking because the proposed development (office, restaurant, and multi-family units) would not meet the required number of parking spaces based on zoning standards. Multi-family units are expected to require eight parking spaces, but the lack of building dimensions and design makes it unclear how many spaces will be needed. The applicant also seeks a variance for the swimming pool location if it is placed in the front yard. The site plan does not include setbacks or dimensional details, making it difficult to evaluate the proposal fully. Variances typically require unique physical circumstances or hardship, which must be considered. There is also the issue of the right-of-way improvements and the potential to allow private parking in public spaces, which may need further discussion. The applicant is encouraged to meet with the Main Street Development Authority and review plans for the area with the Georgia Department of Transportation (GDOT), as discussed in past meetings. The planning commission should expect a more detailed submission in the future, including dimensional requirements, floor plans for all three floors, renderings of the proposed structure, and a landscaping plan for the site. In conclusion, the planning commission should consider the proposed development's consistency with the area, the need for parking variances, and the feasibility of deferring drainage engineering until later stages of the project. Staff recommends continuing the review until more detailed information is provided. **Elaine McGruder** asked about specific recommendations as to whether mixed-use would be appropriate. **Patricia Sinel** stated mixed use is appropriate for that area as it is called out in the comprehensive plan, but it will depend on the scale of the project. **Michelle Nooney** asked about loss of parking or is that part of this property. **Patricia Sinel** stated part of the applicant's lot has been used for public parking. Parking would all remain fairly consistent on the new plan with parallel spots added in. **Walt Freeman** stated the project is still in its early stages and not yet ready for approval but wants to ensure it aligns with city regulations and community needs. The project includes a building with mixed-use potential, incorporating offices, residential units and community amenities like a swimming pool, swimming lessons, and after-school tutoring programs. A key issue is parking, specifically the eight spots previously designated for an Arby's restaurant, which the City Converted into metered parking. The applicant requests input from the city council and planning commission to move forward with the project and ensure it benefits the community, particularly the south end of the city with a collaborative approach to shape the project's final design.

Beau Livingston stated the mixed-use is appropriate for the area. **Anna Butler** made a motion to continue. **Michelle Nooney** seconded. The vote to continue was unanimous, 6-0.

SITE PLAN APPROVAL-AMENDED: requesting to amend previously approved site plan to include carousel - 301 1st Street (Sugar Shack) -40003 15001 -Zone C-2 - Liran Portal (301 1st Tybee, LLC).

Patricia Sinel presented an amended site plan to place a twenty-five-foot carousel in the parking lot of Sugar Shack. On October 13, 2022, Sugar Shack's site plan to add golf cart rentals and a restaurant with parking modifications was approved by the City Council. On

May 11, 2023, a site plan amendment to add character statues to existing raised planter beds in front setback was denied by City Council. The proposed site plan shows the location of the carousel, and it takes out nine of the golf cart spaces. The site falls into the C-2 Highway Business zoning district which provides central locations for city's residents and visitors. The focus of the C-2 highway business land use district is to provide for commercial land uses that support and complement the motorized consumer. This site falls into commercial gateway character area is the gateway to all other character areas in the city. It is the main corridor on and off the island and includes a wide mix of uses that vary along its route. The commercial gateway should encourage commercial and mixed-use development and redevelopment along the US 80 commercial corridor, establish noise and sight buffers between commercial uses and adjacent residential area, and discourage down-zoning within this area. Staff recommends denial. The addition of the commercial amusement does not fit with the zoning district, surrounding area, and the character area. If this does go forward the applicant will need to address safety issues and update the preliminary drainage plan.

David Roberts stated the site plan does not show a fence in front of the carousel. **Patricia Sinel** stated there is a dotted line around the carousel and indicates a security fence immediately adjacent to the carousel.

Robert Matkowski made a motion to deny. **David Roberts** seconded. The vote to deny was unanimous, 6-0.

Adjournment: 8:45pm

Lisa L. Schaaf