



PLANNING COMMISSION STAFF REPORT
FOR THE PLANNING COMMISSION MEETING OF: May 18, 2010
FOR THE CITY COUNCIL MEETING OF: June 10, 2010

LOCATION: 502, 504, 506 First Street

PIN: 4-0003-12-012, 013, 014, 015

APPLICANT: Mark Boswell

OWNER: William Navon

EXISTING USE: Vacant

PROPOSED USE: Retail/Commercial

ZONING: C-2

USE PERMITTED BY RIGHT: Yes after site plan approval.

COMMUNITY CHARACTER MAP: Arts, Eats, and Eco Business Corridor

APPLICATION:

This is a request for site plan approval.

PROPOSAL:

The applicant is seeking to obtain a site plan approval as required by Section 5-080 of the Land Development Code for the construction of a new retail/commercial shopping area at this location.

ANALYSIS:

The general character of the area is along First Street/US Highway 80 E and consists of commercial uses to the North, East, and West with residential units to the south. Currently these are vacant lots. The Master Plan shows this location as being within Arts, Eats, and Eco Business Corridor.

The applicant is seeking approval of a site plan for the construction of a 5,000 square feet retail/commercial shopping center. This shopping center would be located in the rear of the vacant lots with the parking spaces being located to the north and west of the building.

The applicant is proposing to locate 25 parking spaces dedicated to the project, of which 25 are required by the Tybee Island Land Development Code Section 3-080 (C) where one (1) off-street parking space is required for every 200 feet of retail or commercial gross floor area. This would satisfy the parking requirements for such a structure. The location is proposing to have two means of ingress and egress with one along First Street/US Highway 80 on the north side of the property and the other on Miller Avenue on the east side of the property. Both are shown to be 24' in width, satisfying the minimum driveway width for two way traffic per LDC Section 3-080 (D).

This project has been previously approved for a site plan, which was done on November 29, 2007 by the City Council. However, the amount of time that a site plan is good for is a maximum of 18 months (LDC Section 5-080) which has since expired and thus a new site plan must be approved for this project to move forward.

NOTE: The requirements from Land Development Code Section 5-040 (C) will not be required of the applicant until application is made for a building permit. This was done in order to protect the applicant against incurring additional fees until application is made for a building permit.

The following table shows how the project fits in with the Recommended Development Strategies outlined in Section 1.2.1 of the Master Plan.

<i>Master Plan Section 1.2.1 Recommended Development Strategies</i>		
Strategy		Meets Strategy Y/N or N/A
1.	New development, redevelopment and restoration should be consistent with existing character of the area in terms of mass, scale, use and density.	Y
2.	Encourage commercial and mixed-use infill development and redevelopment along the Highway 80 commercial corridor.	Y
3.	Down zoning within the Highway 80 commercial corridor should be discouraged.	N/A
4.	Establish a set of standards for a maximum percentage of residential use on a per parcel basis to encourage mixed-use.	N/A
5.	Enhance pedestrian movement through streetscape improvements.	N/A
6.	Support the continued development of the Tybee Island bikeway including bike lanes and multi-use trails.	N/A
7.	Establish standards and design guidelines for signage. Develop a "theme" for signage to ensure that it is consistent and fits with the character of the area and the Island as a whole.	N/A
8.	Allow for an appropriate mix of retail, residential, and tourism-related uses consistent with the vision of the Plan.	N/A
9.	Implement traffic calming measures and parking improvements.	Y
10.	Establish noise and sight buffers between the commercial uses and the adjacent residential areas.	N/A

The proposed use is in keeping with the C-2 District as outlined in the Land Development Code Sec. 4-050(E):

“The purpose and intent of commercial districts is to provide central locations for city businesses and services to meet the market needs of Tybee Island residents and visitors.”

STAFF FINDING:

Staff finds that the request for site plan approval does not violate the intent of the Master Plan for the City of Tybee Island or any subsequent areas of the Land Development Code. However, it would be required that upon approval of the site and issuance of subsequent building permits that these lots of record be recombined in to one lot of record.

ATTACHMENTS:

- A. Application (2 pages)
- B. Proposed Site Plan (1 page)
- C. Notice of Determination from 11/29/07 Council Meeting (1 Page)
- D. Council Meeting Minutes from 11/29/07 (1 page)
- E. SAGIS (1 page)
- F. Site Pictures (1 page)



CITY OF TYBEE ISLAND
SITE PLAN APPROVAL APPLICATION

Fee \$250

Applicant's Name MARK BOSWELL

Address and location of subject property 502, 504, 506 First St.

PIN 4-0003-12-013, 014, Applicant's Telephone Number 897-6932

Applicant's Mailing Address 015, 016
103 WASSON DRIVE

Brief description of the land development activity and use of the land thereafter to take place on the property:

RETAIL / COMMERCIAL

Property Owner's Name RONNY NAYON Telephone Number _____

Property Owner's Address _____

Is Applicant the Property Owner? Yes No

If Applicant is the Property Owner, Proof of Ownership is attached: Yes

If Applicant is other than the Property Owner, a signed affidavit from the Property Owner granting the Applicant permission to conduct such land development is attached hereto. Yes

Current Zoning of Property C-2 Current Use VACANT

Names and addresses of all adjacent property owners are attached: Yes

If within two (2) years immediately preceding the filing of the Applicant's application for a zoning action, the Applicant has made campaign contributions aggregating to more than \$250 to the Mayor and any member of Council or any member of the Planning Commission, the Applicant and the Attorney representing the Applicant must disclose the following:

- a. The name of the local government official to whom the campaign contribution or gift was made;
- b. The dollar amount of each campaign contribution made by the applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action, and the date of each contribution;
- c. An enumeration and description of each gift having a value of \$250 or more made by the Applicant to the local government official during the two (2) years immediately preceding the filing of the application for this zoning action.

Disclosure of Campaign Contributions form attachment hereto: Yes

Mark Boswell 4-12-10
Signature of Applicant Date

NOTE: Other specific data is required for each type of Site Plan Approval.

Fee Amount \$ 250. Check Number 1150 Date 4-21-10

City Official Dianne Otto

NOTE: This application must be accompanied by following information:

- ✓ 13 copies, no smaller than 11 x 17, of the proposed site plan and architectural renderings.
- ✓ ³4 copies, no smaller than 24 x 36, of the engineered drainage and infrastructure plan.
- ✓ 10 copies, no smaller than 11 x 17, of the existing tree survey and the tree removal and landscaping plan.

The Planning Commission may require elevations or other engineering or architectural drawings covering the proposed development.

The Mayor and Council will not act upon a zoning decision that requires a site plan until the site plan has met the approval of the City's engineering consultant. (Note: Section 5-080 (A) requires, "Once the engineer has submitted comments to the zoning administrator, a public hearing shall be scheduled.")

The Applicant certifies that he/she has read the requirements for Site Plan Approval and has provided the required information to the best of his/her ability in a truthful and honest manner.

Mark Beaswell
Signature of Applicant

4-12-10
Date



Petitioner: Rocker Developments, LLC

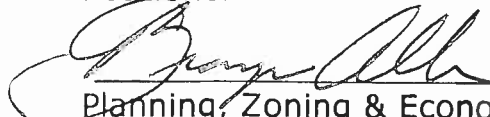
Project Name/Description: Commercial building and swimming pool

Property Address: 502, 504 & 506 First St., PIN 4-0003-12-013, -014, -015, -016, & -017, Zone C-2

Zoning Action Requested: Site Plan Approval (Section 5-080)

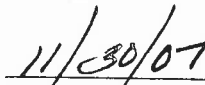
At a Public Hearing on November 29, 2007 the Mayor and Council of the City of Tybee Island determined that the findings required by the Code of Ordinances for the granting of Site Plan Approval had been met. The petitioner is hereby granted: **commercial building (no swimming pool) contingent on making no changes to the Sally Pierce Nature Trail until approved by City Council.**

Petitioner




Planning, Zoning & Economic
Development Director

Date



Date

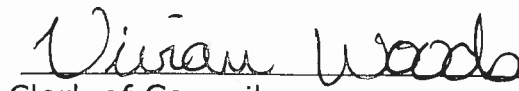


Mayor

Date



Date



Clerk of Council

Date



Date

CC

11/29/2007

Mayor Buelterman opened the public hearing for Site Plan Approval for a commercial building and swimming pool at 502,504 & 506 First Street for Rocker Developments, LLC. Ms. Allen said the Planning Commission had unanimously approved the site plan without the swimming pool. Mr. Sanders said they have removed the pool from the equation and will come back at a later date to make that request. Ms. Williams asked if there will be living space over the commercial use on Hwy 80. Mr. Sanders said no. Ms. Allen said everything requested is within the zoning guidelines. Mr. Sanders said they are proposing to come in on the unopened Fifth Avenue and add some gravel parking places at the front of the Sally Pierce Nature Trail. Mayor Buelterman said Mr. Pearce wants to know how anything can be done there without city approval since it is our right of way. Mr. Sanders said their proposal would enhance it and create parking for the trail. Mayor Buelterman asked Mr. Hughes if the city is required to open up that right of way. Mr. Hughes said not necessarily but this part has already been opened because it was one of the exits for the Chinese Restaurant and Mr. Gay's business is currently using that access. Mr. Hughes said the conservation easement on the trail includes the entire Fifth Avenue right of way and if you look at this as an enhancement to the trail itself then it is consistent with the conservation easement. Mr. Pearce requested the parking enhancement be left out until they can negotiate with the city at a later time. Mr. Wolff said the trail can use parking and he thanked them for trying to accomplish that and hopes they can work something out at a later time. Mr. Wolff moved to approve, Ms. Doyle seconded. Mr. Pearce asked if Mr. Wolff would amend his motion to address the improvements to the Nature Trail. Mr. Wolff amended his motion to be contingent on working an agreement with the city on any improvements to the Nature Trail. Ms. Doyle seconded the amended motion. Ms. Allen asked for a motion regarding the swimming pool. **Mr. Wolff restated his motion to approve the project contingent upon not putting a swimming pool in until future plans are made giving them easements and nothing can be changed at the Sally Pearce Nature Trail without the prior agreement of Council. Ms. Doyle seconded, and the vote was unanimous.**

Mayor Buelterman opened the public hearing for a Text Amendment to Section 4-050(A) (2): Uses permitted after special review. He explained that this was tabled by the Planning Commission pending approval of the Master Plan and rewording the Land Development Code.

Mayor Buelterman opened the public hearing for a Text Amendment to Section 5-010(J): Shore Protection with Variance Clause. He said this was also tabled by the Planning Commission pending approval of the Master Plan and rewording the Land Development Code.



502, 504, 506 First

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Parcel ID:	4-0004 -05-001
Owner Name:	TYBEE CITY OF

