



March 21, 2017 5:30 pm

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Councilman John Riggs
3. Recognitions/Public Presentations
 - A) Presentation of Retirement for Dallas McPhee, Fire Inspector, Fire Department, after 22 years of service
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 03-07-2017 Council Minutes
6. Public Hearing and Consideration of a Motion to Approve **APPLICATION # V 17-02-02**: Nick Stein requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum aggregate sign area in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000).
7. Public Hearing and Consideration of a Motion to Approve **APPLICATION # V 17-02-03**: Nick Stein requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum number of building signs allowed per elevation in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000).
8. Public Hearing and Consideration of a Motion to Approve **APPLICATION # V 17-02-04**: Nick Stein requests a variance from Article XV Section 1509(C) Table 5 of the Statesboro Zoning Ordinance regarding the maximum aggregate sign area in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007).
9. Public Hearing and Consideration of a Motion to Approve **APPLICATION # V 17-02-05**: Nick Stein requests a variance from Article XV Section 1509(C) Table 5 of the Statesboro Zoning Ordinance regarding the maximum number of building signs allowed per elevation in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007).
10. Public Hearing and Consideration of a Motion to Approve **APPLICATION # SE 17-02-01**: Marilyn Knight requests a special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children in the R8 zoning district (Tax Parcel MS40 000051 000).

11. Consideration of a Motion to Approve **Resolution 2017-13** : A Resolution to accept an \$8,000.00 Plate Carrier and Ballistic Plate Grant from the Statesboro Police Officers Foundation, Grant Number SPOF 2017-01, funding 50% of the purchase of Active Shooter Plate Carriers and Ballistic Plates.
12. Consideration of a Motion to Approve **Resolution 2017-14**: A Resolution of the City Council of the City of Statesboro declaring Statesboro as a Safe Inclusive and Welcoming City for All People.
13. The Bulloch County Commissioners request a letter of support from the City of Statesboro in the application of a \$750,000 grant from the Community Development Block Grant (CDBG) program for a project that consists of the construction of a new Senior Citizens Center in Statesboro (Bulloch County), Georgia.
14. Other Business from City Council
15. City Managers Comments
16. Public Comments (General)
17. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” “Real Estate” and/or “Potential Litigation” in accordance with **O.C.G.A.§50-14-3 (2012)**
18. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
March 07, 2017**

A regular meeting of the Statesboro City Council was held on March 07, 2017 at 9:00p.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Jeff Yawn, John Riggs and Travis Chance. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith. Councilman Sam Lee Jones joined the meeting by phone

The meeting was called to Order by Mayor Jan J. Moore.

The Invocation and Pledge of Allegiance was led by Councilman Jeff Yawn.

Recognitions/Public Presentations

A) Citywide Strategic Plan kickoff presentation by consultants AMEC Foster

An overview of the citywide strategic plan was presented by the consultants of AMEC Foster. Present was Paige Hatley, Lewis Hodges and Bill Ross.

B) Recognition of the findings associated with the Statesboro Fire Department's recent VFIS (Volunteer Firemen's Insurance Services) Risk Assessment Survey.

Fire Chief Tim Grams shared the findings of the Risk Assessment Survey as he recognized members of the City Shop and Fire Department for their involvement in the success of the survey.

C) Presentation of Employee Years of Service Awards

Director of Human Resource Jeff Grant, along with the Mayor and Council, presented the 15, 20 and 25 years of service awards to numerous employees from departments throughout the City.

Public Comments (Agenda Item): None

Mayor Moore stated that Councilman Jones has joined the meeting by phone and as a reminder as stated by the Charter, a phone vote is not counted as a vote.

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
a) 02-21-2017 Council Minutes
b) 02-21-2017 Executive Session Minutes

Councilman Riggs made a motion, seconded by Councilman Chance to approve the consent agenda in its entirety. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Recognition and Consideration of a Motion to Adopt Resolution 2017-11: A Resolution honoring Sgt. John Allen Smith upon his retirement for 29 years of service for the City of Statesboro Police Department.

Councilman Riggs made a motion, seconded by Councilman Chance to Adopt Resolution 2017-11: A Resolution honoring Sgt. John Allen Smith upon his retirement of 29 years of service for the City of Statesboro Police Department. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Mr. Allen was presented a plaque for his 29 years of service in the Police Department. Mr. Allen thanked everyone for allowing him to be a part of the City.

Interim Chief of Police Rob Bryan announced a drop in reception would be held on Thursday afternoon.

Public Hearing and Consideration of a Motion to Approve Alcohol License Applications:

- A) The Library**
Martin Medrano
125 Gata Drive
Statesboro Ga 30458

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Detective Winskey presented evidence in regards to the information found when performing a background search on Martin Medrano.

No one spoke for or against the request.

Councilman Yawn made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Yawn made a motion, seconded by Councilman Boyum to deny the alcohol application for "The Library". Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

- B) Little Italy**
Frank Cortese
450 South Main Street
Statesboro Ga 30458

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

No one spoke for or against the request.

Councilman Yawn made a motion, seconded by Councilman Chance to close the public hearing. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Boyum made a motion, seconded by Councilman Chance to approve the alcohol application for Little Italy. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Second Reading and Consideration of a Motion to Adopt Ordinance 2017-07: An Ordinance to amend Section 6-19 of the City of Statesboro Code of Ordinances (Alcoholic Beverages) to modify the procedures for administrative hearings on license violations.

Councilman Chance made a motion, seconded by Councilman Yawn to adopt Ordinance 2017-07: An Ordinance to amend Section 6-19 of the City of Statesboro Code of Ordinances (Alcoholic Beverages) to modify the procedures for administrative hearings on license violations. The motion included amending Section 13 of the proposed ordinance that was included in the agenda packet. The amendment should read: (13) Appeal of a final decision which imposes a license suspension shall be in the form of a written appeal stating the reason(s) why the licensee disagrees with the decision of the Administrative Judge. The Administrative Judge may make a written response to said appeal. Mayor and Council shall make a determination on whether or not to alter the final decision by either increasing or lessening the sanctions based solely on review of the original written decision, licensee's written appeal, and any appeal response by the Administrative Judge. No oral argument or evidentiary hearing shall be allowed or considered by Mayor and Council. Any further appeal from the determination of Mayor and Council shall be by Petition for Certiorari to the Superior Court of Bulloch County. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adopt Resolution 2017-07: A Resolution Authorizing the City Manager to apply for a grant from the Georgia Department of Transportation's FY 2017 Multimodal Safety & Access Program.

Councilman Boyum made a motion, seconded by Councilman Chance to adopt Resolution 2017-07: A Resolution Authorizing the City Manager to apply for a grant from the Georgia Department of Transportation's FY 2017 Multimodal Safety & Access Program. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adopt Resolution 2017-12: A Resolution authorizing the City Manager to apply for the Georgia Department of Transportation's 2017 Additional Local Maintenance and Improvement Grant (LMIG) for Off-System Safety. If awarded, the grant will be applied to the Installation of Sidewalk on East Main/S.R. 24, Installation of a Pedestrian Crossing on Lester Road at Statesboro High School, and restriping of city streets.

Councilman Yawn made a motion, seconded by Councilman Boyum to adopt Resolution 2017-12: A Resolution authorizing the City Manager to apply for the Georgia Department of Transportation's 2017 Additional Local Maintenance and Improvement Grant (LMIG) for Off-

System Safety. If awarded, the grant will be applied to the Installation of Sidewalk on East Main/S.R. 24, Installation of a Pedestrian Crossing on Lester Road at Statesboro High School, and restriping of city streets. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adopt Resolution 2017-08: A Resolution authorizing the Mayor to enter into a lease agreement on behalf of the City in the amount of \$300.00 per year with Norfolk Southern referred to as Activity 1215027 for the purpose of a dog park.

Director of DSDA Allen Muldrew spoke in favor of the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to adopt **Resolution 2017-08**: A Resolution authorizing the Mayor to enter into a lease agreement on behalf of the City in the amount of \$300.00 per year with Norfolk Southern referred to as Activity 1215027 for the purpose of a dog park. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adopt Resolution 2017-09: A Resolution authorizing the Mayor to enter into a lease agreement on behalf of the City in the amount of \$300.00 per year with Norfolk Southern referred to as Activity 1215028 for the purpose of a green space.

Councilman Boyum made a motion, seconded by Councilman Riggs to adopt **Resolution 2017-09**: A Resolution authorizing the Mayor to enter into a lease agreement on behalf of the City in the amount of \$300.00 per year with Norfolk Southern referred to as Activity 1215028 for the purpose of a green space. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Adopt Resolution 2017-10: A Resolution authorizing the waiver of any payment in lieu of taxes (PILOT) by the Statesboro Housing Authority to the City of Statesboro for the 2016 tax year in the amount of \$20,941.98.

Councilman Riggs made a motion, seconded by Councilman Chance to adopt **Resolution 2017-10**: A Resolution authorizing the waiver of any payment in lieu of taxes (PILOT) by the Statesboro Housing Authority to the City of Statesboro for the 2016 tax year in the amount of \$20,941.98. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

Mayor Moore announced that Dal Canady will complete his final 100 mile walk today at 11:30 am with lunch at Gnat's Landing.

Director of Planning and Zoning Frank Neal stated the department will be scheduling a public meeting for the community to be involved in the Strategic Planning Process.

City Managers Comments

- A) E-billing for utilities**
- B) FY2018 Budget Retreat set for April 14th, 2017**

City Clerk Sue Starling and IT Specialist Salomon Gongalez updated Council on the e-billing (GO Paperless) process. The e-bills are now available for citizens to sign up and receive their utility bills by e-mail. They will not receive a paper bill.

City Manager Randy Wetmore announced the Budget Retreat is schedule for April 14, 2017 at 8:30 am in the Council Chambers at City Hall.

Public Comments (General) None

Consideration of a Motion to enter into Executive Session to discuss “Potential Litigation” in accordance with O.C.G.A.§50-14-3 (2012)

Mayor Moore stated there would be no Executive Session.

Consideration of a Motion to Adjourn

Councilman Riggs made a motion, seconded by Councilman Chance to adjourn the meeting. Councilman Boyum, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 10:30 am.

CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
Jeff Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: March 9, 2017

RE: March 21, 2017 City Council Agenda Item

Policy Issue: *Statesboro Zoning Ordinance: Variance*

Recommendation: Staff recommends approval of the variances requested by applications V 17-02-02 and V 17-02-03.

Background: Nick Stein requests a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum aggregate sign area in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000) and a variance from Article XV Section 1509(C) Table 4 of the Statesboro Zoning Ordinance regarding the maximum number of building signs allowed per elevation in Sign District 2 for 460 Northside Drive East (Tax Parcel MS72 000011 000).

Budget Impact: None

Council Person and District: Travis Chance (District 5)

Attachments: Development Services Report V 17-02-02 & V 17-02-03



City of Statesboro – Department of Planning & Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

(912) 764-0630
 (912) 764-0664 (Fax)

**V 17-02-02 & V 17-02-03
 VARIANCE REQUESTS
 460 NORTHSIDE DRIVE EAST**

LOCATION: 460 Northside Drive East

REQUEST: Variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 2.

APPLICANT: Nick Stein

OWNER(S): McDonald's Corporation, a Delaware Corporation

ACRES: .96 acres

PARCEL TAX MAP #: MS72 000011 000

COUNCIL DISTRICT: District 5 (Chance)



PROPOSAL:

The applicant requests a variance from Article XV Section 1509(C) Table 4 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 2 (See **Exhibit A** – Location Map). The applicant would like to remove the existing 67 square foot wall sign and replace it with an updated wordmark and building arch, with one elevation receiving two (2) signs.

BACKGROUND:

On November 18, 2015, the subject site was issued a building permit (PD# 01402) for the installation of a new side-by-side drive-thru. The drive-thru menu boards are a total of 47.43 square feet, with two installations equaling 94.87 square feet. Currently, the location has a total aggregate of 327.27 square feet, which exceeds the maximum allowed (250) by 77.27 square feet and includes one (1) freestanding sign, one (1) building sign and two (2) menu boards (See **Exhibit E**—Existing Signage Plans).

SURROUNDING LAND USES/ZONING:

| ZONING: | | LAND USE: |
|---------------|------------------------|--|
| NORTH: | CR (Commercial Retail) | Food Service Facilities, Retail Facilities |
| SOUTH: | CR (Commercial Retail) | Food Service Facilities, Retail Facilities |
| EAST: | CR (Commercial Retail) | Food Service Facilities, Retail Facilities |
| WEST | CR (Commercial Retail) | Food Service Facilities, Retail Facilities |

The subject property is located in the CR (Commercial Retail) zoning district and surrounding parcels include mixed uses, such as restaurants and retail facilities, including Statesboro Mall, Buffalo Wild Wings and Statesboro Square Shopping Center (See **Exhibit A**—Location Map, **Exhibit B**—Future Development Map and **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Activity Centers/Regional Centers” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Master Plan*. The “Activity Centers/Regional Centers” character areas are currently dominated by auto-oriented design and large surface parking lots. The Activity Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike (See **Exhibit B** – Future Development Map).

Some appropriate land uses for the “Activity Centers/Regional Centers” character area include the following:

- Small, mid-size, and regional retail and commercial, including big box stores.
- Redeveloped shopping center should be encouraged to include diverse uses and pedestrian-scaled elements.

Statesboro Comprehensive Master Plan, Community Agenda page 25.

In addition, the Future Development Map and Defining Narrative section of the Comprehensive Plan states the following:

“Statesboro residents have expressed dissatisfaction with a variety of features in the community which clutter streetscapes and obstruct natural landscape features -particularly on major corridors entering and exiting the community. While City leadership has acknowledged the need to comprehensively update land development regulations to holistically address aesthetic concerns, there exist a number of individual topics which can be addressed by ordinance amendments in the short-term. Signs (attached and detached) should be managed by incorporating uniform design features, and by restricting billboards and other off-premise signage which distract from traffic control signage and compete with local and other on-site businesses.”

Statesboro Comprehensive Master Plan, Community Agenda page 11.

ANALYSIS:

I. V 17-02-02: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit an increase in the maximum aggregate sign area.

The applicant is requesting a variance from Article XV (Signs) regarding the maximum aggregate sign area. The subject site is located in the CR (Commercial Retail) zoning district and is regulated by the dimensional standards of Sign District 2 (See **Exhibit D**—Section 1509(C) Table 4). Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the dimensional standards for all freestanding and building signs within the City of Statesboro.

Additionally, Section 1501(1) of the Statesboro Zoning Ordinance defines “Aggregate Sign Area” as “the combined sign area of all signs regardless of whether or not the signs require a permit, or where specified, all signs of a particular category, on a single parcel”. For individual business establishments on an individual lot within Sign District 2, the maximum aggregate sign area for all signs (combined freestanding and building) on the property is 250 square feet. Please note that the maximum allowable aggregate sign area does not allow a parcel to maximize the available wall signage and freestanding signage available for each parcel, but rather forces an allocation between the two.

The applicant’s intention is to increase the maximum aggregate sign area from the permissible 250 square feet to 321.1 square feet. It should be noted that the applicant received a building permit for the installation of a side-by-side drive-thru at the location on November 18, 2015. As currently permitted, the subject site’s aggregate sign area is 327.27 square feet, which exceeds the maximum 250 aggregate sign area by 77.27 square feet.

| Sign District 2 Regulations | Currently Permitted | Requested |
|--|---|---|
| Freestanding Signs: One sign structure per road frontage not to exceed 150 square feet and a maximum height of 20' | One (1) 33.25' (minimum) high pole sign with 178.33 sq. ft. sign area | The applicant will <u>not</u> remove this sign and will begin repair work to existing damage |
| Building Signs: One per building elevation not to exceed 125 square feet | One (1) 67 square feet building sign | Removal of existing 67 square feet building sign and installation of one (1) 32.83 sq. ft. wordmark and two (2) 14 sq. ft. arch logos |
| Other: The ordinance is silent on drive-thru signage designed to facilitate the sales process No sign permit needed | Two (2) 40.96 sq. ft. drive-thru menu boards totaling 81.93 sq. ft. | |
| TOTAL | 327.27 sq. ft. (Aggregate) | 321.1 sq. ft. (Aggregate) |

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:**

1. **There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
 - o There are no special conditions.
2. **The special conditions and circumstances do not result from the actions of the applicant;**
3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

II. **V 17-02-03: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit the installation of two (2) wall signs on one elevation.**

The applicant is requesting a variance from Article XV Section 1509(C) Table 4 to permit the installation of two (2) walls signs on one building elevation. The ordinance prohibits the installation of two (2) walls signs unless one (1) sign is in the form of a canopy/awning (See **Exhibit D**—Section 1509(C) Table 4).

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:**

1. **There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
 - o There are no special conditions.
2. **The special conditions and circumstances do not result from the actions of the applicant;**
3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

STAFF RECOMMENDATION:

Staff recommends approval of applications V 17-02-02 and V 17-02-03.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on March 7, 2017, the Planning Commission voted 5 to 0 to approve the variance requested by applications V 17-02-02 and V 17-02-03.

EXHIBIT A: LOCATION MAP

Case # V 17-02-02 & V 17-02-03 Parcel # MS72 000011 000

Location Map: 460 Northside Drive East 



STAGIS City of Statesboro Department of Planning and Development

The City of Statesboro makes no warranty of the accuracy of the information on this map or the information on the map. The City of Statesboro makes no warranty of the accuracy of the information on this map or the information on the map.

Note: The Boundries Depicted on this map are approximate and should be used for reference only



EXHIBIT B: FUTURE DEVELOPMENT MAP

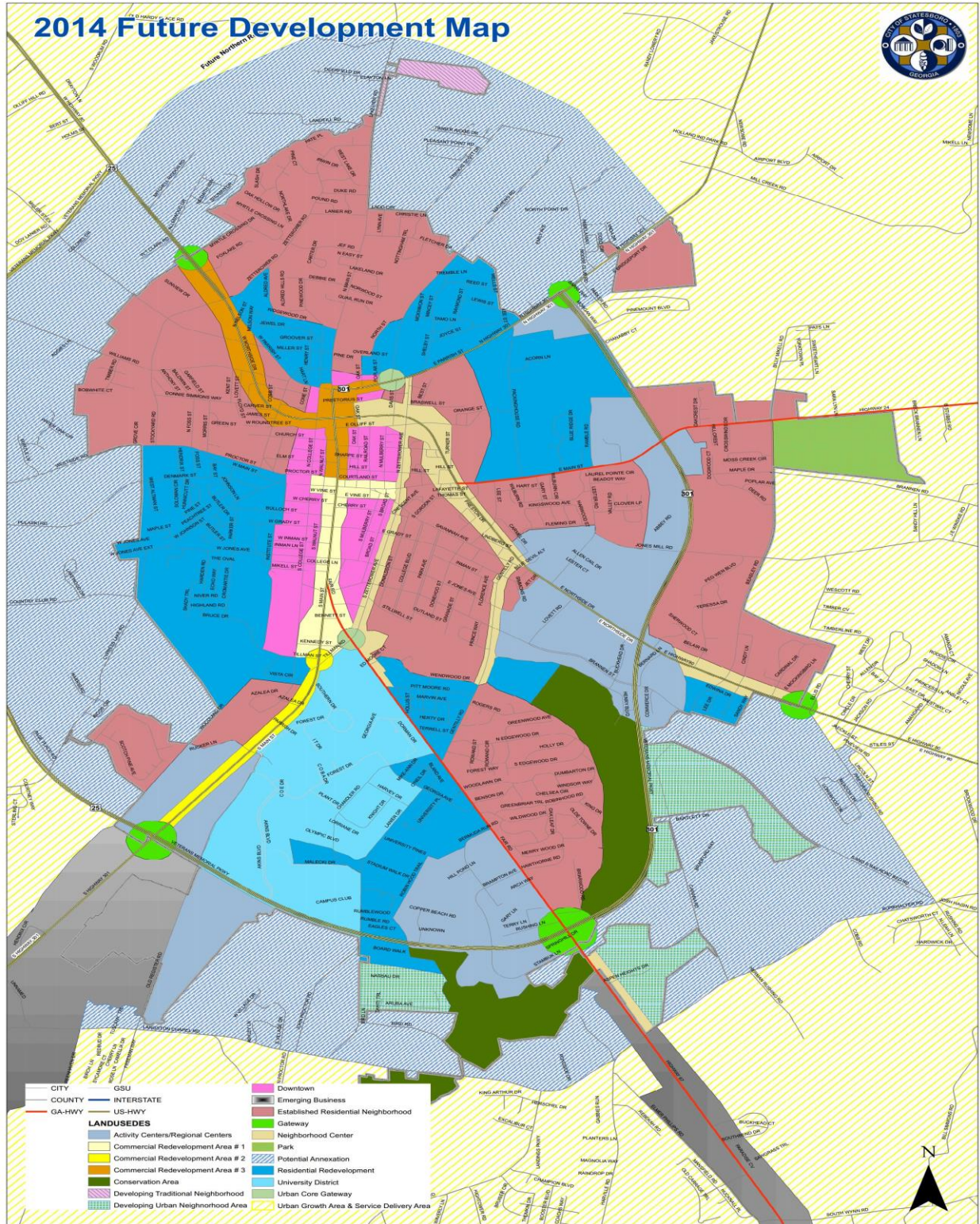


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Subject Site Front Elevation facing Northside Drive East



Picture 2 Subject Site Non-Drive-thru Side facing Parking Lot and Lovett Road

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 3 Drive-thru Menu Boards and Related Signage



Picture 4 Drive-thru Signage facing Buffalo Wild Wings

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 5 Rear of Subject Site Depicting Menu Boards



Picture 6 Rear Elevation of Subject Site

EXHIBIT D: SECTION 1509 TABLE 4

Table 4. Sign District 2 Dimensional Standards

TABLE INSET:

| SIGN DISTRICT 2 (As defined in subsection 1509[A.2]) | SIGN FOR AN INDIVIDUAL ESTABLISHMENTS ON AN INDIVIDUAL LOT | MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT | INDIVIDUAL ESTABLISHMENTS, SHOPS, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT |
|---|---|---|---|
| AGGREGATE SIGN AREA*: | | | |
| 1. Maximum Number of Total Square Feet (SF)* | 250 square feet including freestanding and building sign | Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 200 sf > 50,000 sf = 350 sf | Not applicable |
| FREESTANDING SIGNS**: | | | |
| 2. Freestanding Sign Maximum Square Feet | 150 square feet | Varies per overall floor space of the center (See "Aggregate Sign Area" herein) | Not applicable |
| 3. Maximum Height | 20' on St. or Fed. Frontage 8' on Local Frontage | 25' on St. or Fed. Frontage 15' on Local Frontage | Not applicable |
| 4. Setback Requirements | 5 feet from property line | 5 feet from property line | Not applicable |
| 5. Number of Signs Allowed* | One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs | One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs | Not allowed |
| BUILDING SIGNS: | | | |
| 1. Maximum Number of Total Square Feet | 125 square feet | 60 square feet | The greater of 60 sf or 5% of wall areas, allotted to the individual establishment |
| 2. Maximum Height | Building elevation | Building Elevation | Building Elevation |
| 3. Number of Building Signs Allowed*** | One per elevation | One sign per common entrance | One per building elevation per tenant |
| <p>*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required. Where a billboard is to be located on a lot in accordance with the provisions of section 1511 herein, the aggregate sign area shall not exceed the combined maximum number of total square feet permitted for the billboard, as established in subsection 1511(B), and the building sign.</p> <p>**Excludes billboards. Billboards shall be subject to the provisions of section 1511 of this article.</p> <p>*** Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.</p> | | | |

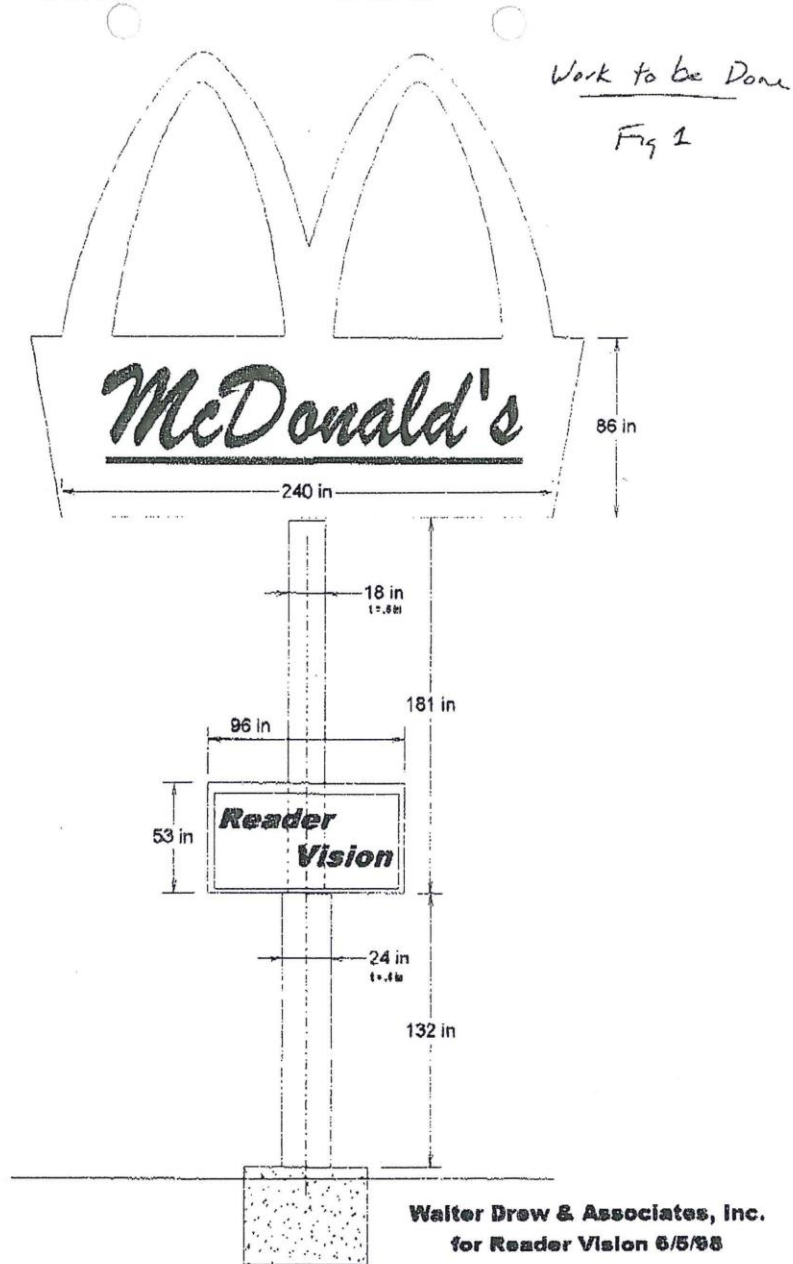
EXHIBIT E: EXISTING SIGNAGE PLANS

06/10/1998 13:27

9106682757

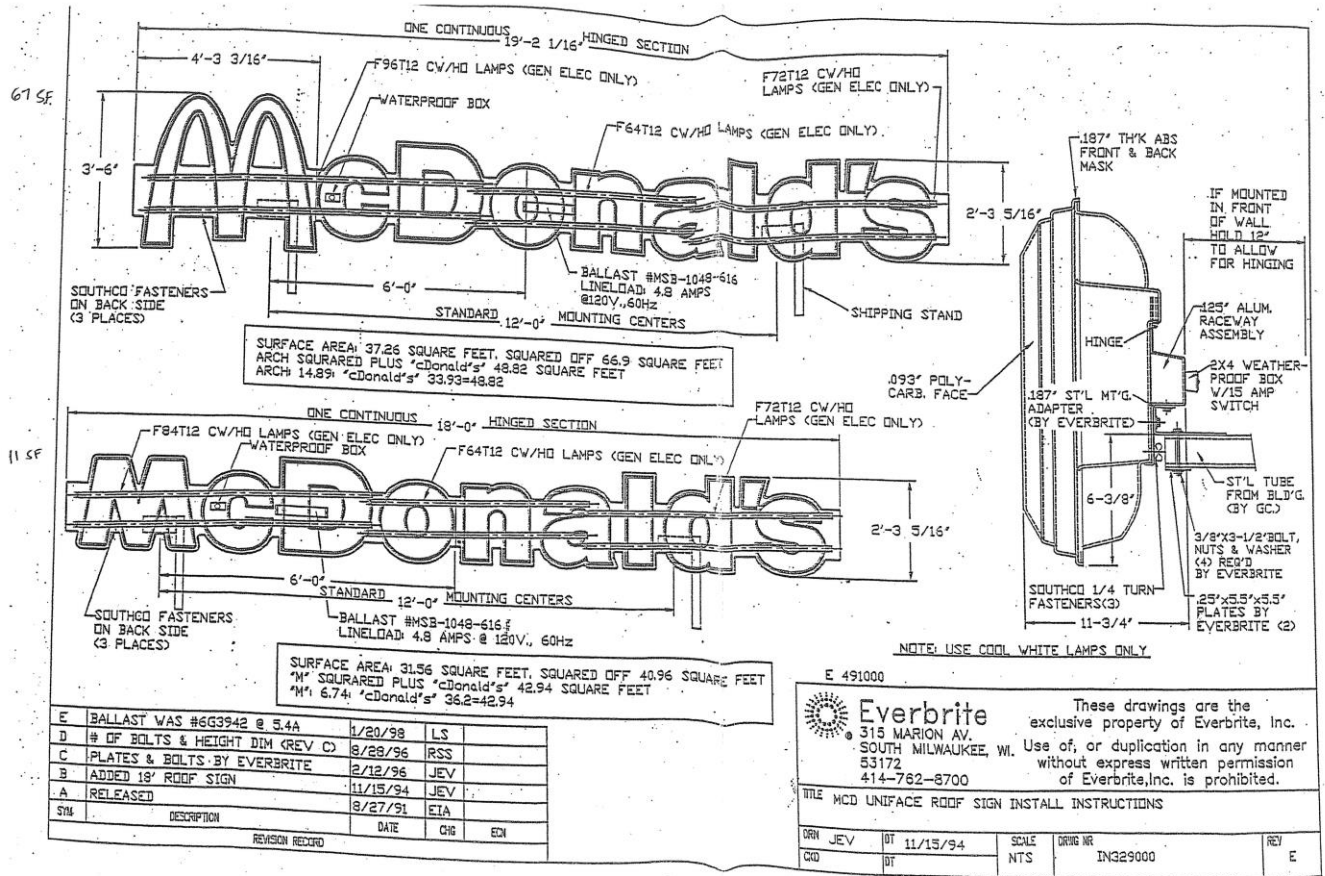
READERVISI

PAGE 07



Picture 7 Pole Sign Installation 33.25' high and 178.33 sq. ft. Sign Area

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)



Picture 8 Original Building Sign Installation on Front Elevation at 67 sq. ft.

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)

OPO Outdoor Menu Board

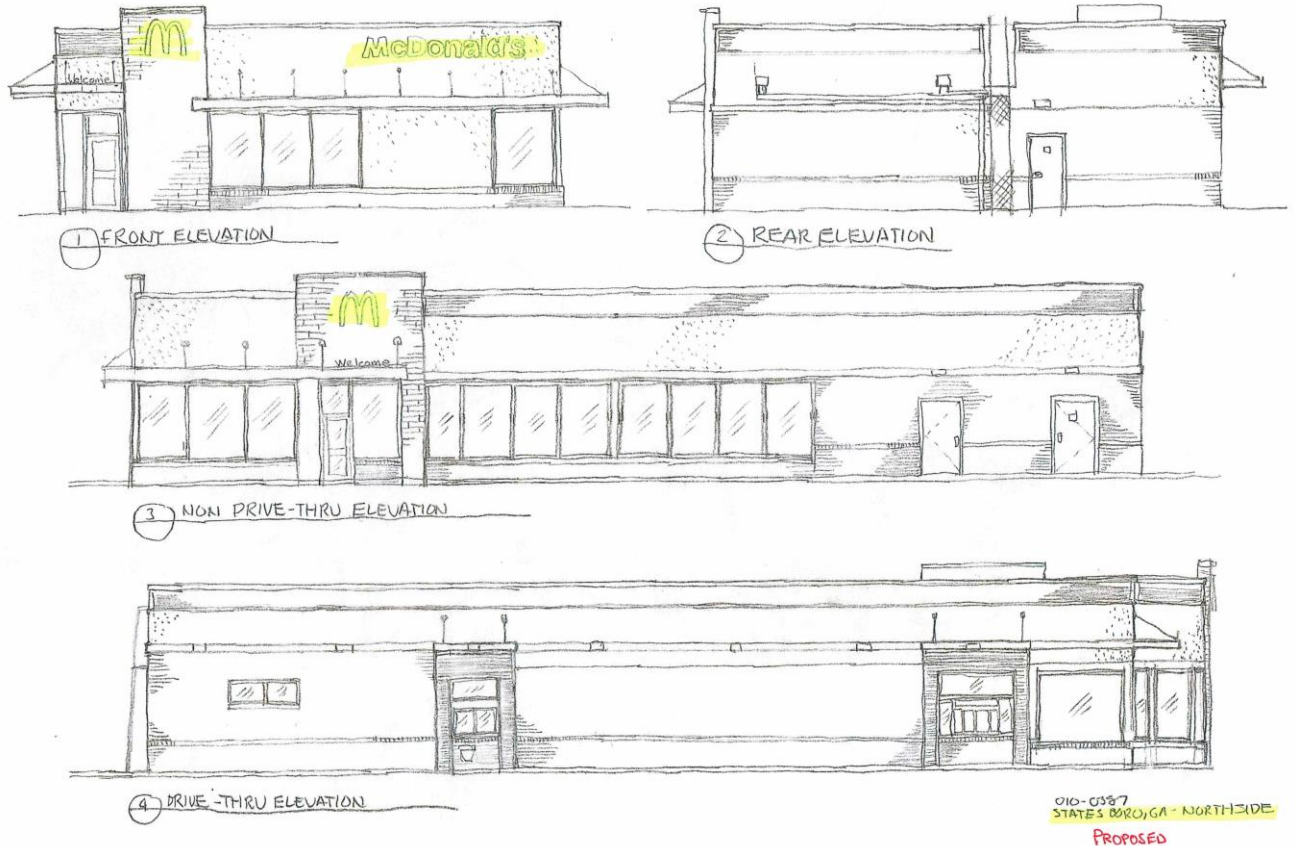


- Illumination:** LED
- Electrical:** First Circuit: 120/1/60, 15 amp
Second Circuit: 120/1/60, 15 amp
- Ship Weight:** 1,313 lbs.
- Other:**
- Please call IMS for graphics, 800-937-7671
 - Triangular design for increased graphic options
 - Available in an manual or automated version. Automated version must be ordered directly from Florida Plastics.

Everbrite, LLC, 315 Marion Ave., South Milwaukee, WI, 53172 P: 888-857-4078 F: 877-430-7363 www.everbrite.com

Picture 9 Menu Board at 40.96 sq. ft. (two installations total 91.93 sq. ft.)

EXHIBIT F: PROPOSED SIGNAGE PLANS



Picture 10 Proposed Signage: Two (2) 14 sq. ft. arch logos and one (1) 32.83 sq. ft. wordmark

CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
Jeff Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: March 9, 2017

RE: March 21, 2017 City Council Agenda Item

Policy Issue: *Statesboro Zoning Ordinance: Variance*

Recommendation: Staff recommends approval of the variances requested by applications V 17-02-04 and V 17-02-05.

Background: Nick Stein requests a variance from Article XV Section 1509(C) Table 5 of the Statesboro Zoning Ordinance regarding the maximum aggregate sign area in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007) and a variance from Article XV Section 1509(C) Table 5 of the Statesboro Zoning Ordinance regarding the maximum number of building signs allowed per elevation in Sign District 3 for 810 Archway Drive (Tax Parcel MS74 000198 007).

Budget Impact: None

Council Person and District: Travis Chance (District 5)

Attachments: Development Services Report V 17-02-04 & V 17-02-05



City of Statesboro – Department of Planning & Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

(912) 764-0630
 (912) 764-0664 (Fax)

**V 17-02-04 & V 17-02-05
 VARIANCE REQUESTS
 810 ARCHWAY DRIVE**

LOCATION: 810 Archway Drive

REQUEST: Variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 3.

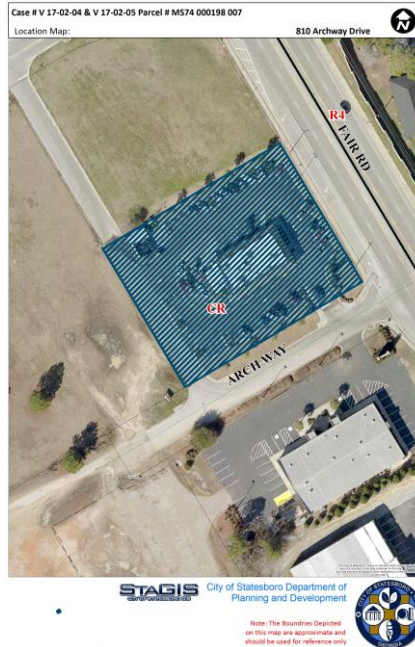
APPLICANT: Nick Stein

OWNER(S): McDonald's Corporation, a Delaware Corporation

ACRES: 1 acre

PARCEL TAX MAP #: MS74 000198 007

COUNCIL DISTRICT: District 5 (Chance)



PROPOSAL:

The applicant requests a variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding the maximum aggregate sign area and the maximum number of building signs allowed per elevation in Sign District 3 (See **Exhibit A** – Location Map). The applicant would like to remove the existing 67 square foot wall sign and replace it with an updated wordmark and building arch, with one elevation receiving two (2) signs (See **Exhibit F**—Proposed Signage Plans).

BACKGROUND:

The applicant would like to upgrade signage at the location and the subject site currently contains two (2) major signs: one (1) freestanding road sign and one (1) building sign. In addition, the site contains two menu boards and directional signage. The freestanding road sign is 20 feet high and contains an 80 sq. ft. static marquee and a 28 sq. ft. changeable copy sign. The drive-thru menu boards are a total of 47.43 square feet apiece, with two installations equaling 94.87 square feet. Currently, the location has a total aggregate of 269.87 square feet, which exceeds the maximum allowed (150) by 119.87 square feet (See **Exhibit E**—Existing Signage Plans).

SURROUNDING LAND USES/ZONING:

| ZONING: | | LAND USE: |
|---------------|--|--|
| NORTH: | CR (Commercial Retail) | Food service facilities, retail facilities |
| SOUTH: | CR (Commercial Retail) | Food service facilities, retail facilities |
| EAST: | R4 (High Density Residential District) | Single-family attached dwelling units |
| WEST | CR (Commercial Retail) | Food service facilities, retail facilities |

The subject property is located in the CR (Commercial Retail) zoning district and surrounding parcels include mixed uses, such as restaurants and retail facilities, single-family attached dwelling units, a hotel and grocery store, including

the newly opened Panda Express, Walmart Neighborhood Market and the Hampton Inn (See **Exhibit A**—Location Map, **Exhibit B**—Future Development Map and **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Activity Centers/Regional Centers” character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Master Plan*. The “Activity Centers/Regional Centers” character areas are currently dominated by auto-oriented design and large surface parking lots. The Activity Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike (See **Exhibit B** – Future Development Map).

Some appropriate land uses for the “Activity Centers/Regional Centers” character area include the following:

- Small, mid-size, and regional retail and commercial, including big box stores.
- Redeveloped shopping center should be encouraged to include diverse uses and pedestrian-scaled elements.

Statesboro Comprehensive Master Plan, Community Agenda page 25.

In addition, the Future Development Map and Defining Narrative section of the Comprehensive Plan states the following:

“Statesboro residents have expressed dissatisfaction with a variety of features in the community which clutter streetscapes and obstruct natural landscape features -particularly on major corridors entering and exiting the community. While City leadership has acknowledged the need to comprehensively update land development regulations to holistically address aesthetic concerns, there exist a number of individual topics which can be addressed by ordinance amendments in the short-term. Signs (attached and detached) should be managed by incorporating uniform design features, and by restricting billboards and other off-premise signage which distract from traffic control signage and compete with local and other on-site businesses.”

Statesboro Comprehensive Master Plan, Community Agenda page 11.

ANALYSIS:

- I. **V 17-02-04: Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimensional Standards to permit an increase in the maximum aggregate sign area.**

The applicant is requesting a variance from Article XV (Signs) regarding the maximum aggregate sign area. The subject site is located in the CR (Commercial Retail) zoning district and is regulated by the dimensional standards of Sign District 3 (See **Exhibit D**—Section 1509(C) Table 5). Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the dimensional standards for all freestanding and building signs within the City of Statesboro.

Additionally, Section 1501(1) of the Statesboro Zoning Ordinance defines “Aggregate Sign Area” as “the combined sign area of all signs regardless of whether or not the signs require a permit, or where specified, all signs of a particular category, on a single parcel”. For individual business establishments on an individual lot within Sign District 3, the maximum aggregate sign area for all signs (combined freestanding and building) on the property is 150 square feet. Please note that the maximum allowable aggregate sign area does not allow a parcel to maximize the available wall signage and freestanding signage available for each parcel, but rather forces an allocation between the two.

The applicant's intention is to increase the maximum aggregate sign area from the permissible 150 square feet to 277.7 square feet. As currently permitted, the subject site's aggregate sign area is 269.87 sq. ft., which exceeds the maximum 150 aggregate sign area by 119.87 square feet.

| Sign District 3 Regulations | Currently Permitted | Requested |
|--|---|---|
| Freestanding Signs: One sign structure per road frontage not to exceed 60 sq. ft., max height of 20' | One (1) 20' high pole sign with 108 sq. ft. sign area | The applicant will <u>not</u> remove this sign and will begin repair work to existing damage |
| Building Signs: One per building elevation not to exceed 50 sq. ft. | One (1) 67 sq. ft. building sign | Removal of existing 67 sq. ft. building sign and installation of one (1) 32.83 sq. ft. wordmark and three (3) 14 sq. ft. arch logos |
| Other: The ordinance is silent on drive-thru signage designed to facilitate the sales process No sign permit needed | Two (2) 40.96 sq. ft. drive-thru menu boards totaling 81.93 sq. ft. | |
| TOTAL | 269.87 sq. ft. (Aggregate) | 277.7 sq. ft. (Aggregate) |

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:**

1. **There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
 - o There are no special conditions.
2. **The special conditions and circumstances do not result from the actions of the applicant;**
3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

II. **V 17-02-05: Variance from Article XV Section 1509(C) Table 4: Sign District 2 Dimensional Standards to permit the installation of two (2) wall signs on one elevation.**

The applicant is requesting a variance from Article XV Section 1509(C) Table 4 to permit the installation of two (2) wall signs on one building elevation. The ordinance prohibits the installation of two (2) walls signs unless one (1) sign is in the form of a canopy/awning (See **Exhibit D**—Section 1509(C) Table 5 and **Exhibit F**—Proposed Signage Plans).

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and **Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:**

1. **There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;**
 - o There are no special conditions.
2. **The special conditions and circumstances do not result from the actions of the applicant;**
3. **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - o There is no proven hardship.
4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

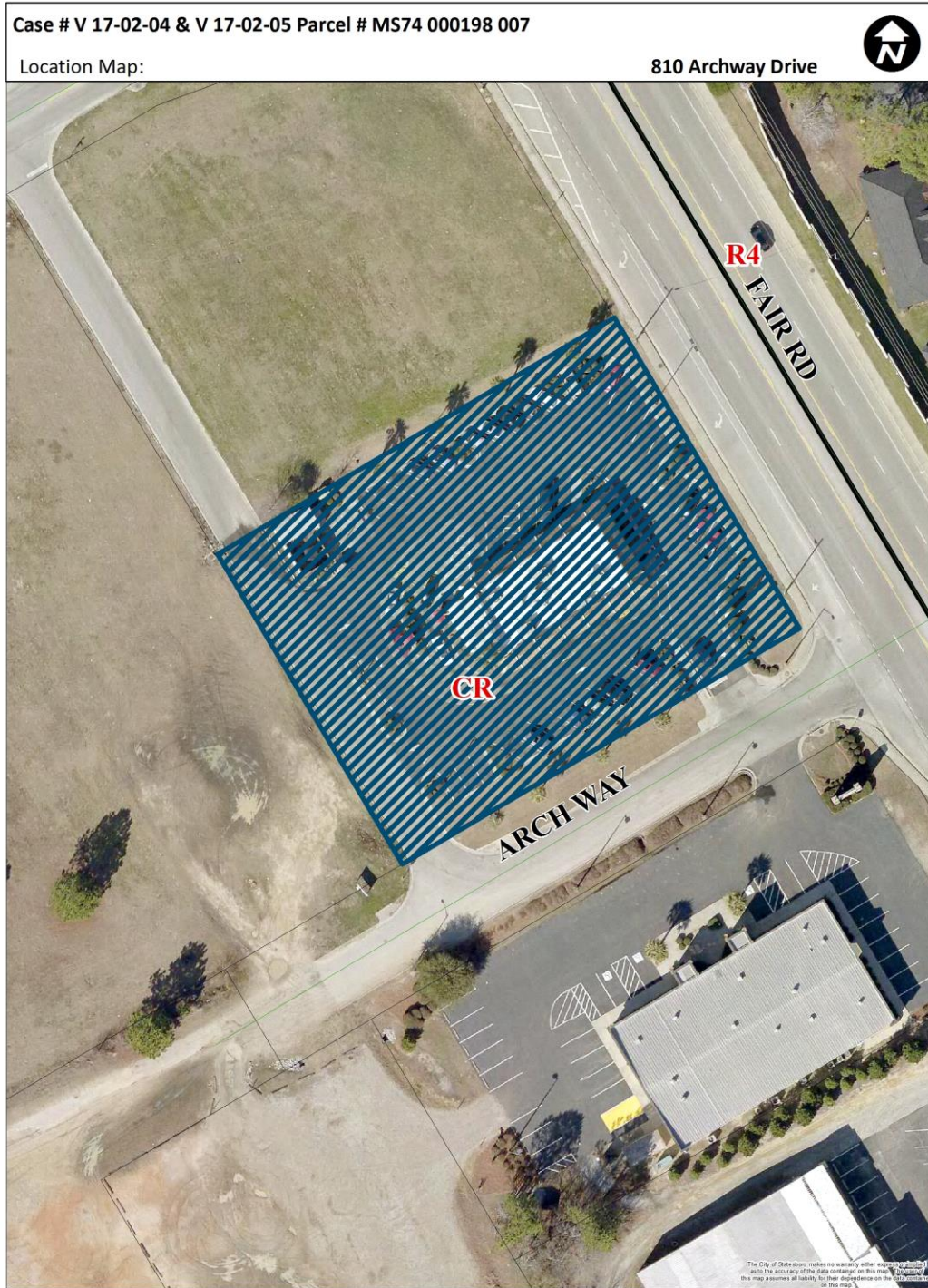
STAFF RECOMMENDATION:

Staff recommends approval of applications V 17-02-04 and V 17-02-05.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on March 7, 2017, the Planning Commission voted 5 to 0 to approve the variance requested by applications V 17-02-04 and V 17-02-05.

EXHIBIT A: LOCATION MAP



City of Statesboro Department of Planning and Development



Note: The Boundries Depicted on this map are approximate and should be used for reference only

EXHIBIT B: FUTURE DEVELOPMENT MAP

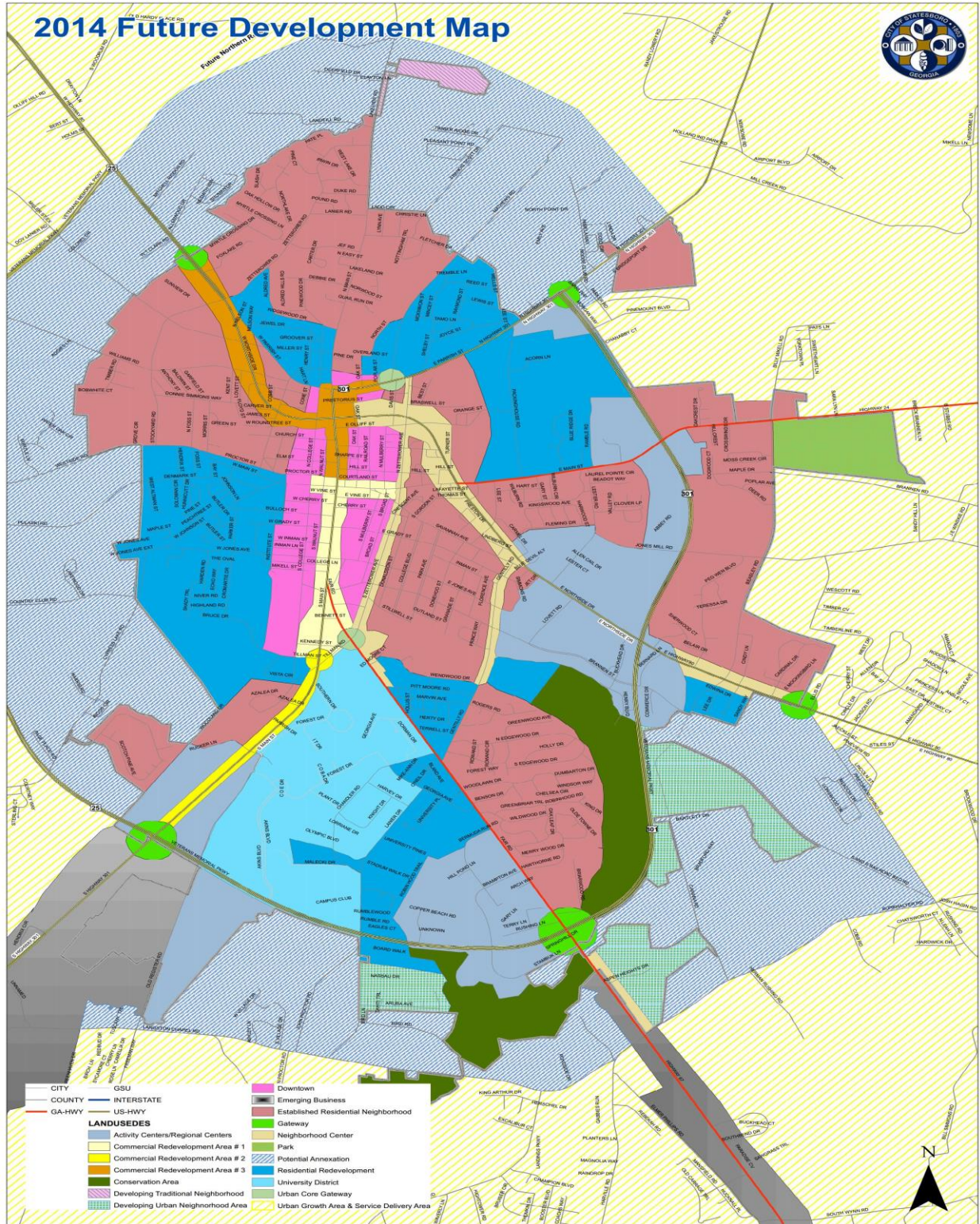


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Subject Site Front Elevation facing Fair Road Depicting Sign to be Replaced



Picture 2 Subject Site Drive-thru Elevation facing Parking Lot

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 3 Rear Elevation and Directional Signage



Picture 4 Side Elevation

EXHIBIT C: PHOTOS OF SUBJECT SITE (CONT)



Picture 5 Freestanding Sign and Directional Signage

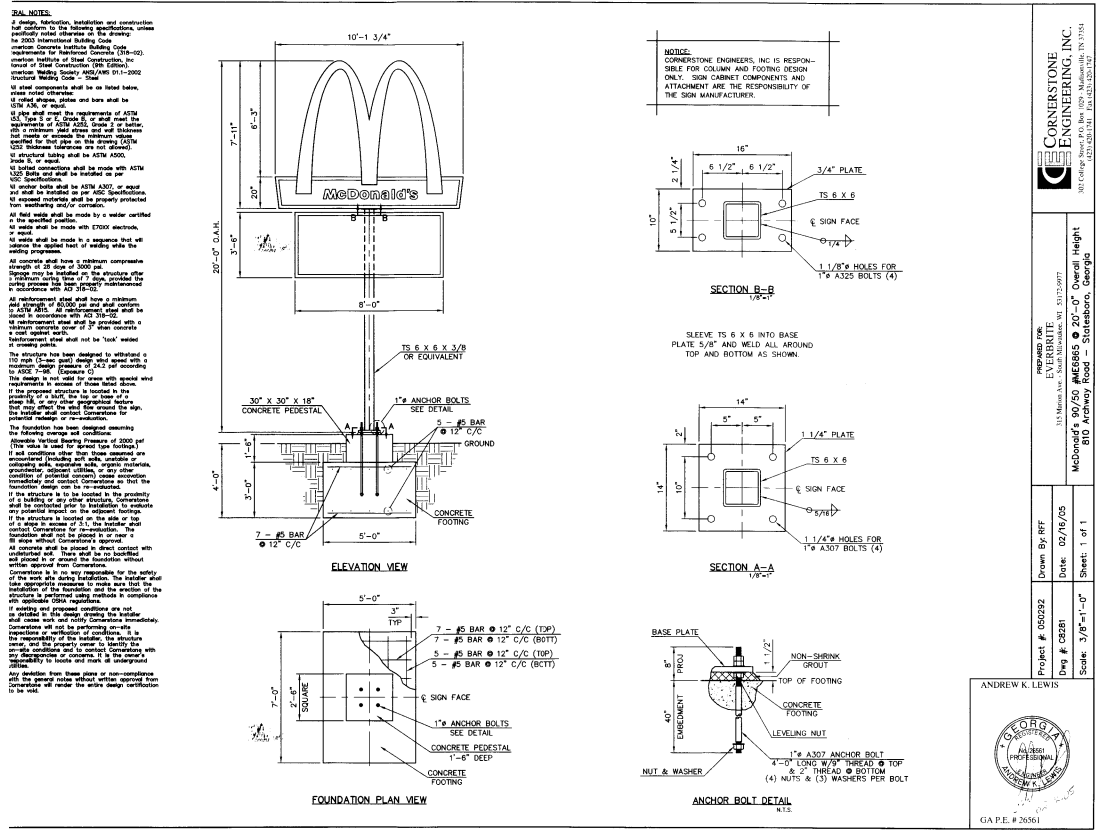
EXHIBIT D: SECTION 1509 TABLE 5

Table 5. Sign District 3 Dimensional Standards

TABLE INSET:

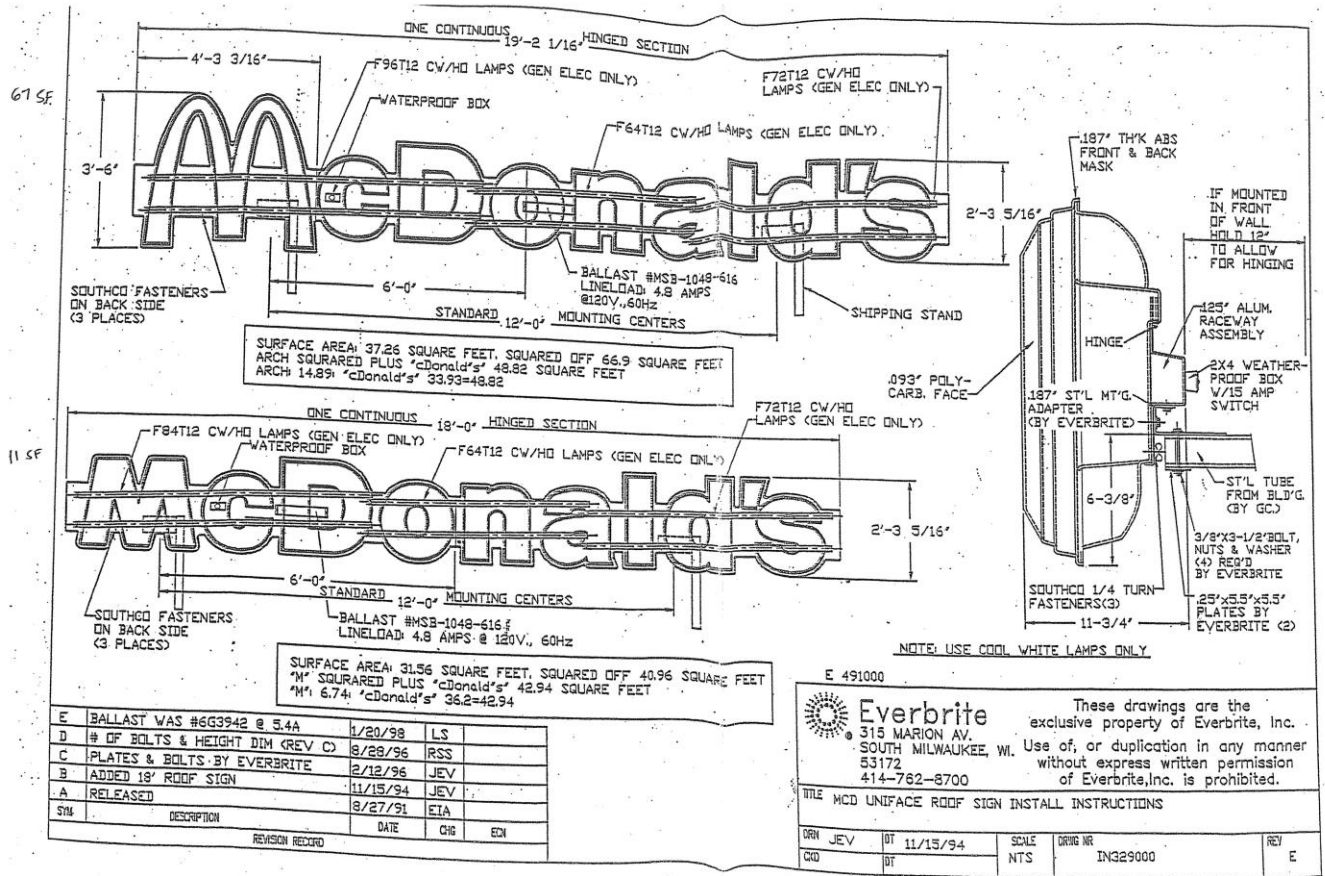
| SIGN DISTRICT 3 (As defined in subsection 1509[A.3]) | SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT | MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT | BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT |
|--|---|---|--|
| AGGREGATE SIGN AREA*: | | | |
| 1. Maximum Number of Total Square Feet (SF) | 150 square feet including freestanding and building signs | Size is based upon the overall floor space of the center as follows: 0-50,000 sf = 100 sf > 50,000 sf = 150 sf | Not applicable |
| FREESTANDING SIGNS**: | | | |
| 2. Freestanding Sign Maximum Square Feet | 60 square feet | Varies per overall floor space of the center (See "Aggregate Sign Area" herein) | Not applicable |
| 3. Maximum Height | 8 feet | 15 feet | Not applicable |
| 4. Setback Requirement | 5 feet from property line | 5 feet from property line | Not applicable |
| 5. Number of Signs Allowed | One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs | One sign structure per road frontage not to exceed the maximum allowable square footage & a total of two (2) such signs | Not allowed |
| BUILDING SIGNS: | | | |
| 1. Maximum Number of Total Square Feet | Wall length of 100 feet or less: 50 square feet. Wall length of greater than 100 feet: 100 square feet. | 60 square feet | The greater of 60 sf or 5% of wall areas, allotted to the individual establishment |
| 2. Maximum Height | Building elevation | Building elevation | Building elevation |
| 3. Number of Building Signs Allowed*** | One per elevation | One sign per common entrance | One per building elevation per tenant |
| *As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required. | | | |
| **Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein. | | | |
| *** Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs. | | | |

EXHIBIT E: EXISTING SIGNAGE PLANS



Picture 6 Pole Sign Installation 20' high and 108 sq. ft. of Sign Area

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)



Picture 7 Original Building Sign Installation on Front Elevation at 67 sq. ft.

EXHIBIT E: EXISTING SIGNAGE PLANS (CONT)

FP-43 Modular Outdoor Menu Board



63-1/2"
161.29 cm

99"
251.46 cm

FP-43 Outdoor Menu Board w/ Flip Adder



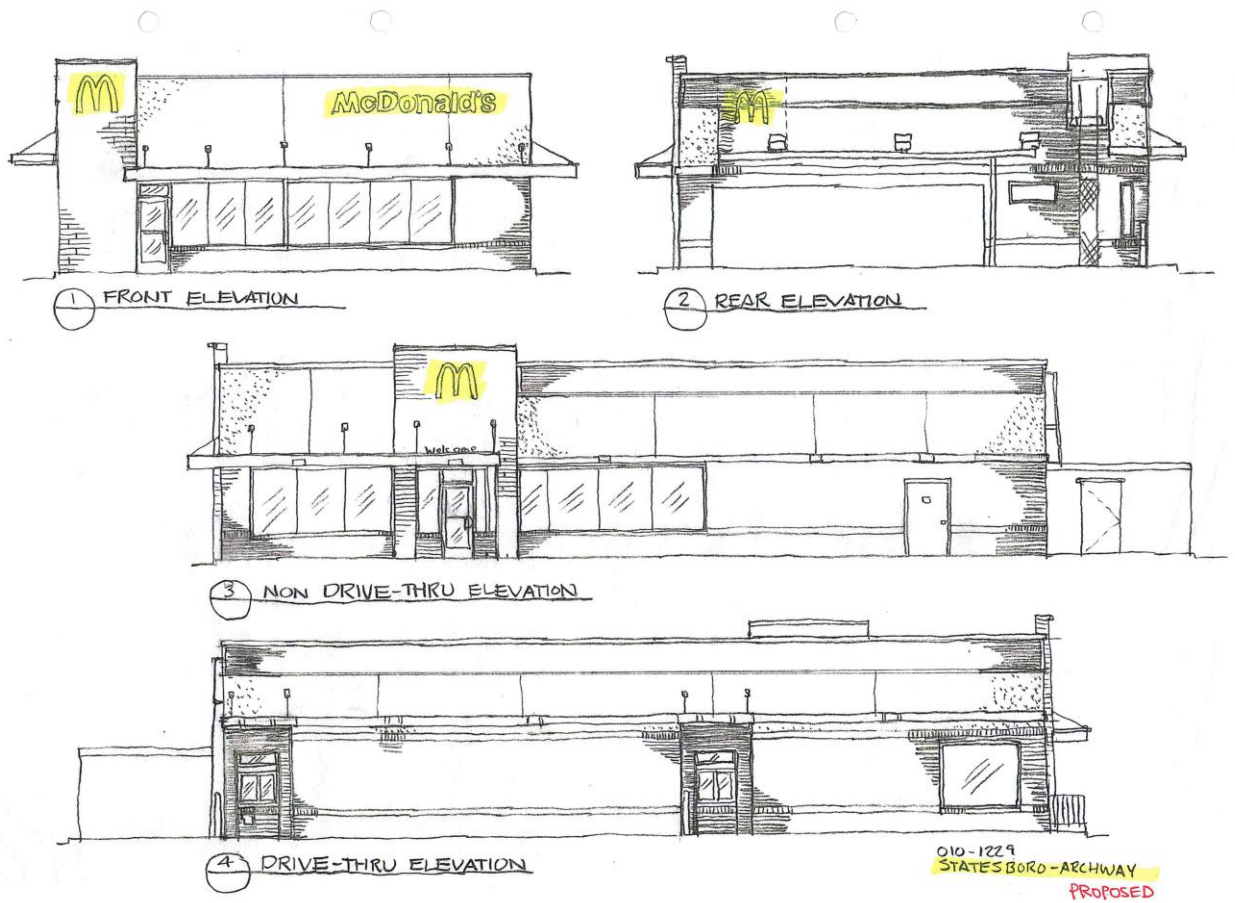
**OPTIONAL:
FP-43 Outdoor Menu Board w/ Topper**

- Illumination:** 4 - F60T12 CW/HO
2 - F36T12 CW/HO
2 - F24T12 CW/HO
2 - F60T12 CW/HO
- Electrical:** 4.9 Amps / 1.6 Amps (flipboard)
120V 60Hz
- Ballast:** Advance #RC-4560-TP
Power Lighting #V234L8-16
Power Lighting #V12L4-12
- Ship Weight:** 197 lbs.
- Other:**
- Modular design for increased flexibility
 - Adjustable channels for easy menu modification
 - Optional kit to accept Customer Order Display and/or speaker
 - Flipboard panel can rotate 180 degrees to display two dayparts
 - Please call Florida Plastics for strips and grids
 - Topper only allowed with 4th column static board. Cannot have flip adder and topper.

Everbrite, LLC, 315 Marion Ave., South Milwaukee, WI, 53172 P: 888-857-4078 F: 877-430-7363 www.everbrite.com

Picture 8 Menu Board at 43.46 sq. ft. (two installations total 87.28 sq. ft.)

EXHIBIT F: PROPOSED SIGNAGE PLANS



Picture 9 Proposed Signage: Two (2) 14 sq. ft. arch logos and one (1) 32.83 sq. ft. wordmark

CITY OF STATESBORO

COUNCIL

Phil Boyum
Sam Lee Jones
Jeff Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Robert Cheshire, P.E.,
Deputy City Manager
Sue Starling, City Clerk

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager and Sue Starling, City Clerk

From: Candra Teshome, Planning & Development Specialist

Date: March 9, 2017

RE: March 21, 2017 City Council Agenda Item

Policy Issue: *Statesboro Zoning Ordinance: Special Exception*

Recommendation: Staff recommends approval of the special exception requested by application SE 17-02-01.

Background: Marilyn Knight requests a special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children in the R8 zoning district (Tax Parcel MS40 000051 000).

Budget Impact: None

Council Person and District: Sam Lee Jones (District 2)

Attachments: Development Services Report SE 17-02-01



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

» (912) 764-0630
 » (912) 764-0664 (Fax)

**SE 17-02-01
 SPECIAL EXCEPTION REQUEST
 404 NORTH AVENUE**

LOCATION: 404 North Avenue

REQUEST: Special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children in the R8 zoning district.

APPLICANT: Marilyn Knight

OWNER(S): Mary Williams

LAND AREA: .45 acres

PARCEL TAX MAP #s: MS40 000051 000

COUNCIL DISTRICT: District 2 (Jones)



PROPOSAL:

The applicant requests a special exception to utilize the property located at 404 North Avenue as a daycare center with a capacity of fifty-two (52) children in the R8 (Single-Family Residential) zoning district, which is not a permissible use by right (Tax Parcel MS40 000051 000).

Pursuant to Article VII-B Section 701-B(1), a child care is permissible in the R8 (Single-Family Residential) zoning district as a home occupation, not to exceed six (6) children at a time (See **Exhibit A**—Location Map). In addition, Article XXVII Section 2704 prohibits daycare centers from “all zoning classifications except Commercial Retail, Highway Oriented Commercial, Central Business District, or Light Industrial.” Consequently, the applicant’s desired utilization of the property is not permitted without either the rezoning of the property or the granting of a special exception permitting the requested use. Residents in the neighborhood support the opening of a new childcare center (See **Exhibit C**—Owner Letter and Neighborhood Support for a New Childcare).

BACKGROUND:

The property owner, Ms. Mary Williams, ran the facility for 31 years with a capacity of fifty-eight (58) children. Occupational Tax Certificate 2010 000789 was issued January 1, 2010 to Mary Williams and expired 12/31/2010. The daycare center was closed in 2009, reopened in 2013 under new management and closed again in 2015, and at this time, the facility has exceeded the twelve-month grandfather clause (see Article XXI Section 2104). The center is equipped to provide care to children aged six (6) weeks of age through four years of age, to include pre-kindergarten classes.

SURROUNDING LAND USES/ZONING:

| | ZONING: | LAND USE: |
|---------------|--------------------------------|---------------------------------------|
| NORTH: | R8 (Single-Family Residential) | Single-Family detached dwelling units |
| SOUTH: | R8 (Single-Family Residential) | Single-Family detached dwelling units |
| EAST: | R8 (Single-Family Residential) | Single-Family detached dwelling units |
| WEST | R8 (Single-Family Residential) | Single-Family detached dwelling units |

The subject property is adjacent to 707 West Jones Avenue, which is directly associated with the subject site. Mary Williams lived at the residence at 707 West Jones Avenue, and currently rents the property to the individuals who would run the daycare facility. Adjacent properties to the north, south, east and west are zoned R8 (Single-Family Residential) and contain single-family detached dwelling units. (See **Exhibit B**—Photos of Subject Site and Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the “Residential Redevelopment” character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit C**—2014 Future Development Map) within the City of Statesboro Updated 2014 Comprehensive Plan.

Vision:

This character area has most of its original housing stock in place, but has worsening housing conditions due to low rates of homeownership and neglect of property maintenance. There may be a lack of neighborhood identity and gradual invasion of different type and intensity of use that may not be compatible with the neighborhood residential use, or a neighborhood that has declined sufficiently that housing conditions are bad, there may be large areas of vacant land or deteriorating, unoccupied structures.

Appropriate Land Uses:

- Single-family detached housing
- Lower density, single-family attached housing

Suggested Development Strategies:

- The neighborhood should include a well-designed new neighborhood activity center at the appropriate location, which would provide a focal point for the neighborhood, while also providing a suitable location for a grocery store, hardware store, school, and similar appropriately scaled retail establishments serving neighborhood residents.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 21.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city services as a result of this request.

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The applicant requests a special exception to utilize the property located at 404 North Avenue as a childcare center with a capacity of fifty-two (52) children. The subject site is located in the R8 (Single-Family Residential) zoning district and the applicant’s requested use is only permitted in the HOC (Highway Oriented Commercial), CR (Commercial Retail), CBD (Central Business District) or LI (Light Industrial) zoning districts by right.

Special exceptions allow for land uses that are not permitted by right within a zoning district, but which are defined as an acceptable use type, are of the same general character of permissible uses in the district, can meet the specific requirements contained in the ordinance and are listed as a special exception in the ordinance.

I. Consideration of the Definition of the Applicant’s Proposed Use and its General Character

The applicant is requesting to use the subject site as a daycare center with a capacity of fifty-two (52) children for a parcel zoned R8 (Single-Family Residential). Daycare centers of this capacity are not permissible uses by right within the R8 (Single-Family Residential) zoning district.

Article XXVII Section 2703 states daycare center “...shall mean any place operated by a person, society, agency, institution, or group wherein are received for pay group day care for fewer than 24-hours per day without transfer or [of] legal custody of 19 or more children 18 years old or under.”

Article VII-B Section 701-B(I) restricts the R8 (Single-Family Residential) zoning district to a family daycare homes only as a home occupation, not to exceed six (6) children at a time. The requested use meets the definition of a daycare center, pursuant to Article XXVII Section 2703.

II. Consideration of the Proposed Use’s Ability to Adhere to the R8 Zoning District’s Requirements

The applicant resides at 707 West Jones Avenue, the parcel adjacent to and directly south of the subject site. In the past, 707 West Jones Avenue served as Mary Williams’ primary residence and she managed the subject site as part of that parcel. The applicant intends to do the same.

While the applicant is requesting the use of the subject site as a daycare center with a capacity of fifty-two (52) children, the center itself is a residential, multi-room structure; not on the scale of a facility. Staff is of the opinion the proposed use will adhere to the district's requirements.

III. **Consideration of the Proposed Use's Inclusion in the R8 Zoning District as a Special Exception**

Article VII-B. R-8 Single Family Residential of the *Statesboro Zoning Ordinance* states that a "child care, but not more than six children at a time," is a permissible use by right in the zoning district. The article; however, does not provide for the grant of a special exception in the district. Article XXIV. Conditional Zoning of the *Statesboro Zoning Ordinance* states that "property within any zoning classification may be rezoned subject to conditions..."

The American Planning Association encourages the use of local planning policies that ensure adequate childcare, especially in communities that have supply gaps for infant/toddler care facilities. APA Policy Guide on the Provision of Child Care (1997, September 21) from <https://www.planning.org/policy/guides/adopted/childcare.htm>.

The *Statesboro Zoning Ordinance* permits the grant of a special exception upon a finding by the governing body that the requested use is "of the same general character" as those uses permitted within the district without the grant of a special exception and requires that "in determining the compatibility of the conditional use with adjacent properties and the overall community, the mayor and city council (will) consider the same criteria and guidelines [as for] determinations of amendments, as well as the following factors:"

Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council "in determining compatibility" of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- C. Off street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.
- D. Public facilities and utilities are capable of adequately serving the proposed use.
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.
- F. Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.
- G. Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.
 - This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.

Additionally, § 2406 of the *Statesboro Zoning Ordinance* also requires consideration of the following factors given for standards for determination in a zoning change in "balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property" given in § 2007 of the *Statesboro Zoning Ordinance*":

- A. Existing uses and zoning or [of] property nearby.
- B. The extent to which property values are diminished by the particular zoning restrictions.
- C. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
- D. The relative gain to the public, as compared to the hardship imposed upon the property owner.
- E. The suitability of the subject property for the zoned purposes.
- F. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
- G. The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.

STAFF RECOMMENDATION:

Staff recommends approve of the use requested by application SE 17-02-01.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting on March 7, 2017, the Planning Commission voted 5 to 0 to approve the special exception requested by application SE 17-02-01.

EXHIBIT A: LOCATION MAP

Case # SE17-02-01 Parcel # MS40 0000051 000

Location Map:

404 West Jones Avenue



City of Statesboro Department of Planning and Development



Note: The Boundaries Depicted on this map are approximate and should be used for reference only

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES



Picture 1 Subject Site facing North East Depicting Childcare Center Exterior Entrances



Picture 2 Subject Site facing North East Depicting Childcare Center Exterior Entrances

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 3 Subject Site facing North East Depicting Childcare Center Exterior Entrances



Picture 4 707 West Jones Avenue facing North East Depicting Portion of the Parking Lot

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 5 Subject Site Depicting Playground Area



Picture 6 Subject Site Depicting Playground Area

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 7 Subject Site Depicting Playground Area



Picture 8 Subject Site Facing East Depicting Rear Elevation

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 9 Subject Site Facing North Depicting Playground and Adjacent Property on Jones Avenue



Picture 10 Subject Site Depicting Playground and Adjacent Properties on Jones Avenue

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 11 Subject Site Depicting Playground and Adjacent Property Facing North



Picture 12 Interior of Subject Site Depicting Office

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 13 Interior of Subject Site

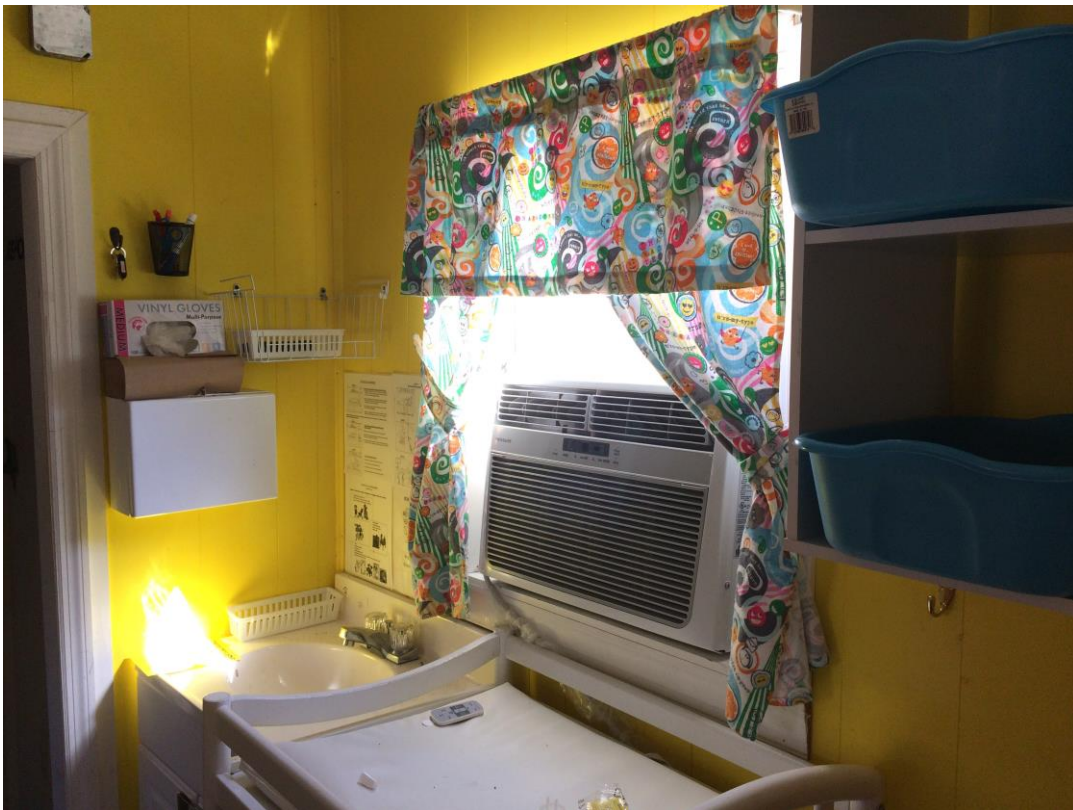


Picture 14 Interior of Subject Site Depicting Kitchen Area

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 15 Interior of Subject Site



Picture 16 Interior of Subject Site Depicting Infant Area

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 17 Interior of Subject Site



Picture 18 Interior of Subject Site

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT)



Picture 19 Interior of Subject Site



Picture 20 Interior of Subject Site

EXHIBIT C: OWNER LETTER AND NEIGHBORHOOD SUPPORT FOR NEW CHILDCARE

February 13, 2017

To: Statesboro Zoning Commission

From: Mary Williams

Re: Day Care Center
707 W Jones Ave
Statesboro, Georgia 30458

I, Mary Williams, am requesting that the Property located at 707 West Jones Avenue be rezoned back to Commercial Property. The Business was in operation for 31 years as a Daycare Center with a capacity of 58 children. I closed the Daycare Center in 2009 due to the death of my husband for approximately 4 years but reopened Under New Management in 2013. The Daycare was closed again in 2015.

The Daycare Center is a facility that is considered a "Turnkey" business fully furnished inside and out. This is NOT a family home! This Daycare Center can care for children from an infant to 4 years old including Pre-K.

Please consider this facility to be rezoned for the purpose and use as a Daycare Center again. Enclosed is a Signature Sheet signed by Neighborhood Residents who I contacted to let know of the planned Reopening.

I would like to Thank You in advance for your attention to this situation.

Sincerely,

Mary Williams

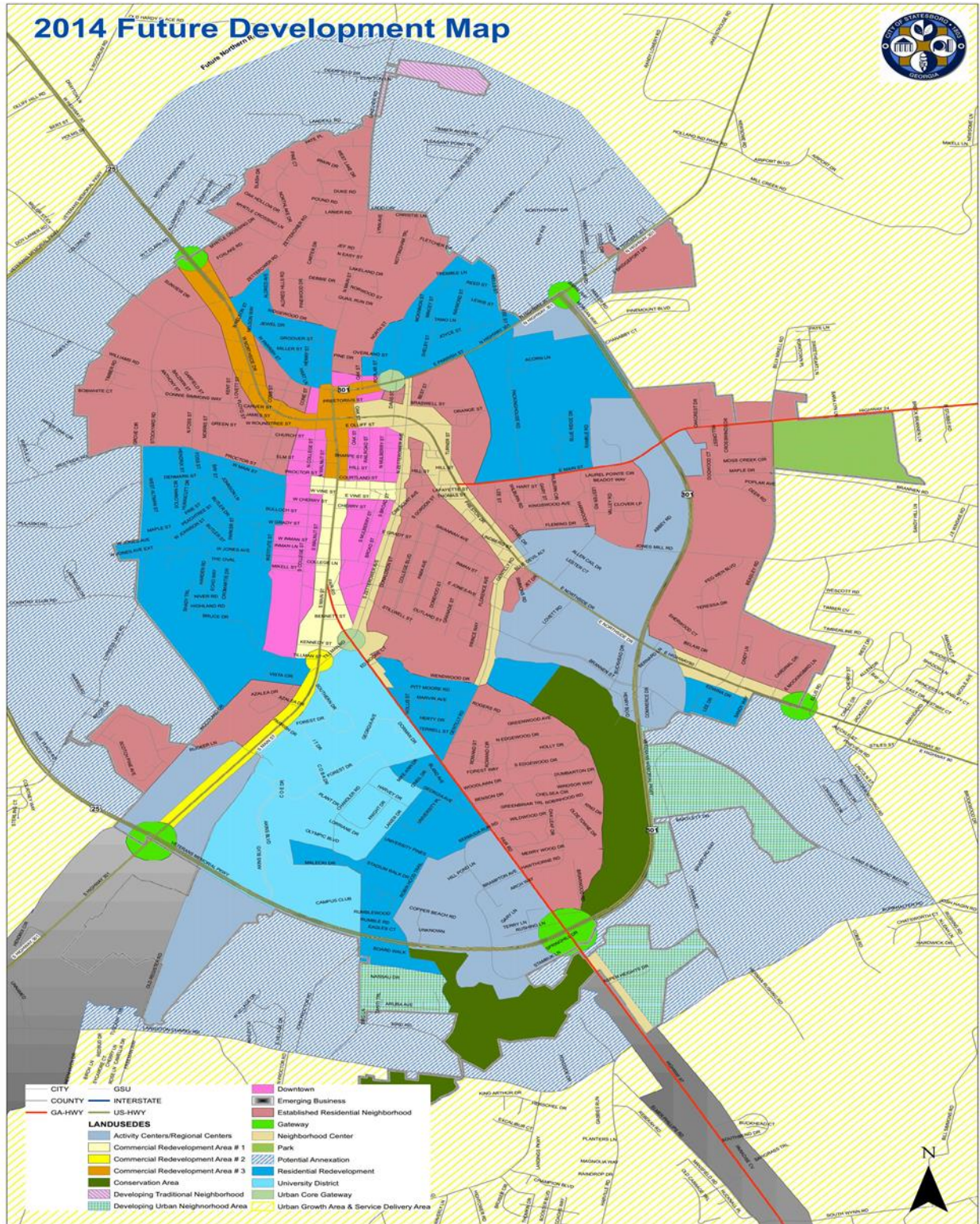
Residents Of Sugar Hill

2/11/17

Would you be in favor for a new Day Care
In the community ?

- | | |
|---------------------------------------|--|
| 1. Harvey Jackson | <input checked="" type="radio"/> Yes or no |
| 2. Ronny Williams | <input checked="" type="radio"/> Yes or no |
| 3. Emerald Angaly | <input checked="" type="radio"/> Yes or no |
| 4. Victoria Crawford | <input checked="" type="radio"/> Yes or no |
| 5. Eugene Martin | <input checked="" type="radio"/> Yes or no |
| 6. Wanda Patton | <input checked="" type="radio"/> Yes or no |
| 7. Cesar A. Sevilla | <input checked="" type="radio"/> Yes or no |
| 8. Wanda Mart | <input checked="" type="radio"/> Yes or no |
| 9. Melched Martin | <input checked="" type="radio"/> Yes or no |
| 10. Jerome V. McNeal | <input checked="" type="radio"/> Yes or no |
| 11. Edward B. Burns | <input checked="" type="radio"/> Yes or no |
| 12. JASMINE WILLIAMS | <input checked="" type="radio"/> Yes or no |
| 13. DIANE I Hill | <input checked="" type="radio"/> Yes or no |
| 14. Derek Burns | <input checked="" type="radio"/> Yes or no |
| 15. | Yes or no |

EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP



CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Sam Lee Jones
Jeff B. Yawn
John C. Riggs
Travis L. Chance



Jan J. Moore, Mayor
Randy Wetmore, City Manager
Robert Cheshire, Deputy City Manager
Sue Starling, City Clerk
I. Cain Smith, City Attorney

50 EAST MAIN STREET • P.O. BOX 348
STATESBORO, GEORGIA 30459-0348

To: Randy Wetmore, City Manager

From: Deputy Chief Robert Bryan, Interim Chief of Police

Date: 02/24/17

RE: Grant from Statesboro Police Officers Foundation for the purchase of Active Shooter Plate Carriers

Policy Issue: Approval of Resolution to accept \$8,000.00 grant, 100% match requirement.

Recommendation: Staff recommends approval of the Resolution to accept the SPOF Grant for the Active Shooter Plate Carriers.

Background: The Statesboro Police Department has been contacted by the Statesboro Police Officers Foundation (SPOF) in reference to an opportunity to receive 50% of the funds to purchase Active Shooter Plate Carriers for all SPD Officers. The purpose of this project would be to provide our officers with additional ballistic protection beyond what the soft armor they currently wear. This hard armor plates can defeat ballistic threats that soft armor cannot and are typically utilized in response to active shooters, barricade suspects and other such threats where additional ballistic protection is advantageous.

Budget Impact: Approximately \$8,000.00, as required matching funds. This funds will come from the Seized Fund Account and have no impact on the General Fund.

Council Person and District: All

Attachments: Quotes from 3 separate vendors for Active Shooter Plate Carriers.

Quotation

Clyde Armory Inc

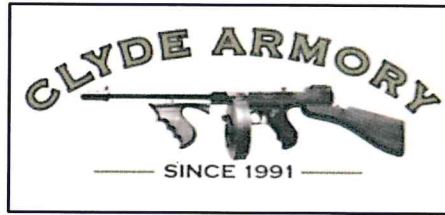
4800 Atlanta Highway

Athens, GA 30606

706-549-1842

www.clydearmory.com

January 13, 2017



Rob Bryan
Statesboro PD

| Salesperson | Email | Telephone | Quote valid for |
|-------------|--|-------------------|-----------------|
| Robert Ford | rob@clydearmory.com | 706-549-1842 X210 | 90 Days |

| Qty | Description | Unit Price | Line Total |
|--------------|--|------------|---------------------|
| 75.00 | Condor MOPC Plate Carrier, Black | 54.00 | \$ 4,050.00 |
| 75.00 | SPARTAN Armor, AR500 Plates, Set of 2 Front and Rear, Shooters Cut, 10X12, Full Anti Spall Coating (Meets Level III protection IAW NIJ0101.06 standards) | 163.00 | \$ 12,225.00 |
| | Price includes freight | | |
| Total | | | \$ 16,275.00 |

Thank you for your business!

Aimpoint AAC Avon Colt CTS Daniel Defense Eotech Heckler and Koch
LMT Magpul Mossberg Penn Arms Smith and Wesson Streamlight Surefire Trijicon
Steiner

Credit card payments are accepted with a 3% admin fee
End user agrees to Net 30 terms on receipt of product and invoice



QUOTE

4450 60th Avenue North
 St Petersburg FL 33714
 727-526-5451
 WWW.SRTSUPPLY.COM

Entered By: KRO

Bill To: STATESBORO POLICE DEPARTMENT
 22 W. GRADY ST.
 Statesboro GA 30458

Ship To: STATESBORO POLICE DEPARTMENT
 ATTN: ROB BRYAN
 25 W. GRADY STREET
 Statesboro GA 30458

Phone: 912-489-8217 Fax: 912-764-8363

| Invoice # | Order # | Customer # | Customer P.O. # | Terms | Salesperson |
|------------|----------|---|-----------------|-------------|----------------------|
| Invoice Dt | Order Dt | | | | Ship Via |
| 02/27/17 | 02/27/17 | 100091 | 1515 | NET 30 DAYS | 151 |
| Units | U/M | Item Description | Disc | Unit Price | UPS GROUND Amount |
| 75 | EA | ***** QUOTATION ***** MISCITEMS MISCELLANEOUS TACTICAL ITEMS HIGHCOM SECURITY-RAK-CAP- AR500, Trooper CAP PLate Carrier Black One Size, Guardian AR500 10x12 SC(1) + 10x12 FC(1) | | 234.990 | 17,624.25 |
| | | Subtotal | | | 17,624.25 |
| | | SHIPPING FEE | | | 390.00 |
| | | Quote Total | | | 18,014.25 |

All Returns Are Subject to a 15% Restocking Charge
 ITEMS LISTED ON THIS DOCUMENT MAY REQUIRE A UNITED STATES GOVERNMENT
 FOR EXPORT. EXPORTING CONTROLLED ITEMS WITHOUT A LICENSE IS PROHIBITED BY LAW.
 PRICES ARE EFFECTIVE FOR 30 DAYS FROM THE DATE OF QUOTE UNLESS OTHERWISE QUOTED.



**SAFETY & SECURITY
INTERNATIONAL**

Quote

Date:
November 10, 2016

To:
Statesboro PD

| Item | Description | QTY | Unit | Price |
|-----------|------------------------------|-----|--------------|--------------------|
| CAG AR500 | Level III Stand Alone, 10x12 | 148 | \$75.00 | \$11,100.00 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | Total | \$11,100.00 |
| | | | | |
| | | | | |

Thank you for your business!



**SAFETY & SECURITY
INTERNATIONAL**

Quote

Date:
November 10, 2016

To:
Statesboro PD

| Item | Description | QTY | Unit | Price |
|--------------|-------------------------------|-----|---------|------------|
| LBT-PC-BLK | LBT Black Carriers w ID Panel | 74 | \$75.00 | \$5,550.00 |
| Total | | | | \$5,550.00 |
| | | | | |
| | | | | |
| | | | | |

Thank you for your business!

Safety & Security International 4270 Piedmont Parkway, Suite 102 336-285-8673 sales@safesecint.com

RESOLUTION 2017-13
A RESOLUTION TO ACCEPT ACTIVE SHOOTER PLATE CARRIER AND
BALLISTIC PLATES GRANT

FOR THE CITY OF STATESBORO, GEORGIA

THAT WHEREAS, on **February 14th, 2017** the City of Statesboro received a **\$8,000.00 Grant for Active Shooter Plate Carriers and Ballistic Plates** administered by the **Statesboro Police Officers Foundation (SPOF)**, the Grant Number is **SPOF 2017-01**, funding **50%** of the purchase of Active Shooter Plate Carriers and Ballistic Plates of the projects anticipated total cost as per the attached documents; and **SPOF** announced the availability of this **matching grant**, which may be utilized **Active Shooter Plate Carriers and Ballistic Plates**; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Statesboro, Georgia in regular session assembled this the 21st of March, 2017 hereby accepts the **Grant for Active Shooter Plate Carriers**.

Adopted this 21st of March, 2017.

CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

RESOLUTION 2017-14

A Resolution of the City Council of the City of Statesboro declaring Statesboro as a Safe Inclusive and Welcoming City for All People.

WHEREAS: The City of Statesboro is committed to inclusion as a fundamental aspect of our community; and

WHEREAS: cities and towns are the best place to make inclusiveness an everyday priority; and

WHEREAS: local elected officials can and should lead the way forward in making inclusiveness a priority in America's cities and towns; and

WHEREAS: an inclusive community promotes equal opportunity and fairness; and

WHEREAS: an inclusive community promotes citizen participation and engagement; and

NOW, THEREFORE, BE IT RESOLVED: The City of Statesboro hereby reaffirms our commitment to inclusion as a fundamental aspect of our community, pledges active efforts to seek to achieve that goal and urges all citizens of The City of Statesboro to join together to support this effort.

RESOLVED this 21st day of March, 2017

CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

ROY THOMPSON
Chairman
JAPPY STRINGER
Commissioner
WALTER GIBSON
Commissioner
RAY MOSLEY
Commissioner
ROBERT RUSHING
Commissioner
ANTHONY D. SIMMONS
Commissioner
CURT DEAL
Commissioner



THOMAS M. COUCH
County Manager
WHITNEY RICHLAND
Chief Financial Officer
JEFF S. AKINS
Chief Legal Counsel
OLYMPIA GAINES
Clerk of the Board

BULLOCH COUNTY BOARD OF COMMISSIONERS

March 13, 2017

Mayor and City Council
City of Statesboro
50 East Main Street
Statesboro, Georgia 30458

SUBJECT: BULLOCH COUNTY CDBG PRE-APPLICATION PUBLIC HEARING NOTICE

Dear Mayor and City Council:

The Bulloch County Board of Commissioners is currently preparing an application to the Department of Community Affairs (DCA) for a Community Development Block Grant (CDBG) for the purpose of building an approximately 5,000 square foot Senior Citizen's Activity Center. The proposed site is a County-owned vacant lot located at the corner of Granade Street, Inman Street, and East Grady Street inside the City of Statesboro (see attached location map). The current Senior Citizen's Activity Center is located on Denmark Street and is operated by Concerted Services, Inc., under contract with the Regional Commission's Area Agency on Aging. If funded, the new center will replace the Denmark Street location and Concerted Services, Inc. will continue to be the operating agent.

As part of the application process, the Bulloch County Board of Commissioners will be conducting a public hearing during the next regularly scheduled Commissioners Meeting to obtain citizen input and respond to any questions or concerns. A Public Hearing notice was posted in the Statesboro Herald on Sunday, March 12, 2017 and signs will be erected on the subject property to encourage citizen participation at the public hearing. Please allow this letter to serve as your invitation to attend the public hearing, if so desired, which is scheduled for Tuesday, March 21, 2017 at 8:30 A.M. in the Commissioners Meeting Room in the North Main Annex located at 115 North Main Street. We look forward to seeing you there.

Respectfully,

Cindy Steinmann
Management Analyst

cc: Tom Couch, County Manager



Proposed Senior Citizens Center

GRANITE ST

GRADY ST

INMAN ST

CLAIRBORNE AV

1 inch = 75 feet

<March __, 2017>

The Honorable Camila Knowles, Commissioner
Georgia Department of Community Affairs
60 Executive Park South, NE
Atlanta, GA 30329

RE: CDBG Application Support Letter – Bulloch County Senior Center

Dear Commissioner Knowles,

I write in support of an application by the Bulloch County Board of Commissioners for \$750,000 grant from the Community Development (CDBG) program for a project that consists of the construction a new Senior Citizens Center in Statesboro (Bulloch County), Georgia.

The City Council and I are in full support of the project. A new senior center facility will produce many positive effects for our community. The new facility and location will:

- 1) meet a need for additional quality space for aging services needed by older adults to continue to live and thrive independently;
- 2) provide better access and programming for services that include home-delivered and congregate meals, caregiver support, preventive health services, transportation, job training, elder abuse prevention, and so much more;
- 3) provide quality infill development complimentary to both the newer and existing neighborhood uses, after the closure and demolition of the former Bulloch Memorial Hospital in the late 1990's – it is ideally surrounded by a peaceful residential neighborhood mixed with medical and legal offices, and nearby shopping districts.

The funding of this grant will help assure our public investment toward our community elderly population is secured for the foreseeable future. I would greatly appreciate your careful consideration of this application by Bulloch County.

Sincerely,

Jan Moore
Mayor