



September 19, 2017 5:30 pm

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Mayor Jan Moore
3. Recognitions/Public Presentations
 - A) Recognition of Rob Bryan, Deputy Chief, earned his Bachelor's Degree in Criminal Justice from Reinhardt University in August.
 - B) Update on Hurricane Irma cleanup
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 09-05-2017 Council Minutes
 - b) 09-05-2017 Executive Session Minutes
6. Public Hearing and Second Reading of **Ordinance 2017-10** An Ordinance Amending Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages) Amendment of 6-6 to fix codifying error and allow for more Council licensure discretion.
7. Public Hearing and Second Reading of **Ordinance 2017-11**: An Ordinance to revise Chapter 6 of the City Code of Ordinances to allow brew pubs to offer package sales in accordance with new Georgia Law.
8. Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-02: Adam Tsang requests a variance from Article XV of the Statesboro Zoning Ordinance for 1.2 acres of property located at 727 Buckhead Drive regarding the maximum height and maximum square footage allowed for a freestanding sign in sign district 3 (Tax Parcel # MS84 000102 07A).
9. Public Hearing and Consideration of a Motion to Approve: APPLICATION # CUV 17-01-01: Carol Lind Mooney requests a conditional use variance from Article II of the Statesboro Zoning Ordinance for 1.46 acres of property located at 207 Lee Street to utilize the property as a drug rehabilitation center (Tax Parcel S51 000009 000).
10. Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 17-07-04: Steve Herndon requests a zoning map amendment from HOC (Highway Oriented Commercial) to CR (Commercial Retail) for .9 acres of property located at 6381 Burkhalter Road to construct a hotel (Tax Parcel MS88 000025 000).

11. Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-03: Steve Herndon requests a variance from Article XXIII Section 2301 of the Statesboro Zoning Ordinance regarding the buffer requirements for a 1.9 acre (combined) parcel located at Highway 67 and 6381 Burkhalter Road in the CR (Commercial Retail) zoning district to construct a hotel (Tax Parcels MS88 000026 007 and MS88 000025 000).
12. Public Hearing and Consideration of a Motion to Approve: APPLICATION # RZ 17-07-08: Five Points Stores requests a zoning map amendment from R6 (Single-Family Residential) to HOC (Highway Oriented Commercial) for a roughly .344 acre section of a parcel located at 2855 Northside Drive West to permit the construction of a convenience store (Tax Parcel S08 000057 000).
13. Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-07: Five Points Stores requests a variance from Article XI Section 1102 (D) of the Statesboro Zoning Ordinance regarding the minimum required setback for a .88 acre parcel zoned HOC (Highway Oriented Commercial) located at 2855 Northside Drive West (Tax Parcel S08 000057 000).
14. Public Hearing and Consideration of a Motion to Approve: APPLICATION # V 17-07-06: Five Points Stores requests a variance from Article X Section 1003 (F) of the Statesboro Zoning Ordinance regarding commercial street access to a primarily residential road for a .88 acre parcel located at 2855 Northside Drive West (Tax Parcel S08 000057 000).
15. Public Hearing and Consideration of a Motion to Approve: APPLICATION # T 17-07-05: The City of Statesboro recommends a text amendment to Article XV of the Statesboro Zoning Ordinance regarding the permitted districts in which projecting signs can be installed.
16. Consideration of a motion to award a contract to Shaw Hankins to provided brokerage services for health, life and disability insurance to the City of Statesboro.
17. Consideration of a Motion to approve **Resolution 2017-33**: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the Project Manager in the Planning and Development Department is hereby reclassified to a City Planner.
18. Consideration of a Motion to approve **Resolution 2017-34**: A Resolution to hereby further amend the Classification and Compensation Plan as follows, that the following positions in the Police Department are hereby reclassified one (1) Captain to Lieutenant, IT Specialist to Police Officer, and Public Relations Corporal to Detective.
19. Other Business from City Council
20. City Managers Comments

21. Public Comments (General)
A) Michael Czarnamski regarding towing fees

22. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
September 5, 2017**

A regular meeting of the Statesboro City Council was held on September 5, 2017 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Jan J. Moore, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn and John Riggs. Also present were City Manager Randy Wetmore, Deputy City Manager Robert Cheshire, City Clerk Sue Starling and City Attorney Cain Smith. Absent was Councilman Travis Chance.

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) Recognition of David Campbell, Assistant City Engineer, for obtaining a Certificate in Public and Nonprofit Management from Georgia Southern University.
- B) Recognition of Rob Bryan, Deputy Chief, earned his Bachelor's Degree in Criminal Justice from Reinhardt University in August.
- C) Recognition of Travis Kreun, Detective, earned his Bachelor's Degree in Criminal Justice from Reinhardt University in August.

City Engineer Brad Deal presented David Campbell with a certificate for completion of Public and Nonprofit Management from Georgia Southern University.

Police Chief Mike Broadhead said Deputy Chief Rob Bryan and Detective Travis Kreun were unable to attend but would be recognized at the following City Council Meeting.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) **Approval of Minutes**
 - a) **08-15-2017 Council Minutes**
 - b) **08-24-2017 Public Hearing Minutes (12:00 pm and 6:00 pm)**
- B) **Consideration of a motion to set the due date of December 20, 2017 for the City of Statesboro Property Tax Bills.**

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the consent agenda in its entirety. Councilman Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Public Hearing to solicit input regarding the setting of the millage rate for the calendar year 2017 ad valorem (property) taxes for the City of Statesboro.

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Mayor Moore reviewed the information from the last two public hearings regarding the millage rate.

At 9:15 a.m. Councilman Phil Boyum joined the meeting.

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

**A) Soyumi LLC
Adam Tsang
727 Buckhead Drive
Statesboro, Ga 30458**

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

No one spoke for or against the alcohol application.

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

Councilman Yawn made a motion seconded by Councilman Riggs to approve the alcohol license for Soyumi LLC. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

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

**A) Backcountry Enterprises LLC
DBA The Borough
Robert Cooch
1830 Chandler Road
Statesboro, Ga 30458**

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

No one spoke for or against the alcohol application.

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

Councilman Yawn made a motion seconded by Councilman Riggs to approve the alcohol license for Backcountry Enterprises LLC DBA The Borough. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

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

**A) Two Guys Discount Inc
DBA Two Guys Beverage & Tobacco
Michael Kay & Jason Palmer
3 College Plaza
Statesboro, Ga 30458**

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

No one spoke for or against the alcohol application.

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

Councilman Riggs made a motion seconded by Councilman Yawn to approve the alcohol license for Two Guys Discount Inc. DBA Two Guys Beverage & Tobacco. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing and First Reading of Ordinance 2017-10: An Ordinance amending Statesboro Code of Ordinances Chapter 6 (Alcoholic Beverages) Amendment of 6-6 to fix codifying error and allow for more Council Licensure discretion.

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

City Attorney Cain Smith gave an overview of the amendment of 6-6.

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

There was no action taken on the first reading.

Public Hearing and First Reading of Ordinance 2017-11: An Ordinance to revise Chapter 6 of the City Code of Ordinances to allow brew pubs to offer package sales in accordance with new Georgia Law.

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

City Attorney Cain Smith explained the revision of Chapter 6 that would allow brew pubs to offer package sales in accordance with the new Georgia Law.

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

Public Hearing and Second Reading of Ordinance 2017-12: An Ordinance amendment for Chapter 6 (Alcoholic Beverages) modifying the pricing provisions at Sec. 6-16.

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

City Attorney Cain Smith explained the details of this amendment to Section 6-16.

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

Councilman Yawn made a motion to approve Ordinance 201-12 with the removal of section 4 in the proposed ordinance. Councilman Boyum seconded the motion. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried with a 4-0 vote.

Consideration of a Motion to approve Resolution 2017-30: A Resolution ratifying the recommended disciplinary schedule for violations of City Alcohol Ordinance.

Councilman Boyum made a motion seconded by Councilman Riggs to approve Resolution 2017-30: A resolution ratifying the recommended disciplinary schedule for violations of City Alcohol Ordinance. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Resolutions 2017-31: A Resolution ratifying the appointment of Bradley A. McMahon as Assistant Solicitor for the Statesboro Municipal Court.

Councilman Riggs made a motion seconded by Councilman Yawn to approve Resolution 2017-31: a Resolution ratifying the appointment of Bradley A. McMahon as Assistant Solicitor for the Statesboro Municipal Court. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Resolution 2017-32: A Resolution setting the millage rate for ad valorem (property) taxes for the 2017 calendar year for the City of Statesboro, Georgia.

Councilman Jones made a motion seconded by Councilman Riggs to approve Resolution 2017-32 setting the millage rate for ad valorem (property) taxes for the 2017 to 7.308. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Consideration of a Motion to Approve Award of Contract to Peek Pavement Marking for the City Street Striping FY 2018 Project. Peek Pavement Marking's bid was in the amount of \$79,229.50, based on unit price extensions, however the Engineering Division requests approval to spent up to the budgeted amount of \$115,000.00 in order to install additional street striping.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the award of a contract to Peek Pavement Marking for the City Street Striping FY 2018 Project. Peek Pavement

Marking's bid was in the amount of \$79,229.50, based on unit price extensions, however the Engineering Division requests approval to spend up to the budgeted amount of \$115,000.00 in order to install additional street striping. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council: None

City Managers Comments: None

Public Comments (General): None

Consideration of a motion to enter into Executive Session to discuss "Real Estate" in accordance with O.C.G.A.

At 11:00 a.m. Councilman Yawn made a motion seconded by Councilman Boyum to enter into executive session. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried with 4-0 vote.

At 11:40 a.m. Councilman Riggs made a motion seconded by Councilman Boyum to exit into executive session. Councilman Boyum, Jones, Yawn and Riggs voted in favor of the motion. The motion carried with 4-0 vote.

Mayor Moore called the meeting back to order. No action was taken in Executive Session.

Consideration of a Motion to Adjourn

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

The meeting was adjourned at 11:40 am.

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 and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: September 13, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Code of Ordinances: Chapter 6 (Alcoholic Beverages)*
Amendment modifying the licensing restrictions at Sec 6-6

Recommendation: First Reading on September 5, 2017.

Background: Second Reading and Consideration

Budget Impact: None

Council Person and District: N/A

Attachments: Amended subsection and resolution

Ordinance 2017-10: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Chapter 6-6 Alcoholic Beverages of the Code of Ordinances, City of Statesboro, Georgia is hereby amended and shall read as follows:

Sec. 6-6. - When issuance prohibited.

Issuance of licenses and permits required under this Chapter is limited as set forth below.

(a) Restrictions. No license defined herein shall be issued to a person:

(1) who is not a citizen or legal resident of the United States;

(2) who is not at least 21 years of age prior to the date of application;

(3) who owes any debt or obligation to the City of Statesboro, including but not limited to excise taxes, occupational taxes, property taxes, or utility fees; or other fines.

(4) who indicates on the license application an intention to provide live nude performances on the premises or any other form of adult entertainment on the premises that requires an adult entertainment license pursuant to Article VII of Chapter 18 of the Code of Ordinances.

(b) Convictions; Pending violations. The term "conviction" as used in this paragraph shall include a finding or verdict of guilt, plea of guilty, or a plea of nolo contendere including also anyone currently on probation or otherwise currently under a court's supervision to avoid a judgment of guilt being entered under what is commonly referred to as "first offender sentence" or "pre-trial diversion program." When contrary to the public health and welfare, no license for the sale of alcoholic beverages shall be issued to any person or applicant where the applicant or any individual person having an ownership interest in the business:

(1) has been convicted within fifteen years immediately prior to the filing of the alcoholic beverage application with the City Clerk of any felony or for whom outstanding indictments, accusations or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred. If at the time of application, the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal;

(2) has been convicted within five years immediately prior to the filing of the alcoholic beverage application with the City Clerk of the violation (i) of any state or federal law pertaining to the manufacture, possession, transportation or sale of malt beverages, wine or intoxicating liquors, or the taxability thereof except a first conviction of selling alcohol to underage persons; (ii) of a crime involving moral turpitude; or (iii) of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident, or any misdemeanor serious traffic offense as defined in O.C.G.A. § 40-6-390 et seq., but excluding any first conviction for reckless driving or driving under the influence of alcohol or drugs in the past 10 years as measured from the date of arrest, or for whom outstanding indictments, accusations or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred. If at the time of application, the applicant is charged with any of the offenses prescribed in this subsection, consideration of the application shall be suspended until entry of a plea or verdict or dismissal;

(c) For 24 consecutive months immediately following the date of a license revocation, no person or any individual person having an ownership interest in the business whose license was revoked shall be eligible for renewal of or issuance of a license at the same location for which the previously revoked license was issued. Furthermore, during said 24-month period, no person or any individual person having an ownership interest in the business whose license was revoked shall be eligible to apply for any additional licenses.

(d) Except as provided in paragraph (e) below, for 24 consecutive months immediately following the date of a citation for any violation for selling alcohol to underage persons within a licensed premise, no application for change in ownership of the license at the same location where the violation occurred shall be allowed unless there is a 100 percent change in ownership and control between the old licensee and the new applicant. For purposes of this subparagraph, 100 percent change in ownership and control shall mean a 100 percent change in all individuals, partners, officers, directors,

shareholders, members, managers and/or all persons having any whole, partial, beneficial or other interest in the business where the alcoholic beverage license is located. 100 percent change in ownership and control shall not include a transfer in ownership and control to any person in the immediate family of any individuals, partners, officers, directors, shareholders, members, managers and/or any persons having any interest in the business where the alcoholic beverage license is located. The application for the alcoholic beverage license must be applied for and approved prior to the sale of the business. An alcoholic beverage license may not be issued until the new owner has established that the sale of the business is bona fide. The applicant for the new license must provide documentation concerning the sale, including but not limited to documentation concerning ownership of and all business interests in the old license in addition to documentation concerning the ownership of and all business interests in the new license, as requested by the City Clerk.

(e) For 24 consecutive months immediately following the date of a citation for any violation for selling alcohol to underage persons within a licensed premise, an application for less than 100 percent change in ownership and control between the old licensee and the new application shall be allowed only if the following requirements are met:

(1) The applicant for less than 100 percent change in ownership of the license at the same location where the violation occurred must agree as part of the application that any past violations for selling alcohol to underage persons within the licensed premise shall become part of the record of violations for the new business as if the new owners had been cited and found in violation. Such record of violations shall be taken into consideration in any future hearings against the new licensee.

(2) Such applications for less than 100 percent change in ownership shall be made prior to the sale of the business but after any pending citations for violations for selling alcohol to underage persons within the licensed premise are adjudicated.

(f) No person shall hold a license in any retail category hereunder and a license under any wholesale category at the same time.

(g) For twelve (12) consecutive months immediately following the revocation an alcoholic beverage license for a licensed premise, no alcoholic beverage license shall issue for the location of that licensed premises.

Jan J. Moore, Mayor

Sue Starling, City Clerk

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 and Sue Starling, City Clerk

From: Cain Smith, City Attorney

Date: September 13, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Revise Chapter 6 of City Code of Ordinances to allow brew pubs to offer package sales in accordance with new Georgia law.*

Recommendation: Alcohol Board approved 4-0

Background: First Reading on September 5, 2017

Budget Impact: None

Council Person and District: N/A

Attachments: Proposed ordinance and resolution

Ordinance 2017-11: An Ordinance Amending Chapter 6 of the Statesboro Code of Ordinances (Alcoholic Beverages)

WHEREAS, the City has previously adopted an ordinance regulating alcoholic beverages; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Chapter 6 (Alcoholic Beverages) of the Code of Ordinances, City of Statesboro, Georgia; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Section 6-3 Definitions:

Brew pub: Any restaurant in which beer or malt beverages are manufactured or brewed, subject to the barrel volume production and sales limitations prescribed in O.C.G.A. § 3-5-24.1 for retail consumption on and off the premises. A Class B license shall be required for off premises package sales. There is no requirement that brew pubs obtain a Class B license and offer package sales.

Sec. 6-8. - Regulations pertaining to certain classes of licenses only.

(a) Retail beer and wine by the package.

(1) Retail beer and wine by the package (Class B and C) shall be permitted in food stores, grocery stores, supermarkets, convenience food stores, and discount/general merchandise stores as an item incidental to the sale of foodstuffs, groceries, or other mercantile items. Retail beer by the package shall be permitted in brew pubs in accordance with O.C.G.A. §3-5-36 (4).

Jan J. Moore, Mayor

Sue Starling, City Clerk

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: September 7, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Variance*

Recommendation: Staff recommends approval of the variance requested by application V 17-07-02.

Background: Adam Tsang requests a variance from Article XV of the Statesboro Zoning Ordinance for 1.2 acres of property located at 727 Buckhead Drive regarding the maximum height and maximum square footage allowed for a freestanding sign in sign district 3 (Tax Parcel # MS84 000102 07A).

Budget Impact: None

Council Person and District: Travis Chance (District 5)

Attachments: Development Services Report V 17-07-02



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 17-07-02
VARIANCE REQUEST
727 Buckhead Drive

LOCATION: 727 Buckhead Drive

REQUEST: Variance from Article XV Section 1509(C) Table 5 of the *Statesboro Zoning Ordinance* regarding maximum height and the maximum square footage allowed for a freestanding sign in Sign District 3.

APPLICANT: Adam Tsang

OWNER(S): Carey Hilliards Drive-in Restaurants, Inc.

ACRES: 1.2 acres

PARCEL TAX MAP #: MS84 000102 07A

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 height allowed for a freestanding sign and the maximum square footage allowed in Sign District 3. The customer proposes the installation of a 21.58 feet tall freestanding sign totaling 72.8 square feet at the intersection of Brannen Street and Buckhead Drive. The customer has installed two (2) circular logo building signs and one 41.83 square feet building sign (See **Exhibit A** – Location Map and **Exhibit B** – Future Development Map). The maximum allowed height in Sign District 3 is eight (8) feet and the maximum sign area allowed for a freestanding sign is 60 square feet.

BACKGROUND:

The location originally housed the Carey Hilliard's restaurant. In June 2009, a sign permit was approved for the installation of a 20' tall freestanding sign at the intersection of Brannen Street and Buckhead Drive. At the time of approval, it appears the maximum height allowed was 20' for a freestanding sign. In addition, the permit was reviewed May 29, 2009 and a permit issued June 3, 2009. These dates fall within the period of exemption from the ordinance for existing signs and created a non-conforming condition, pursuant to Article XV Section 1513(A) (See **Exhibit C**—Section 1513 Existing and Nonconforming Signs). Despite this, per Article XV Section 1513(B) of the *Statesboro Zoning Ordinance*, nonconforming signs may not be removed or substantially altered and maintain their nonconforming status (See **Exhibit C**—Section 1513 Existing and Nonconforming Signs).

Today, the site is governed by Sign District 3, in which the maximum height allowed for a freestanding sign is 8 feet and the maximum sign area allowed is 60 square feet. Sometime after the closure of Carey Hilliard's, the branded portion of the sign was removed, while the changeable copy sign and pylon remained. Per Article XV Section 1513(B), this significant alteration revoked the sign's nonconforming status and future alterations are required to meet the ordinance's standards (See **Exhibit C**—Section 1513 Existing and Nonconforming Signs).

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	CR (Commercial Retail)	Food Service Facilities and Personal Service Facilities
SOUTH:	CR (Commercial Retail)	Food Service Facilities, Personal Service Facilities and Retail or Wholesale Facilities
EAST:	CR (Commercial Retail)	Vacant Parcel
WEST:	CR (Commercial Retail)	Vacant Parcel

The subject property is located in the CR (Commercial Retail). Surrounding parcels include mixed uses, such as restaurants, retail shops, and vacant parcels (See **Exhibit A** – Location Map, **Exhibit B**—Future Development Map, **Exhibit D**—Site and Surrounding Property Photos and **Exhibit E**—Proposed Signage Plans).

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).

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. **Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimensional Standards to permit an increase in the maximum height and maximum square footage for a freestanding sign.**

The applicant is requesting a variance from Article XV (Signs) Section 1509(C) Table 5 regarding the maximum height and total square feet allowed for a freestanding sign. 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 F**—Section 1509(C) Table 5).

Sign District 3 allows for a maximum 8 feet in height for freestanding signs. The applicant’s intention is to increase the maximum height for a freestanding sign from 8 feet to 21.58 feet. In addition, the applicant would like to increase the maximum allowed square footage for a freestanding sign from 60 square feet to 72.8 square feet.

The applicant’s building sign was approved August 1, 2017, has been installed and meets the regulatory requirements at 41.83 square feet. The applicant also installed two (2) circular logo wall signs to the southwest and north facing walls, which total 30.34 square feet. The addition of the freestanding sign would increase the site’s aggregate square footage to 153.12 square feet, which is well within the maximum 300 square feet aggregate sign area for a site with two (2) frontages.

Sign District 3 Regulations	Applicant’s Request	Permitted
Freestanding Signs: One sign structure per road frontage not to exceed 60 square feet and 8 feet in height	One (1) 72.8 square feet freestanding sign	Temporary sign permitted
Building Signs: One per building elevation not to exceed 50 square feet for a wall length 100 feet or less	One (1) 41.83 square feet building sign and two (2) circular 15.17 logo square feet building signs	One (1) 41.83 square feet building sign See Exhibit D

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;**
 - The existing pylon is installed below street level due to a change in grade. According to a stormwater management report created for the original construction of Carey Hilliard’s, “the developed site slopes at a rate of 2-4% southwest toward the creek [Little Lotts Creek]. It ranges from elevation 216 in the northeast corner to 189 in the southern parcel” (See **Exhibit G**—Miller-McCoy, Inc. Stormwater Management Report).
- 2. The special conditions and circumstances do not result from the actions of the applicant;**
 - 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**
 - The application of the ordinance to this particular piece of property would create an unnecessary hardship. The natural slope of the property, the parcel’s location and the existence of competing signs in the area would have a negative impact on the applicant’s sign exposure if installed in accordance with the ordinance at a maximum eight (8) feet high. In addition, the existing pylon is twelve (12) feet in height.
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
 - Relief, if granted, would not cause substantial detriment to the public good. The original pylon installation was 20 feet in height.

STAFF RECOMMENDATION:

Staff recommends approval of the variances requested by application V 17-07-02. The subject site has visible and documented changes in grade that would negatively impact visibility if the sign were installed in accordance with the ordinance.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting held Tuesday, September 5, 2017, the Planning Commission voted 7 to 0 to approve the variance requested by application V 17-07-02.

EXHIBIT A: LOCATION MAP



EXHIBIT B: FUTURE DEVELOPMENT MAP

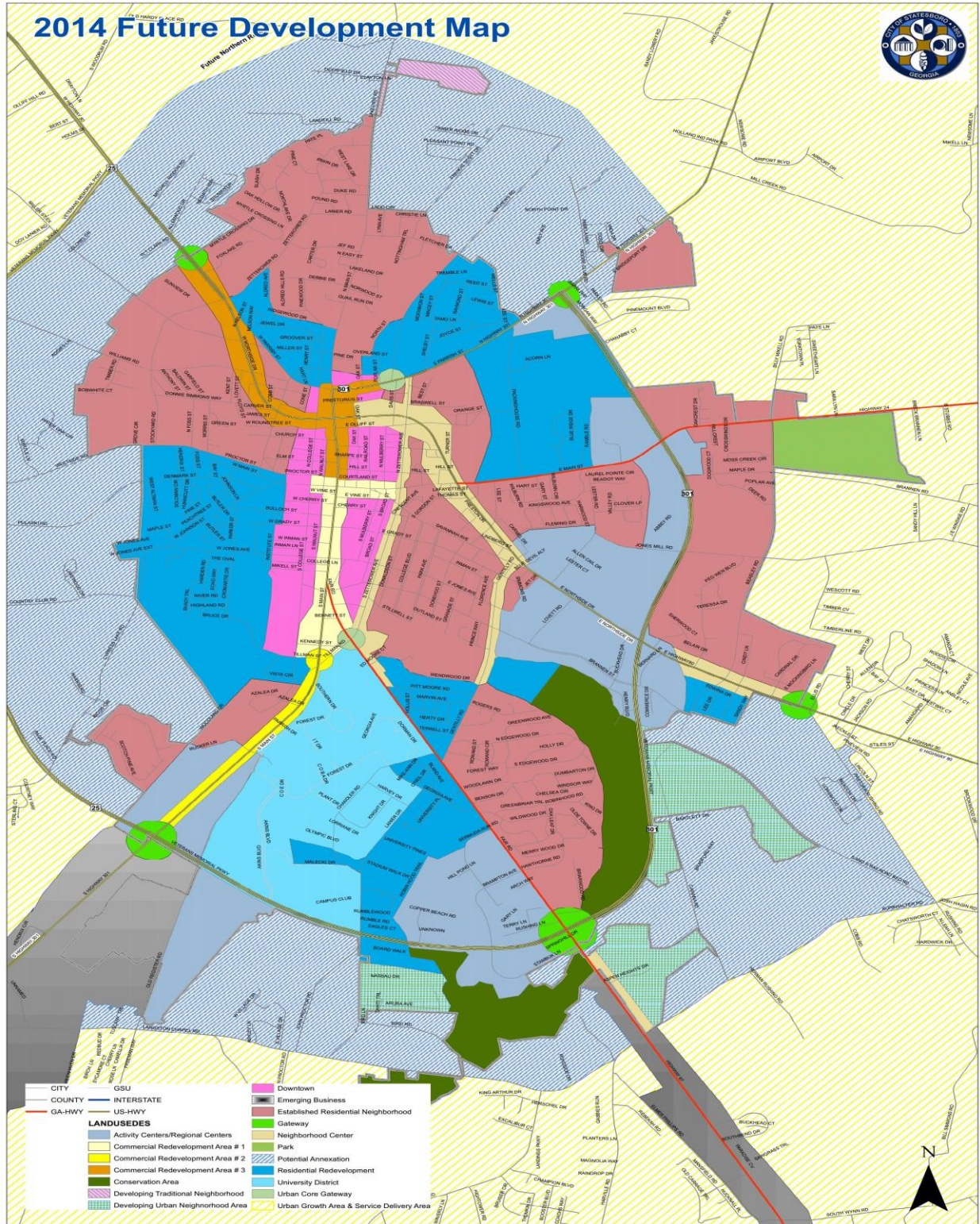


EXHIBIT C: ARTICLE XV SECTION 1513 AND SECTION 1514

- I. *Historic area locations prohibited.* No outdoor advertising sign shall be placed in or obstruct the view of an area of designated historical site in the city. No billboard shall be placed within 500 feet of a designated historical district or site. Historical districts and sites shall be listed in the state or national register.
- J. *Expiration of approval.* The approval for the placement of a billboard shall be void if the applicant fails to obtain a building permit within six (6) months from the date of authorization thereof or to complete erection of the billboard within six months of obtaining a permit.

Section 1512. Design, construction, and maintenance.

- A. All signs shall be designed, constructed, and maintained in accordance with the applicable provisions of the Standard Building Code and National Electrical Code as adopted by the city. All signs must be designed to withstand winds of 105 miles per hour.
- B. With the exception of temporary, special event or spectacular and window signs, all signs shall be constructed of permanent materials and permanently attached to the ground, building or any other structure.
- C. All signs shall be maintained in good structural condition, aesthetically pleasing in appearance, and in compliance with all building and electrical codes. The following are some examples of deficiencies which reflect a lack of care: rust spots; loose boards; paint or lettering faded; paint chipping or peeling; lights not working or burned out; colored or transparent panels used with backlighting which are missing, broken, faded or damaged; inspection plates loose or missing; or overall sign appearance not consistent with the other signs in the general area.

Section 1513. Existing and nonconforming signs.

- A. *Existing signs.* Signs existing and in place at the time of enactment of this ordinance [article] which were legal at the time of erection but are not in compliance with the requirements hereof are nonconforming signs. Nonconforming signs existing as of June 16, 2009, shall be exempt from fees or the requirement to apply for a permit. However, the use of any temporary or portable sign existing at the time of passage of this ordinance shall be continued or considered a nonconforming sign and not subject to the provisions of this section only for 90 days, but shall not be continued or considered a nonconforming use thereafter and shall be removed. The bolting down of signs by their construction and nature designed to be temporary shall not henceforth qualify a sign for consideration as a nonconforming sign. Any person who had a portable changeable copy sign in place on their premises at the time of enactment of this sign ordinance and which must be removed within 90 days of enactment of this ordinance, shall have a grace period of 18 months from enactment of this ordinance in which they may add a changeable copy sign as part of a significant structural alteration to an existing sign without the existing sign losing its status as a nonconforming and existing sign in the event the addition causes the existing sign to exceed the height and size restrictions of this ordinance.
- B. *Nonconforming signs.* Nonconforming signs once removed may not be replaced by signs that do not comply with the requirements of this ordinance [article]. Nonconforming signs may not be renovated in such a manner that significantly alters the nature of the sign and said sign remains in noncompliance with the requirements of this ordinance [article] following renovation. The

City of Statesboro, Georgia Zoning Ordinance

XV-20

EXHIBIT D: SITE AND SURROUNDING PROPERTY PHOTOS



Picture 1: Eastern Wall of Subject Site Facing Buckhead Drive



Picture 2: Southwest Facing Wall Depicting Installed Circular Logo Sign

EXHIBIT D: SITE AND SURROUNDING PROPERTY PHOTOS (CONT)



Picture 3: Southwest Facing Wall Depicting Installed Circular Logo Sign



Picture 4: Existing Pylon and Changeable Copy Freestanding Sign Depicting Temporary Sign Facing South East

EXHIBIT D: SITE AND SURROUNDING PROPERTY PHOTOS (CONT)



Picture 5: Subject Site Depicting Natural Slope Adjacent to Brannen Street



Picture 6: Subject Site Depicting Natural Slope Adjacent to Brannen Street

EXHIBIT D: SITE AND SURROUNDING PROPERTY PHOTOS (CONT)



Picture 7: Freestanding Sign Location Compared to Competing Signs and Traffic Lights

EXHIBIT E: PROPOSED SIGNAGE PLANS

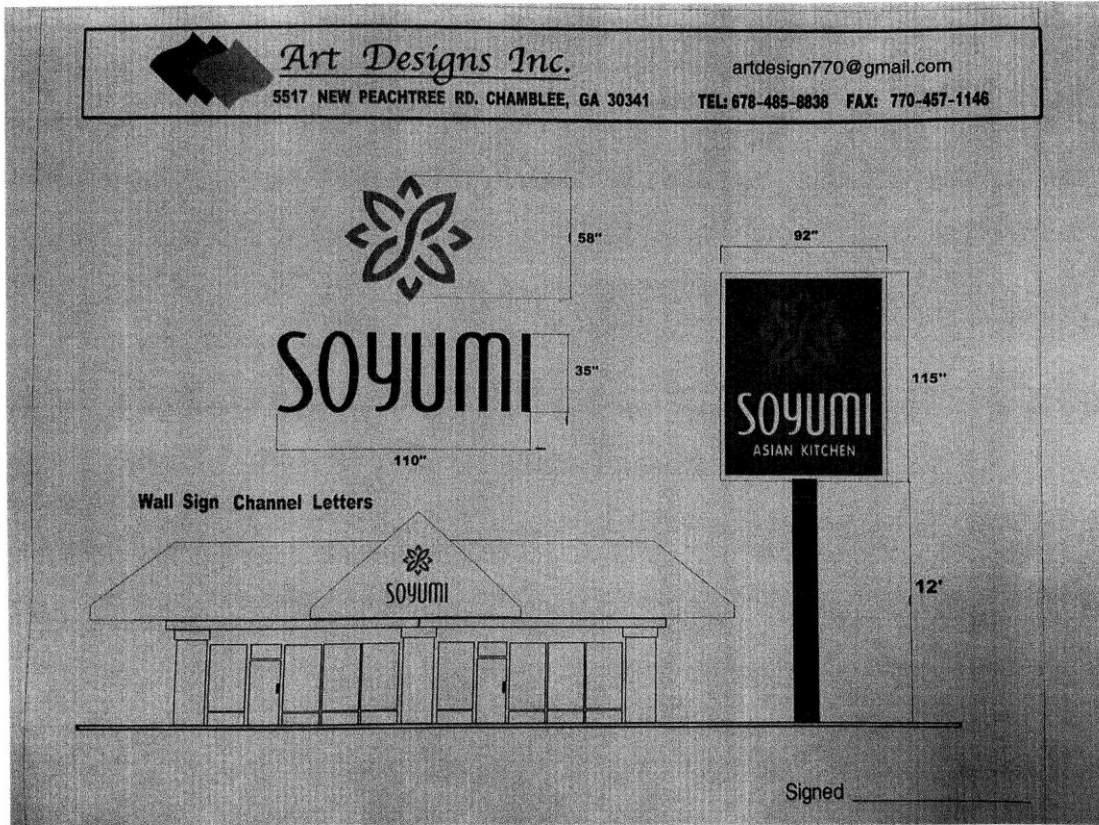


EXHIBIT F: SECTION 1509 TABLE 5

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
<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.</p> <p>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</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 G: MILLER-MCCOY, INC. STORMWATER MANAGEMENT REPORT

1. INTRODUCTION

Statesboro Crossing is a proposed commercial development located on a 28.68 acre parcel and a 21.36 acre parcel southwest of the Brannen Street and Veterans Memorial Parkway intersection in Statesboro, Georgia. The site is under the jurisdiction the City of Statesboro. This report, in conjunction with the construction plans, is meant to demonstrate that the design is consistent with the rules and regulation of this jurisdiction.

2. EXISTING CONDITIONS

2.1 Site Characteristics

Currently the site vacant, but it is zoned for commercial use. The developed area consists of two drainage basins, each ultimately draining to Little Lotts Creek along the southern property line. The ground cover of Basin 1 consists of 18.4 acres of open pasture, 8.88 acres of wood lands and a small amount of off-site drainage from Veterans Memorial. The ground cover of Basin 2 consists of 1.3 acres of open pasture, 7.62 acres of wood lands and a small amount of off-site drainage from Veterans Memorial. Exhibit A shows the existing drainage basins and land cover. The site also contains approximately 18.8 acres of wetlands. Wetland information and impacts are addressed in an environmental report by others. **The developed site slopes at a rate of 2-4% southwest towards the creek. It ranges from elevation 216 in the northeast corner to 189 in the southern parcel.**

2.2 Soil Information

A soil map, included in Appendix A, depicts the various soil types found on site. The northern parcel is comprised mostly of Cowarts Loamy Sand, Carnegie Loamy Sand, and Fuquay Loamy Sand. The southern parcel is comprised mostly of Albany Sand and Pelham Loamy Sand. All of these soil types belong to Hydrologic Soil Group C.

2.3 Hydrology

The site is in the Little Lotts Creek Basin. The on-site soils are Hydrologic Soil Group C therefore a curve number of 74 was used for good pasture areas and a curve number of 70 was used for good forest areas. The time of concentration for the site is about 40 minutes and was computed using TR55. Exhibit A shows the flow path used to calculate the time of concentration. A hydrologic analysis was performed for the predevelopment conditions using "HydroCAD-8" computer program. The SCS method (type 2 storm) was used to evaluate the predevelopment discharge for the 2 year, 5 year, 10 year, 25 year, 50 year, and 100 year, 24-hour storm events. The hydrographs are attached in Appendix B and the results are listed in Tables 3 and 4 in Section 3.4 of this report.

2.4 Floodplains & Floodways

STORMWATER MANAGEMENT REPORT

MILLER-MCCOY, INC

915 CREEKSIDE RD CHATTANOOGA, TN 37406

CBL & ASSOCIATES PROPERTIES, INC.

TEL. 423.698.2661

CITY OF STATESBORO

COUNCIL

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



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

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: September 7, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Conditional Use Variance*

Recommendation: Staff recommends approval of the variance requested by application CUV 17-01-01.

Background: Carol Lind Mooney requests a conditional use variance from Article II of the Statesboro Zoning Ordinance for 1.46 acres of property located at 207 Lee Street to utilize the property as a drug rehabilitation center (Tax Parcel S51 000009 000).

Budget Impact: None

Council Person and District: Phil Boyum (District 1)

Attachments: Development Services Report CUV 17-01-01



City of Statesboro-Department of Planning and Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

CUV 17-01-01
CONDITIONAL USE VARIANCE REQUEST
207 LEE STREET

LOCATION: 207 Lee Street

REQUEST: Request for a conditional use variance from Article V of the *Statesboro Zoning Ordinance* for 1.46 acres of property located at 207 Lee Street to utilize the property as drug rehabilitation center (Tax Parcel # S51 000009 000).

APPLICANT: Summit BHC Statesboro, LLC

OWNER(S): Carol Lind Mooney

ACRES: 1.46 Acres

PARCEL TAX MAP #: S51 000009 000

COUNCIL DISTRICT: 1 (Boyum)



PROPOSAL:

The applicant is requesting a conditional use variance to utilize 207 Lee Street (Tax Parcel S51 000009 000) as a drug rehabilitation center for a maximum of nineteen (19) unrelated adults. The subject site is currently zoned R-15 (Single-Family Residential) and the *Statesboro Zoning Ordinance* does not address or define group homes, personal care homes or recovery residences or designate an appropriate zoning district for such uses. In addition, Article II of the *Statesboro Zoning Ordinance* states that a family in the R-15 zoning district may not consist of more than three (3) unrelated persons (See **Exhibit A** – Location Map).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R15 (Single-Family Residential)	Single-family detached dwelling units
SOUTH:	R15 (Single-Family Residential)	Single-family detached dwelling units
EAST:	R15 (Single-Family Residential)	Single-family detached dwelling units
WEST	R15 (Single-Family Residential)	Single-family detached dwelling units

Properties to the north, south, east and west are predominantly single-family detached dwelling units, with the exception of Statesboro Floor Covering Services and Temple Baptist Church to the northeast. (See **Exhibit B**—Photos of Subject Site and Surrounding).

BACKGROUND:

In 1998, Carol Lind Mooney requested a special use variance to utilize 207 Lee Street as a women’s recovery residence, which Council approved July 21, 1998, pursuant to case number CUV 98-07-02. The “special use” variance granted to Ms. Mooney in 1998 is non-transferable (See **Exhibit C**—CUV 98-07-02 judgment letter) and at this time Summit BHC Statesboro, LLC would like to purchase the subject property and continue the current use.

COMPREHENSIVE PLAN:

The subject site lies within the “Established Residential Neighborhood” character area and adjacent to the “Neighborhood Center” 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:

“The traditional residential neighborhoods in the Established area were developed from the late 19th to mid 20th [sic] century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.”

Appropriate land uses include:

- Neighborhood-scale retail and commercial
- Neighborhood services
- Small-lot single family residential
- Small-scale office
- Garage apartments

Suggested Development & Implementation Strategies

- Provide support for the creation of neighborhood associations and provide continued support for these organizations once established through the development of initiatives to address unique neighborhood issues/characteristics.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 19.

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property is currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or 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. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

Section 2007 of the *Statesboro Zoning Ordinance* provides eight (8) standards for the Mayor and City Council to consider “in making its determination” regarding a zoning map amendment and “balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.” Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council’s consideration of the application:

- 1.) Existing uses and zoning or [of] property nearby.
- 2.) The extent to which property values are diminished by the particular zoning restrictions.
- 3.) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
 - a. The variance is needed in order to provide rehabilitative services to an adult population.
- 4.) The relative gain to the public, as compared to the hardship imposed upon the property owner.
- 5.) The suitability of the subject property for the zoned purposes.
 - a. The subject site is suitable for the proposed use and could still be used as a single-family residence should this use, if granted, cease.
- 6.) 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.
- 7.) The extent the proposed change would impact the following:

- a. **Population density in the area.**
 - i. The request would add nineteen (19) additional persons to the area.
 - b. **Community facilities.**
 - c. **Living conditions in the area.**
 - d. **Traffic patterns and congestion.**
 - e. **Environmental aspects.**
 - f. **Existing and future land use patterns.**
 - g. **Property values in adjacent areas.**
- 8.) **Consistency with other governmental land use, transportation and development plans for the community.**

In addition to the standards for determination outlined in Section 2007, the Mayor and Council will consider the following factors established by Article XXIV Section 2406 of the *Statesboro Zoning Ordinance*:

- 1.) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- 2.) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- 3.) 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.
- 4.) Public facilities and utilities are capable of adequately serving the proposed use.
- 5.) The proposed use will not have a significant adverse effect on the level of property values or the general character of the area.
- 6.) 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.
- 7.) 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.

O.C.G.A § 36-66-4(f) requires that municipalities hold a public hearing on proposed zoning decisions that will allow the location or relocation of a drug rehabilitation center, or other facility for treatment of drug dependency at least six months and not more than nine months prior to the date of the final action on the zoning decision.

STAFF RECOMMENDATION:

Staff recommends approval of the use requested by application CUV 17-01-01.

PLANNING COMMISSION RECOMMENDATION:

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

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: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES



Picture 1 Entrance to Subject Site Facing West



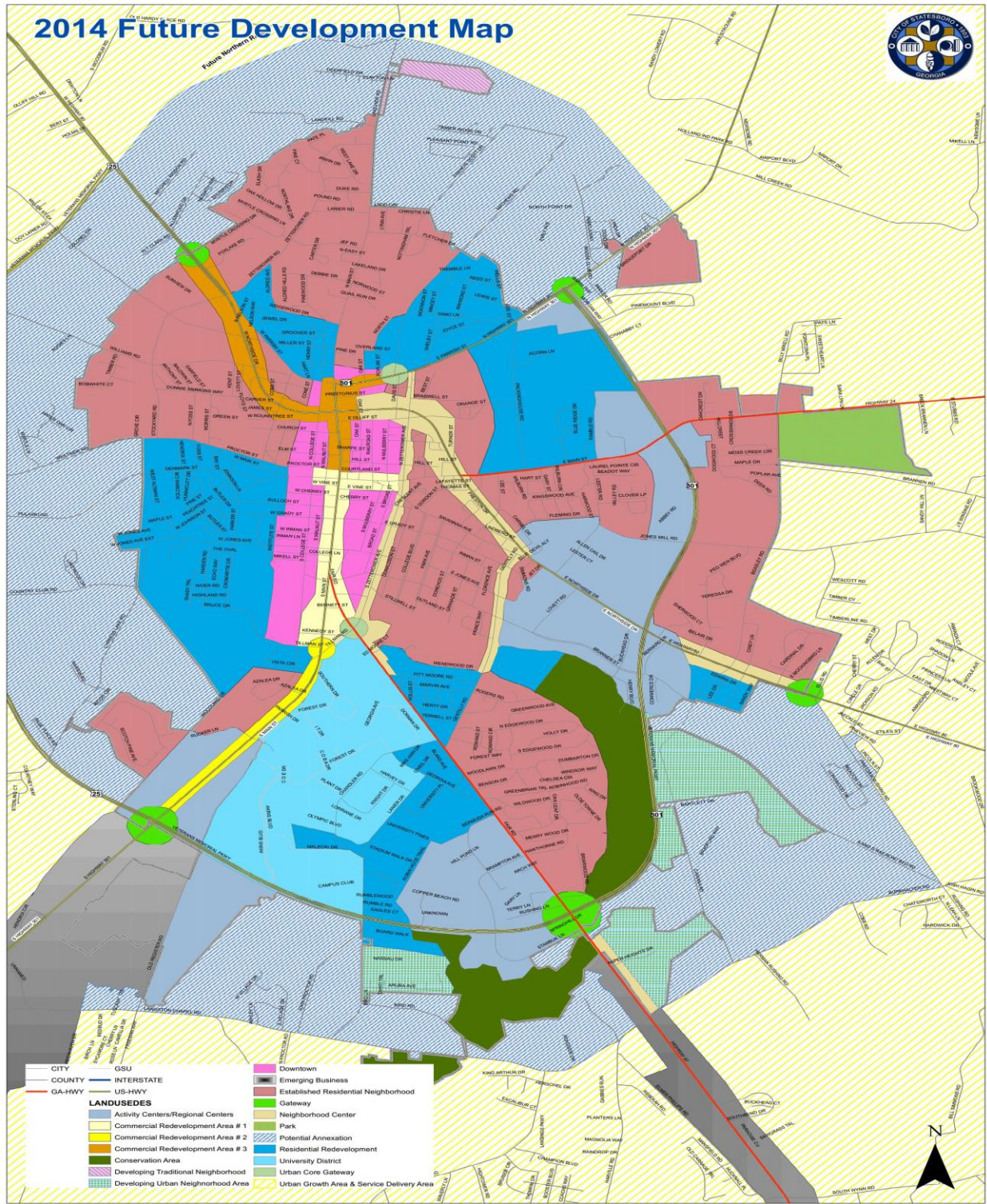
Picture 2 Subject Site facing West Depicting the Group Home

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



Picture 3 Subject Site Parking Area

EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP



CITY OF STATESBORO

COUNCIL

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



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

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: September 7, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment and Variance*

Recommendation: Staff recommends approval of the zoning map amendment and variance requested by application RZ 17-07-04 and V 17-07-03.

Background: Steve Herndon requests a zoning map amendment from HOC (Highway Oriented Commercial) to CR (Commercial Retail) for .9 acres of property located at 6381 Burkhalter Road to construct a hotel (Tax Parcel MS88 000025 000) and a variance from Article XXIII Section 2301 of the Statesboro Zoning Ordinance regarding the buffer requirements for a 1.9 acre (combined) parcel located at Highway 67 and 6381 Burkhalter Road in the CR (Commercial Retail) zoning district to construct a hotel (Tax Parcels MS88 000026 007 and MS88 000025 000).

Budget Impact: None

Council Person and District: Travis Chance (District 5)

Attachments: Development Services Report RZ 17-07-04 and V 17-07-03



City of Statesboro-Department of Planning and Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

RZ 17-07-04 & V 17-07-03
ZONING MAP AMENDMENT AND VARIANCE REQUESTS
6381 Burkhalter Road & Highway 67

LOCATION: 6381 Burkhalter Road & Highway 67

REQUEST: Rezone from HOC (Highway Oriented Commercial) to CR (Commercial Retail) to permit the construction of a new hotel; variance from Article XXIII Section 2301 regarding installation of side yard and rear yard buffers.

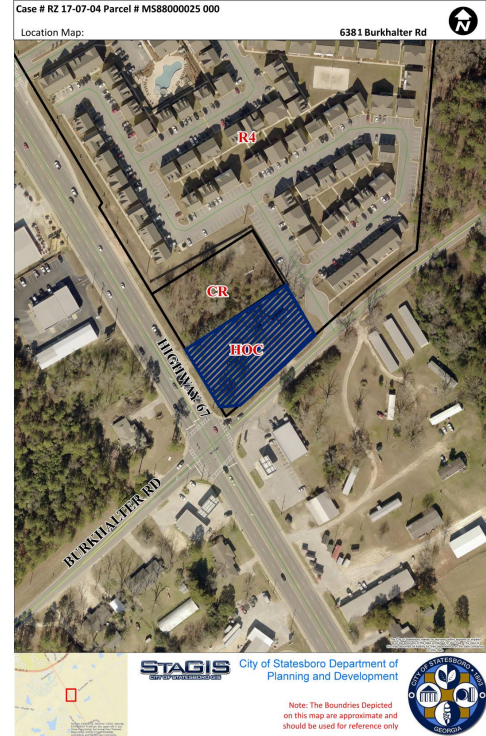
APPLICANT: Steve Herndon

OWNER(S): Wendell C Hodges and Miriam H Hodges

ACRES: 1.9 acres combined

PARCEL TAX MAP #: MS88 000025 000 and MS88 000026 007

COUNCIL DISTRICT: 5 (Chance)



PROPOSAL:

The applicant is requesting a zoning map amendment from HOC (Highway Oriented Commercial) to CR (Commercial Retail) for one .9 acre parcel (Tax Parcel MS88 000025 000). If the zoning map amendment is approved, the applicant is also requesting a variance from the buffer requirements for the aforementioned parcel and a 1 acre parcel (Tax Parcel MS88 000026 007) to permit the construction of a hotel (See **Exhibit A** – Location Map, **Exhibit B** – Proposed Concept Site Plan).

BACKGROUND:

The parcel addressed Highway 67 (Tax Parcel MS88 000026 007) was annexed into city limits by the 100% method August 15, 2005 per Ordinance # 2005-08 as part of a 66-acre tract (previous tax parcel MS88 000026 000). In December 2007, the parcel was rezoned to redefine the boundaries of the CR (Commercial Retail) and R4 (High Density Residential District) zoning districts.

The parcel addressed 6381 Burkhalter Road (Tax Parcel MS88 000025 000) was annexed into city limits by the 100% method effective March 1, 2013 per Ordinance # 2013-03. This parcel contains one (1) structure that served as a church in the past.

SURROUNDING ZONING/LAND USES:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential District)	Apartment houses and single-family residential
SOUTH:	HC (Highway Commercial—Bulloch County)	Service stations
EAST:	R4 (High Density Residential District)	Apartment houses
WEST	HC (Highway Commercial)—Bulloch County	Warehouses

The property to the north is residential and contains the Aspen Heights apartment complex, while properties to the south include service stations, including Flag Gas Station and Citgo, Jenkin's Pre-owned Auto Sales and Uncle Shug's Chicken Barn. Flash Foods is to the east and several warehouses are to the west in Bulloch County. (See **EXHIBIT C**—Photos of Subject Site and Surrounding Area).

COMPREHENSIVE PLAN:

The subject sites lie within the "Neighborhood Center" character area as identified by the City of Statesboro 2014 Future Development Map (See **EXHIBIT E**—2014 Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan*.

Vision:

This character area is characterized by a blend of lower to medium density residential and commercial, personal service, and offices that are neighborhood scale in size and intensity. This character area often acts as a buffer or transition area between single family residential areas and more intense commercial areas. These areas are likely to experience uncontrolled strip development if growth is not properly managed. This character area strives to balance the provision of neighborhood services with the protection of nearby residential areas.

Appropriate Land Uses

- Single family residential
- Medium density residential
- Neighborhood scale commercial, office, and service

Suggested Development & Implementation Strategies

- A mix of approximately scaled retail, services, and offices to serve neighborhood residents day to day need.
- Implement traffic calming measures along major roadways.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 23.

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject properties are currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or services as a result of this request.

ENVIRONMENTAL:

The subject properties do not contain wetlands and are not located in a special flood hazard area. Any environmental issues will be addressed during the permitting phase.

ANALYSIS:

I. Whether a zoning map amendment requested by application RZ 17-07-04 should be granted to allow the site to develop as a hotel.

While a hotel or motel is a permissible use by right in both the HOC (Highway Oriented Commercial) and CR (Commercial Retail) zoning districts, the total acreage of the combined parcels and their configuration make meeting the required setbacks for the HOC zoning district difficult.

Current Zoning Compared to Requested Zoning

Commercial Retail Districts allow for general retail, wholesale, office, personal service establishments and health care uses. This district allows for more intense and less dense development, but allows for uses that are not as automobile dependent as the HOC (Highway Oriented Commercial) district, in which the principal use of land is for establishments offering accommodations and supplies or services to motorists and the traveling public and require more land area.

The CR (Commercial Retail) zoning district for the City of Statesboro is generally considered to be appropriate for commercial development that is more compact in density, but likely higher in intensity of use, than those uses permitted within the HOC (Highway Oriented Commercial) district. The HOC (Highway Oriented Commercial) district, therefore, requires deeper setbacks and larger minimum lot sizes than the CR district.

For example, the subject property is adjacent to the Aspen Heights community and the HOC (Highway Oriented Commercial) district requires a minimum 50 feet setback from property lines shared with residential zoning districts and a 60 feet setback from the street line. Consequently, it is the recommendation of staff that adjusting the zoning of the subject site to CR (Commercial Retail) in order to permit the desired use would be appropriate for this parcel given its size and configuration.

The request to rezone the .9 acre parcel from HOC (Highway Oriented Commercial) to the CR (Commercial Retail) zoning district should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the Statesboro Zoning Ordinance; the vision and community policies articulated within the city's two (2) primary land use policies: The Statesboro Comprehensive Plan and the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan; and the potential for the property to develop in conformance with the requirements of the proposed CR (Commercial Retail) zoning district as set forth in the *Statesboro Zoning Ordinance*.

Section 2007 of the Statesboro Zoning Ordinance provides eight (8) standards for the Mayor and City Council to consider “in making its determination” regarding a zoning map amendment and “balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.” Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council’s consideration of the application:

(1) Existing uses and zoning or (of) property nearby;

- Adjacent and nearby zones are mixed use and include Commercial Retail, apartment houses, and Highway Commercial (Bulloch County) zoning districts. Despite the surrounding zoning districts, many of the nearby uses are designed to provide services to the traveling public.
- Staff suggests that a zoning map amendment would be appropriate in this case if Council were to make a finding that maintaining the current HOC zoning designation would create a hardship for the applicant and that the requested rezone would be appropriate for present conditions and the projected future needs of the City.

(2) The extent to which property values are diminished by the particular zoning restrictions.

(3) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.

(4) The relative gain to the public, as compared to the hardship imposed upon the property owner.

(5) The suitability of the subject property for the zoned purposes.

(6) 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.

(7) The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas;

(8) Consistency with other governmental land use, transportation, and development plans for the community.

II. Whether the variance requested by application V 17-07-03 should be granted to modify the location of the required buffer installation.

The proposed variance request from Article XXIII Section 2301 regarding deviation from the requirement that a buffer be installed to the most intensive use whenever a nonresidential use abuts a residential zoned area be installed may be considered independently of the zoning map amendment request.

The subject property abuts Aspen Heights apartments along the northwest and northeast portions of both parcels. Due to the total size of the combined parcels, installation of a ten (10) feet wide landscape buffer to the applicant's parcels would create a hardship in meeting the prescribed setbacks of the CR (Commercial Retail) zoning district. Therefore, the applicant has made an agreement with Breckenridge Group Statesboro Georgia, LLC to acquire an easement for the installation of the buffer to the Aspen Heights property (See **Exhibit D—Landscape Buffer Easement**).

Section 1801 of the Statesboro Zoning Ordinance lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

(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;

a. The lots which are the subject of this request are irregular in shape and surrounded by similar commercial development.

(2) The special conditions and circumstances do not result from the actions of the applicant;

a. This project is to infill available land.

(3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and

a. For a variance to be granted, a showing of hardship that is particular—as distinguished from a mere inconvenience or a desire to make a profit—should be shown by the applicant.

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.

a. Staff is unaware of substantial detriment to the public good or the zoning ordinance resulting if this request is granted.

STAFF RECOMMENDATION:

Staff recommends approval of the requested zoning map amendment and variance requested by applications RZ 17-07-04 and V 17-07-03, respectively.


PLANNING COMMISSION RECOMMENDATION:


At its regularly scheduled meeting held Tuesday, September 5, 2017, the Planning Commission voted 6 to 0 to approve the zoning map amendment and variance requested by applications RZ 17-07-04 and V 17-07-03, respectively.

EXHIBIT A: LOCATION MAP

Case # RZ 17-07-04 Parcel # MS88000025 000

Location Map: 6381 Burkhalter Rd





CR

HOC

R4

BURKHALTER RD


HIGHWAY 67

The City of Statesboro makes no warranty, either express or implied, as to the accuracy of the data contained on this map. The user of this map assumes all liability for the consequences of any use of the data.



STAGIS CITY OF STATESBORO GIS

STAGIS 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: CONCEPTUAL SITE PLAN

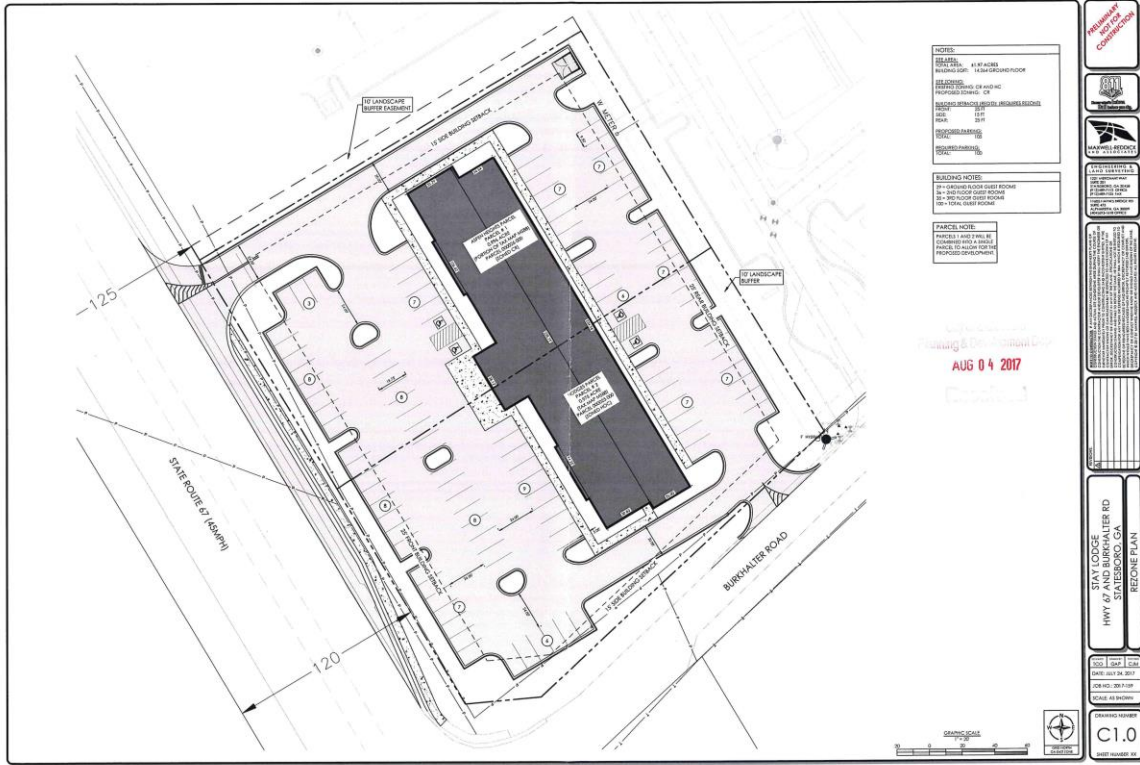


EXHIBIT C: PHOTOS OF SUBJECT SITE AND SURROUNDING AREA



Picture 1 Subject Site Facing North East



Picture 2 Subject Site Depicting Aspen Heights and Location of Existing Fencing

EXHIBIT C: PHOTOS OF SUBJECT SITE AND SURROUNDING AREA (CONT)



Picture 3 Subject Site Facing Southwest on Burkhalter Road



Picture 4 Subject Site Depicting Existing Church Building

EXHIBIT C: PHOTOS OF SUBJECT SITE AND SURROUNDING AREA (CONT)



Picture 5 Aspen Heights Property Line Depicting Existing Fencing



Picture 6 Aspen Heights Property Line Depicting Existing Fencing

EXHIBIT C: PHOTOS OF SUBJECT SITE AND SURROUNDING AREA (CONT)

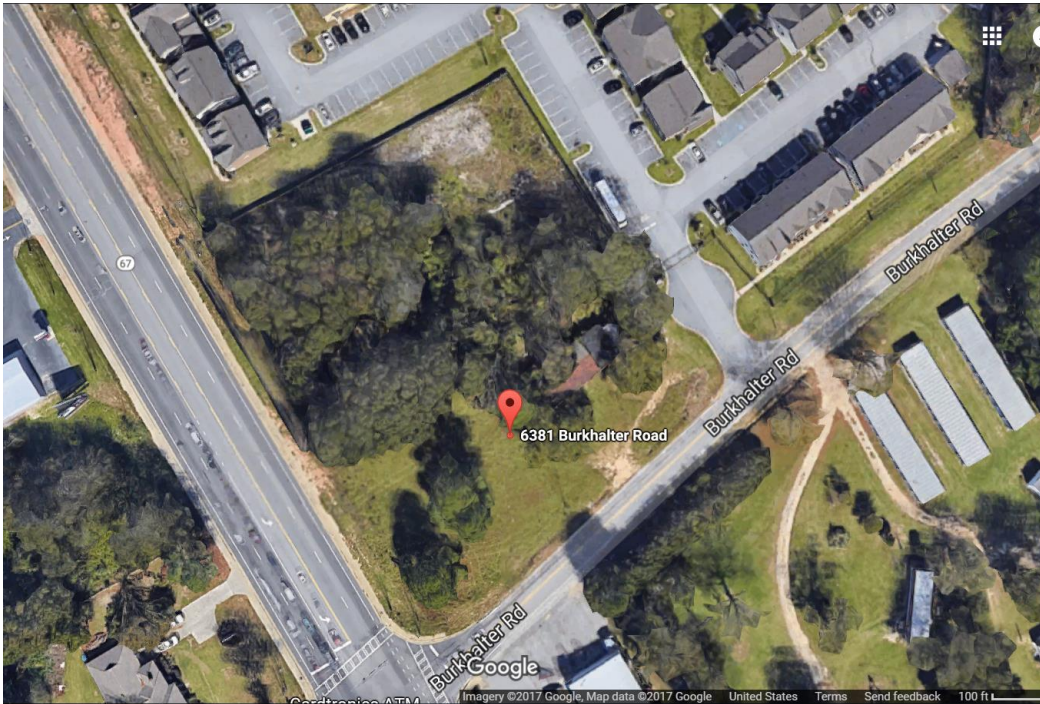


EXHIBIT D: LANDSCAPE BUFFER EASEMENT—BRECKENRIDGE GROUP STATESBORO GEORGIA, LLC

After Recording Return to:
Marc M. Bruce
115 Savannah Avenue
Statesboro, Georgia 30458

STATE OF GEORGIA,
COUNTY OF BULLOCH

LANDSCAPE BUFFER EASEMENT

THIS LANDSCAPE BUFFER EASEMENT, (hereinafter referred to as "Easement,") is made and entered into this ____ day of August, 2017, (hereinafter referred to as "the date hereof,") with said date being inserted herein by Grantor at the time of its execution, by and between **BRECKENRIDGE GROUP STATESBORO GEORGIA, LLC**, whose address is 1301 S. Capital of Texas Hwy, B-201, Austin, Texas 78746, Party of the First Part, (hereinafter referred to as "Grantor,") and **HERNDON PROPERTIES, LLC**, whose address is 522 Elm Street, Dalton, Georgia 30722, Party of the Second Part, (hereinafter referred to as "Grantee") (the words "Grantor" and "Grantee" to include their successors and assigns where the context requires or permits).

WITNESSETH THAT:

WHEREAS, Grantor is the sole and exclusive owner in fee simple of that certain real property having 46.42 acres, more or less, and lying and being in the 1209th G.M. District, Bulloch County, Georgia, being designated as tax map parcel #MS88000026 000 (hereinafter referred to as the "Grantor's Property"); and

WHEREAS, the Grantee has contracted to purchase the properties described on the attached Exhibit "A" (hereinafter referred to as the "Grantee's Property"), upon which Grantee intends to construct and operate a hotel/motel facility; and

WHEREAS, Grantee has requested an easement for a landscape buffer to meet the setback requirements imposed by the City of Statesboro for Grantee's development of Grantee's property. Said easement area is more particularly described on Exhibit "B," attached hereto and incorporated by reference (hereinafter referred to as the "Easement Area"); and

NOW, THEREFORE, Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has bargained, sold, granted and conveyed and by these presents does hereby bargain, sell, grant and convey unto Grantee, to the

extent of Grantor's right, title and interest in and to the Easement Area and upon the terms and conditions hereinafter set forth, an easement for the purpose of installing and maintaining a landscape buffer within the Easement Area.

1.

The Easement Area shall be used solely for the purposes of a landscape buffer between Grantor's Property and Grantee's Property. Grantee shall install such plants, trees, and shrubs within the Easement Area as may be required by the City of Statesboro. Subsequent to installation, it shall be Grantee's sole responsibility to maintain the landscape buffer.

2.

Grantee shall have the right to remove or cause to be removed from the Easement Area only such trees, bushes and other natural growth, encroachments, and obstructions as may be reasonably necessary for the purpose of installing the vegetation so required by the City of Statesboro.

3.

During the installation of the landscape buffer, Grantee shall be solely responsible for the acts of his agents, contractors, subcontractors, and employees, and shall hold Grantor harmless with respect to any injury to person or property that may arise during such activity.

4.

No title is conveyed herein by Grantor to Grantee, and, except as herein specifically granted to Grantee, all rights and interest in and to the Easement Area are reserved in Grantor, who may make any use of the Easement Area not inconsistent with or detrimental to the rights and interest herein granted and conveyed to Grantee.

5.

The rights and interest herein granted and conveyed to Grantee are to be used and enjoyed at the sole risk of Grantee.

6.

Grantee shall comply with all applicable city, state, and federal statutes and ordinances in his use of the Easement Area and shall obtain all permits and make such reports to the appropriate governmental agencies as are necessary for his lawful use of the Easement Area.

7.

This instrument embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties, related to the subject matter hereof. This Easement may be amended or modified only by an instrument of equal formality signed by the respective parties.

**EXHIBIT D: LANDSCAPE BUFFER EASEMENT—BRECKENRIDGE GROUP STATESBORO GEORGIA, LLC
(CONT)**

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the Grantee, his successors and assigns, forever.

IN WITNESS WHEREOF, Grantor, by and through its authorized officers, has signed, sealed and delivered this instrument under seal as of the day and year first set forth above.

Signed, sealed and delivered in the presence of:

GRANTOR

BRECKENRIDGE GROUP STATESBORO
GEORGIA, LLC

By: _____ (Seal)
NAME:
Title:

Signed this ____ day of August, 2017, in the presence of:

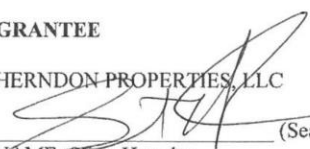
Unofficial Witness

Notary Public
My commission expires: _____

(Notary public seal affixed here)

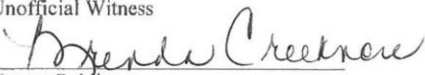
GRANTEE

HERNDON PROPERTIES, LLC

By:  (Seal)
NAME: Steve Herndon
Title: Sole Member/Manager

Signed this 15 day of August, 2017, in the presence of:

Unofficial Witness


Notary Public
My commission expires: 7-23-21

(Notary public seal affixed here)

BRENDA CREEKMORE
NOTARY PUBLIC
Wilfield County
State of Georgia
Commission Expires July 23, 2021

**EXHIBIT D: LANDSCAPE BUFFER EASEMENT—BRECKENRIDGE GROUP STATESBORO GEORGIA, LLC
(CONT)**

**EXHIBIT "B"
EASEMENT AREA**

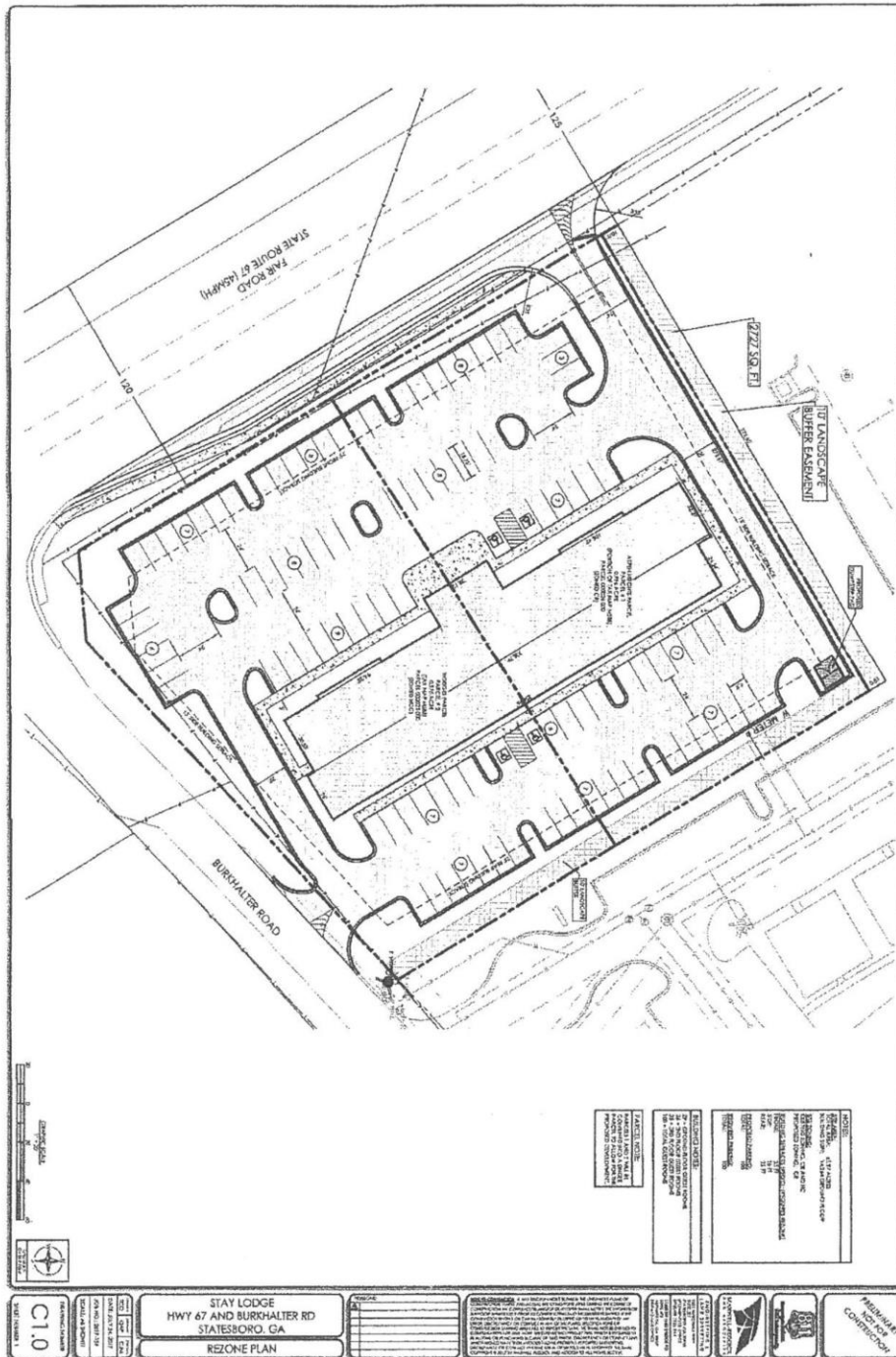
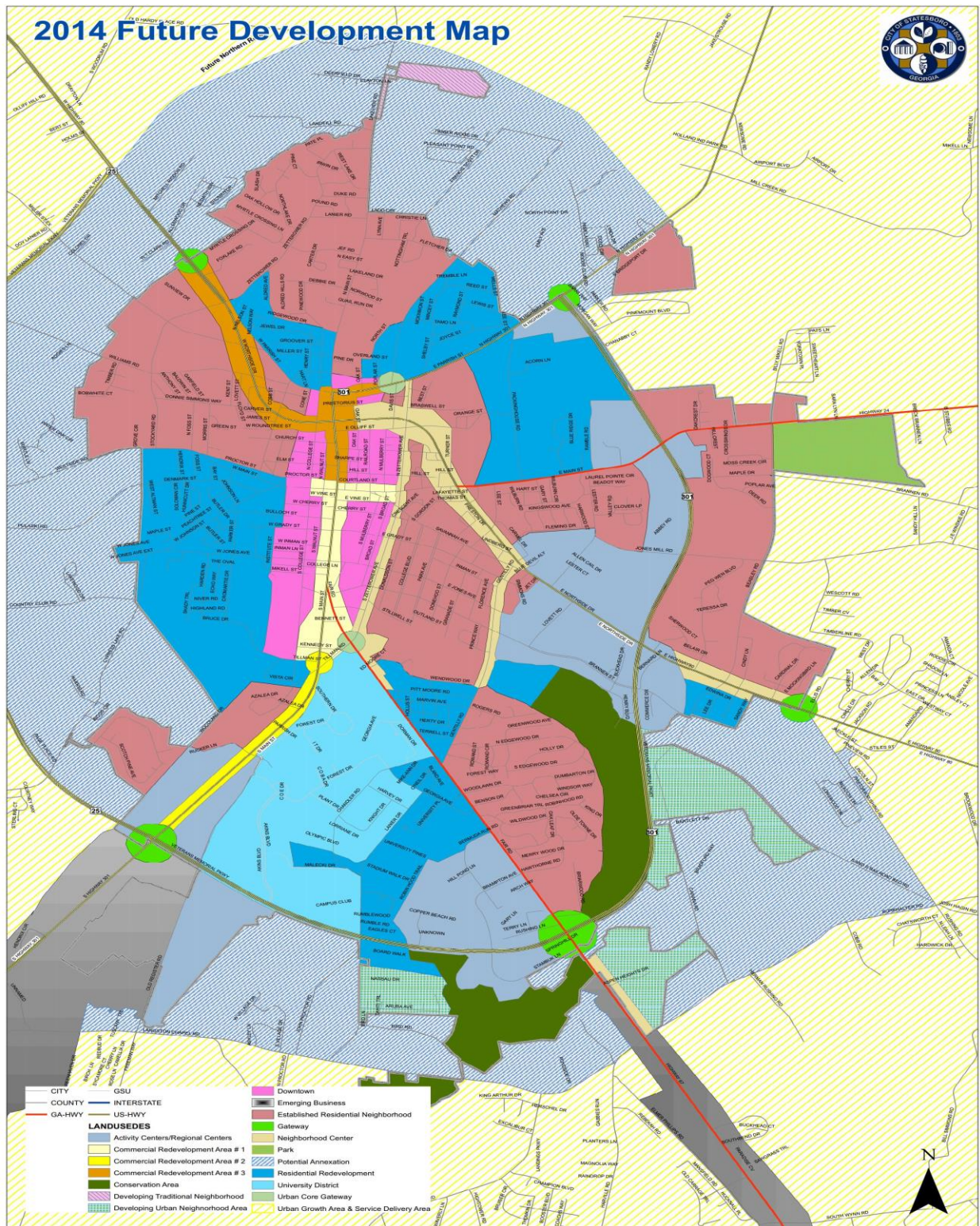


EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP



CITY OF STATESBORO

COUNCIL

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



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

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: September 7, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment and Variances*

Recommendation: Staff recommends approval of the zoning map amendment and variance requested by application RZ 17-07-08 and V 17-07-07 and staff recommends denial of the street access variance requested by application V 17-07-06.

Background: Five Points Stores requests a zoning map amendment from R6 (Single-Family Residential) to HOC (Highway Oriented Commercial) for a roughly .344 acre section of a parcel located at 2855 Northside Drive West to permit the construction of a convenience store (Tax Parcel S08 000057 000); a variance from Article XI Section 1102 (D) of the Statesboro Zoning Ordinance regarding the minimum required setback and a variance from Article X Section 1003 (F) of the Statesboro Zoning Ordinance regarding commercial street access to a primarily residential road.

Budget Impact: None

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

Attachments: Development Services Report RZ 17-07-08, V 17-07-07 and V 17-07-06.



City of Statesboro-Department of Planning and Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

RZ 17-07-08, V 17-07-06 & V 17-07-07
ZONING MAP AMENDMENT & VARIANCE REQUESTS
2855 Northside Drive West

LOCATION: 2855 Northside Drive West

REQUEST: Rezone from split zoning of R6 (Single-Family Residential) and HOC (Highway Oriented Commercial) districts to the HOC (Highway Oriented Commercial) zoning district; request for a variance from Article X Section 1003(F) regarding commercial street access on a residential road; and request for a variance from Article XI Section 1102 (D) regarding the minimum required setback.

APPLICANT: Five Points Stores

OWNER(S): Ray Howell

ACRES: 1.066 acres

PARCEL TAX MAP #: S08 000057 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a zoning map amendment from R6 (Single-Family Residential) to the HOC (Highway Oriented Commercial) zoning district for roughly .344 acres of a split-zoned 1.066 acre parcel located at 2855 Northside Drive West (Tax Parcel S08 000057 000) to permit the construction of a convenience store. In addition, the applicant is requesting a variance from the required 50 feet setback from a residential zoning district and a variance from the ordinance prohibiting commercial access to a primarily residential road (See **Exhibit A** – Location Map).

BACKGROUND:

In August 2006, Ray Howell was granted a thirteen (13) foot variance from the required sixty (60) foot front yard setback for HOC (Highway Oriented Commercial) zoning districts per case V 06-07-03 (See **Exhibit B** – Proposed Concept Plan). Currently, the property contains a large number of inoperable vehicles and automobile related items.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Business or professional offices
SOUTH:	HOC (Highway Oriented Commercial) and R6 (Single-Family Residential)	Single-family dwelling units and personal service facilities
EAST:	CR (Commercial Retail)	Business or professional offices and personal service facilities
WEST	CR (Commercial Retail)	Church

Properties to the north, south and east are predominantly professional offices and personal services facilities, including the Bulloch Rural Telephone Co-op, Eagle Wholesale Plumbing, Inc. and Wiggins Office Equipment. Parcels to the west are mostly residential in nature and also include the Bethel Primitive Baptist Church. (See **Exhibit C**—Photos of Subject Site).

COMPREHENSIVE PLAN:

The subject site lies within the “Commercial Redevelopment Area #3” character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit D**—2014 Future Development Map) within the City of Statesboro Updated 2014 Comprehensive Plan.

Vision:

The Commercial Redevelopment areas are currently in decline with vacant or underutilized properties. These areas are characterized by a high degree of access by vehicular traffic; onsite parking; and a low degree of open space. It is the desire of the community to identify and target these areas for redevelopment and investment, thus returning these areas to their intended state of a thriving commercial and/or mixed use district.

Appropriate land uses include:

- Major employers
- Commercial, including big box
- Medium/high density residential
- Single-family residential along arterials

Suggested Development & Implementation Strategies

- Upgrading the appearance of existing older commercial buildings with façade improvements, new architectural elements, or awnings.
- Building in centers architecturally integrated with the site and one another, and developed at a scale sufficient in size, bulk, and height to provide image identification for the center and the surrounding community.
- Redevelopment of older commercial centers in lieu of new construction further down the corridor.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 26.

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property is currently serviced by city utilities, sanitation, and public safety. No significant impact is expected on community facilities or 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. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The entire 1.066 acre site is currently split zoned; the eastern portion of the parcel is zoned R6 (Single-Family Residential) and the remainder of the parcel is zoned HOC (Highway Oriented Commercial). The applicant requests the rezoning of roughly .344 acres of the property from R6 (Single-Family Residential) to HOC (Highway Oriented Commercial) to allow for the construction of a convenience store.

In addition, the applicant is requesting a variance from Article XI Section 1102 (D), which requires a minimum fifty (50) feet setback from districts zoned residential. Finally, the applicant is requesting a variance from Article X Section 1003 (F) regarding commercial access to a primarily residential road.

Current Zoning Compared to Requested Zoning

R6 – Single-family residential uses are restricted to single-family attached dwelling units, educational and religious purposes and other neighborhood-scale uses.

HOC – Highway Oriented Commercial zoning districts provide greater flexibility in development goals, including the opportunity to mix uses, within a defined, contained development. HOC districts provide services to the traveling public and are discouraged from locating in commercial retail or nonretail commercial districts. They are generally located along major highways or thoroughfares and require deeper setbacks to accommodate development and traffic flow.

I. Application RZ 15-09-03: Whether or not to grant a request to rezone roughly .344 acres of the subject parcel

The request to rezone the subject property should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the city's two (2) primary land use policies: *The Statesboro Comprehensive Plan* and the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*; and the potential for the property to develop in conformance with the requirements of the proposed HOC (Highway Oriented Commercial) zoning district for uses as set forth in the *Statesboro Zoning Ordinance*.

Section 2007 of the Statesboro Zoning Ordinance provides eight (8) standards for the Mayor and City Council to consider "in making its determination" regarding a zoning map amendment and "balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property." Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council's consideration of the application:

- (1) **Existing uses and zoning or (of) property nearby;**
 - a. Properties to the north, south and east are predominantly professional offices and personal services facilities, including the Bulloch Rural Telephone Co-op, Eagle Wholesale Plumbing, Inc. and Wiggins Office Equipment. Parcels to the west are mostly residential in nature and also include the Bethel Primitive Baptist Church.
- (2) **The extent to which property values are diminished by the particular zoning restrictions.**
- (3) **The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
- (4) **The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - a. Staff is of the opinion a zoning map amendment to the western portion of the parcel would not have a negative effect on the public good, because the majority of the parcel is already zoned HOC (Highway Oriented Commercial). In addition, the construction of a convenience store at the location would improve the property and provide neighborhood-scale commercial retail.
- (5) **The suitability of the subject property for the zoned purposes.**
 - a. The subject site cannot be developed in conformance with the HOC (Highway Oriented Commercial) zoning requirements and other development regulations of the City of Statesboro without the approval of variances regarding setbacks.
- (6) **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.**
 - a. The property is not vacant and contains an older structure and automobiles and related parts. The applicant proposes the demolition of the existing structure and the construction of a new convenience store.
- (7) **The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas;**
 - a. No negative impact is expected on population density as a result of the zoning map amendment.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**

II. Application V 17-07-06: Whether or not to grant a variance from Article X Section 1003 (F) regarding commercial access to a street that primarily serves a residential zone

The proposed variance request from Article X Section 1003 (F) regarding commercial access to a street that primarily serves a residential zone should only be considered and/or permitted if the zoning map amendment is approved. Section 1801 of the Statesboro Zoning Ordinance lists four factors that the Mayor and City Council should consider to be true when determining whether to grant a variance:

- (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;**
 - a. The parcel's location provides frontage on three (3) streets: Williams Road, Lovett Street and Northside Drive West.

- (2) **The special conditions and circumstances do not result from the actions of the applicant;**
 - a. The conditions pertaining to the land are not the result of the applicant's actions.
- (3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
 - a. The application of the ordinance to this piece of property would not create an unnecessary hardship because the property currently takes access on Williams Road and Northside Drive West. Staff is of the opinion that the existing curb cuts on Williams Road and Northside Drive West are sufficient to service the property without an additional curb cut on Lovett Street.
- (4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
 - a. Relief, if granted, would detract from the residential character of the community on Lovett Street. Staff is of the opinion that a third access point is unnecessary.

III. Application V 17-07-07: Whether or not to grant a variance from Article XI Section 1102 (D) regarding a reduction of the required 50 feet setback from a residential zone to 20 feet

The subject property abuts a residentially zoned parcel along the southern edge of the property. At this time, the section adjacent to the R6 (Single-Family Residential) parcel is also zoned R6 and is the subject of RZ 17-07-08. Section 1102 (D) states the following:

"Setbacks from property and district lines. There shall be a setback of at least 20 feet from any property line; except that, for any district line abutting any property within the CBD (central business) district, O (office) district, or any residential zoning district, there shall be a setback of at least 50 feet."

- (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;**
- (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**
- (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 the zoning map amendment requested by application RZ 17-07-08 and the variance requested by V 17-07-07. Staff recommends disapproval of the variance requested by application V 17-07-06.

Staff is of the opinion the zoning map amendment and setback variance will provide opportunity to improve the property's current condition and provide neighborhood-scale commercial retail, in accordance with the suggested development strategies outlined in the Comprehensive Plan.

Regarding street access to a residential road, staff is of the opinion a hardship is not evident, considering the two (2) curb cuts on Williams Road and Northside Drive West. In addition, staff recommends we maintain the residential character of the neighborhood by reducing the amount of cut through commercial traffic.

PLANNING COMMISSION RECOMMENDATION:

At its regularly scheduled meeting held Tuesday, September 5, 2017, the Planning Commission voted 5 to 2 against the zoning map amendment requested by application RZ 17-07-08 with Mary Foreman and Benjamin McKay voting for the request. The Planning Commission voted 7 to 0 to deny the variances requested by applications V 17-07-07 and V 17-07-06.

EXHIBIT A: LOCATION MAP

Case # V 17-07-06, V 17-07-07 & RZ 17-07-08 , Parcel # S08 000057 000

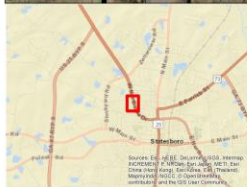
Location Map:

2855 Northside Dr W



1 inch = 50 feet

The City of Statesboro neither warrants nor assumes any liability for the accuracy of the information contained on this map. The City of Statesboro and its employees shall not be held liable for any damages or losses resulting from the use of this map.



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: PROPOSED CONCEPT PLAN

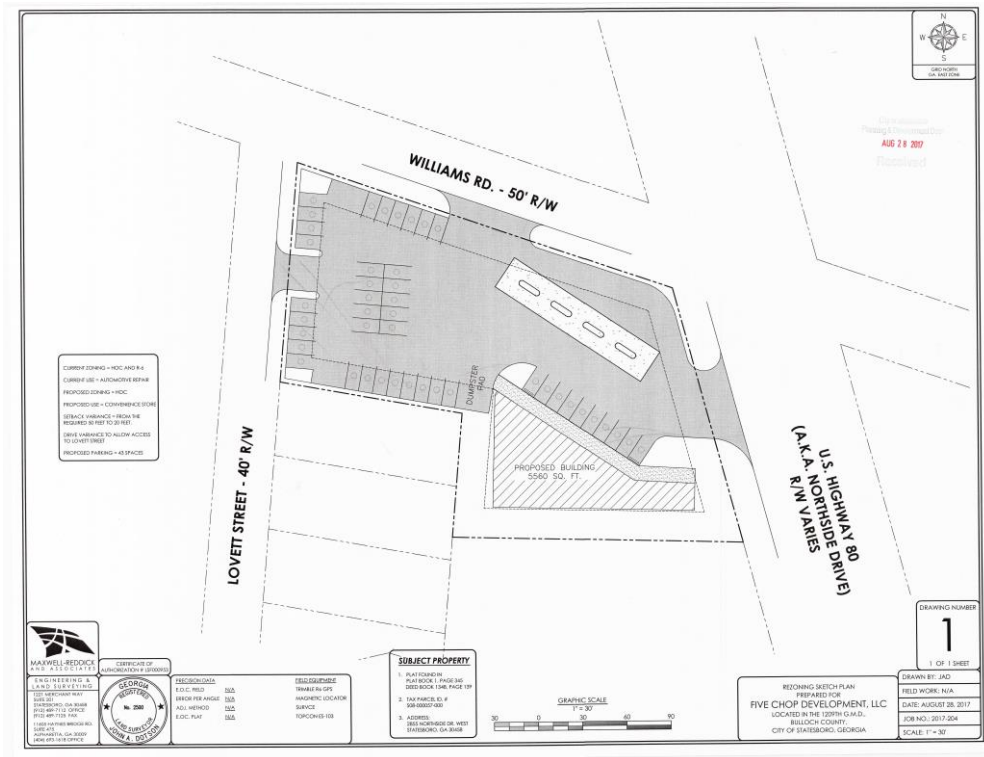


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Subject Property Facing South from Williams Road



Picture 2 Subject Property Facing South

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 3 Subject Property Facing South West



Picture 4 Subject Property Facing West

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 5 Subject Property Facing Southwest Depicting Northside Drive West



Picture 6 Subject Property Southwest Depicting Existing Curb Cut onto Northside Drive West

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 7 Subject Property Facing East North toward Williams Road



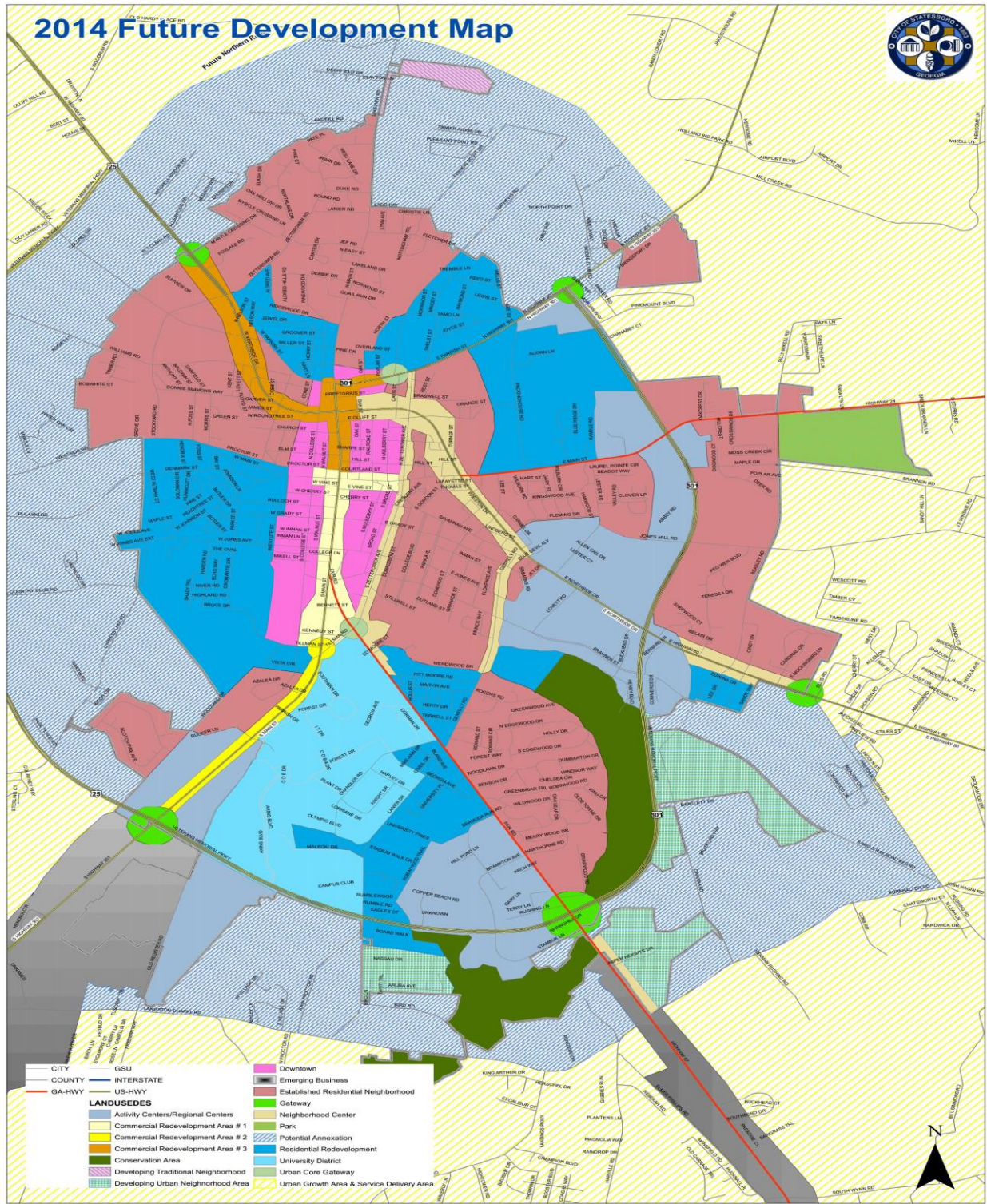
Picture 8 Subject Site Facing East on Lovett Road

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 9 Subject Site Facing East Depicting Variance from Commercial Access on Residential Road

EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP



CITY OF STATESBORO

COUNCIL

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



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

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: September 7, 2017

RE: September 19, 2017 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Sign Ordinance Text Amendment*

Recommendation: Staff suggested the text amendment for application T 17-07-05 and therefore recommends approval.

Background: The City of Statesboro recommends a text amendment to Article XV of the Statesboro Zoning Ordinance regarding the permitted districts in which projecting signs can be installed.

Budget Impact: None

Council Person and District: None

Attachments: Ordinance 2017-____: An Ordinance Amending Article XV (Signs) of the Statesboro Zoning Ordinance

**Ordinance 2017-_____: An Ordinance Amending Article XV (Signs) of the
Statesboro Zoning Ordinance**

WHEREAS, the City has previously adopted an ordinance regulating projecting signs; and

WHEREAS, the Mayor and City Council has determined there is sufficient reason and need to amend Article XV (Signs) of the *Statesboro Zoning Ordinance*, City of Statesboro, Georgia to allow the installation of projecting signs in sign districts 2 and 3, which includes the Commercial Retail (CR), Office and Business Office (O), Highway Oriented Commercial (HOC), Heavy Industrial (HI) and Light Industrial (LI) zoning districts; and

WHEREAS, the public hearing that preceded the adoption of the ordinance amendment was advertised; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled as follows:

Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance*, City of Statesboro, Georgia is hereby amended and shall read as follows:

A. Amend the existing Section 1509 to strike and include the following language:

Sec. 1509. Location, number and dimension of permitted signs.

B. *Location by sign district.* Signs may be erected in those districts where the applicable sign type is allowed as identified in Table 2.

Table 2. Permitted Signs by Type and Sign District

SIGN TYPE	SIGN DISTRICT 1			SIGN DISTRICTS 2 & 3	SIGN DISTRICT 4
	Residence on an individual lot	Residential development or subdivision	Nonresidential property		
<i>Building:</i>					
Projecting	Prohibited	Prohibited	Prohibited	Prohibited Needs a permit	Needs a permit

First Reading: September 19, 2017

Second Reading: October 3, 2017

THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

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
Robert Cheshire, Deputy City Manager**

From: Darren Prather, Central Services Director

Date: 9-13-2017

RE: Policy Issue: RFQ Health/Life/Disability Insurance Brokerage Services

Recommendation:

After reviewing all submitted sealed qualifications and participating in the presentations that followed, we recommend the contract for health, life and disability insurance brokerage services be awarded to Shaw Hankins for a three (3) year term with the option to renew for an additional year. The evaluation committee came to a consensus that, given the City of Statesboro's current needs and budgetary projections in the health benefits field, Shaw Hankins provided the best financial solution in the long run as they presented a very detailed picture of our current financial hurdles and solid solutions to remedy those issues.

Background:

The City of Statesboro issued a request for qualifications for brokerage services pertaining to health, life and disability insurance policies. This RFQ stipulated several evaluation criteria that included: Experience, Consulting Services, Technology Support, Service Model, Implementation Process, Compliance Resources, RFP Responsiveness and References. The cost portion of the RFQ was not opened until the submittals were evaluated and ranked by the evaluation committee. These criteria were evaluated by five (5) City employees and one (1) independent industry consultant. A notice of this RFQ was sent all relevant local firms and several from out of town. Four (4) submittals were received and evaluated by our evaluation team. It was determined to invite three (3) of these firms to provide presentations to the evaluation committee. These three (3) firms were: Capstone Benefits Consulting, LLC., Glenn Davis and Associates Insurance Agency and Shaw Hankins. These firms provided presentations that illustrated

Georgia Municipal Association City of Excellence

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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
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company resources and facts while addressing the perceived needs of the City of Statesboro. This presentation was followed by a question and answer segment. At the conclusion, we came to a consensus and selected Shaw Hankins as our recommendation to provide health, life and disability insurance brokerage services to the City of Statesboro. At that point, we negotiated the per person rate and came to an agreement that is represented in the amount listed below. Capstone submitted a flat monthly rate of \$6,000 per month while Glenn Davis submitted a per head amount of \$4 per a month. If selected, they will provide insurance carrier selection assistance, monitoring of medical provider coverages and monitoring of our prescription program to assure the most efficient path is taken in these areas in addition to other services listed in the attachment that follows. The cost to the City of Statesboro is produced based on the population served. This cost "per head" per month produces the monthly and yearly cost. The cost proposals were as follows:

Firm	Monthly Cost
1. Capstone Benefits Consulting, LLC	\$6,000.00
2. Shaw Hankins	\$5,376.00
3. Glenn Davis and Associates	\$1,024.00

Note: The monthly totals represent the total number of employees (256 employees) during the last enrollment period. The Shaw Hankins amount represents the negotiated amount per the RFP process.

Council Person and District: All

Attachments: See Shaw Hankins' Summary Page



ShawHankins Value Proposition

- Actuarial Modeling
 - Network Discount Analysis
 - Budget Projections for fiscal and plan year
 - Develop funding rates
 - Contribution Modeling
 - Monthly claims reporting

- Wellness
 - 10 years of experience and over 20 clients with comprehensive wellness plans and 5 clients with onsite wellness clinics
 - Reducing and stabilizing healthcare costs through wellness plans
 - Comprehensive reporting combining health plan cost with wellness plan and/or clinic costs
 - Wellness plan and/or onsite employee health clinic RFP assistance

- Technology
 - 10 years of experience in providing clients with online education, enrolment and ongoing eligibility platform
 - Over 40,000 enrolling on the platform each year
 - In-house technology team to build and maintain sites for over 50 clients
 - Over 400 customized reports available
 - Electronic Data Interface (EDI) with carriers and client payroll vendors for secure HIPAA 834 transmission of eligibility

- Service Model
 - Full service call center with qualified benefit specialists to advocate for your employees
 - Assistance with understanding benefits, claims resolution, claims appeals, ID cards, locating in-network providers and on-line enrollment support
 - Client specific toll-free numbers



- Voice over IP technology to minimize down time during inclement weather
- Dedicated account management team
- Monthly Bill and Payroll reconciliation
- Full turn-key COBRA administration

- **Communications**
 - Customized Benefit Resource center to house detailed benefit information
 - Benefit education guide to include benefit offerings and payroll deductions
 - Comprehensive On-site benefit education meetings in each location
 - Enrollment assistance provided by salaried enrollers on-line, on-site or via the call center
 - Consistent benefit education through Adobe Presenter for new hires throughout the year

- **Placement**
 - Annual review of benefit offering and market options
 - Analysis of fixed cost
 - Review of Pharmacy Benefit Manager
 - Network disruption analysis
 - Service Guarantee negotiation

- **Compliance**
 - Direct access to leading industry attorneys and compliance team
 - Compliance audit check list
 - Bi-weekly digital newsletter
 - "Hot Topics" emails
 - ShawHankins Resource Center
 - Training Opportunities

COUNCIL
Phil Boyum, District 1
Sam Lee Jones, District 2
Jeff Yawn, District 3
John Riggs, District 4
Travis L. Chance, District 5



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

City of Statesboro

*50 East Main Street P.O. Box 348
Statesboro, Georgia 30459*

To: Randy Wetmore, City Manager

From: Jeffery Grant, Director of Human Resources

Cc: Mike Broadhead, Police Chief
Frank Neal, Director of Planning & Development

Date: September 13, 2017

RE: Position Reclassifications

Policy Issue: Position Reclassifications & PD Organizational Restructuring plan

Recommendation: To approve the reclassification of the following positions:

- Police Captain to Lieutenant
- IT Specialist to Police Officer
- Public Relations Corporal to Detective
- Project Manager to City Planner

Background: Reclassification is a procedure for keeping position classifications up-to-date. When the administration finds that a substantial change has occurred in the scope of duties and responsibilities of an existing position, or the position title is not relevant to its duties, it will be recommended to the Mayor and City Council that the existing position job description be revised; and/or that the position receive a new position title, and/or be reallocated to an appropriate salary or wage grade within the Plan.

All reclassifications pertaining to the Police Department are a part of the overall restructuring project within the police department as presented in the previous months by Chief Mike Broadhead.

COUNCIL
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City of Statesboro

Statesboro, Georgia 30459

The reclassification of the Project Manager position to City Planner is an effort by the Planning and Development Department to establish working titles that are relevant to the labor market and its job duties.

Budget Impact: If approved, these reclassifications would result in moving one (1) Captain position with a pay grade of 119 to a Lieutenant at the pay grade of 115; IT Specialist position with a pay grade of 109 to a Police Officer at the pay grade of 107; Public Relations Corporal with a pay grade of 110 to a Detective at the pay grade of 109; Project Manager position to a City Planner with the same pay grade; All positions are funded in FY'18 Budget.

Council Person and District: All

Attachments:

Resolution

**RESOLUTION 2017-33: A RESOLUTION AMENDING THE JOB
POSITION CLASSIFICATION AND COMPENSATION PLAN**

THAT WHEREAS, it is essential to have qualified municipal employees in order to provide reliable services to the citizens of Statesboro; and

WHEREAS, in order to accomplish this the Mayor and City Council previously have adopted a new Job Position Classification and Compensation Plan on April 5, 2017; and

WHEREAS, the City Manager has made a recommendation to reclassify a Project Manager in the Planning & Development Department.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 19th day of September, 2017 as follows:

Section 1. That the Job Position Classification and Compensation Plan, which includes a list of job titles and pay grades; a grade and step pay matrix; and written job descriptions for each position with City government, previously adopted on April 5, 2017, and as subsequently amended, is hereby further amended as follows:

- That the Planning and Development Department Project Manager position is hereby amended by reclassifying to the position of City Planner; Pay grade will remain the same;

Section 2. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Passed and adopted this 19th day of September 2017.

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

Attest: _____
Sue Starling, City Clerk



City of Statesboro, GA

JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

City Planner

Department: Planning & Development

Pay Grade: 111

FLSA Status: Exempt

JOB SUMMARY

The City Planner is responsible for administering the building permitting activities for the City of Statesboro. The City Planner serves as the staff project manager and customer liaison for all permitting matters associated with residential and commercial construction projects within the City of Statesboro under the general direction and supervision of the Director of Planning & Development.

ESSENTIAL JOB FUNCTIONS:

- Reviews various development related applications for permits and licenses including building, site, business, signs, zoning, variances, annexations, subdivisions plans, etc;
- Works involves reviewing applications for licenses, permit applications, and subdivision plats for approval, logging information into computer, maintaining records, and providing information and assistance to customers and the public regarding zoning and other activities of the department;
- Coordinates various development processes including the review of applications and plans for permits, inspections, certificates of occupancy with developers, engineers, city staff, other local federal and state agencies, and the general public;
- Accepts and distributes various applications for permits, inspections, etc;
- Verifies that required inspections have been approved;
- Communicates project status and needs to all involved parties;
- Monitors status, timelines, and needs of all projects;
- Ensures projects are ready for occupancy and that all necessary work is complete and approved;
- Conducts zoning reviews for occupational tax certificate (business license), building permits, sign permits, zoning certifications, subdivision plats, etc;
- Conducts on site reviews and inspections as needed;

- Reviews plans submitted for approval;
- reads and interprets maps, site plans, building plans, and plats;
- Reviews submitted construction plans to assure compliance with zoning and subdivision regulations;
- Accepts, receives, and/or collects payments;
- Prepares and/or processes purchase orders;
- Files and retrieves materials and data from manual filing systems and computerized databases;
- Conducts site visits to developments and other field projects to assist in permitting process or resolution of question or problem;
- Assists the public, builders, developers, staff and others with general ordinance and code questions, questions regarding the permit processes, and assist with processing their applications;
- Provides Department back up as needed;
- Handles telephone calls and responds to routine informational requests based on established policies and procedures;
- Assists code compliance officers with ordinance questions and policy development;
- Provides assistance with zoning variances, annexation request, rezoning reviews, etc;
- Performs ordinance research and assistance with ordinance development and revision;
- Assist as needed with request for inspections and scheduling;
- Assists as needed with accepting requests for certificates of occupancy;
- Provides certificates for approval;
- Assists with development and planning related research; and
- Performs other assigned duties;
- Assists in the development and update of relevant plans including but not limited to comp plan, strategic plan etc;
- Complete survey requirements to maintain the City's qualified local government's status;
- Answers zoning and code questions as needed;
- Writes and amends ordinances as needed;
- Assists in grant writing and administration;

MINIMUM REQUIREMENTS TO PERFORM WORK:

- Bachelor's degree in planning public administration, engineering or a closely related field;
- Two (2) years of experience in a related field;
- Or equivalent training, education, and/or experience; and
- Valid State of Georgia Driver's License.

PREFERRED REQUIREMENTS TO PERFORM WORK:

- Master's Degree in planning public administration, engineering or a closely related field;

Knowledge, Skills and Abilities:

- Knowledge of or ability to learn the department's rules, regulations, policies, and procedures;
- Knowledge of or ability to learn and interpret applicable codes and ordinances of the City, especially the development related ordinance;

- Knowledge of modern office practices, procedures, and equipment;
- Skilled in public and interpersonal relations and ability to facilitate and mediate complex situations;
- Skilled in the use small office equipment, including copy machines or multi-line telephone systems;
- Skilled in using computers for data entry;
- Skilled in using computers for word processing and/or accounting purposes;
- Ability to maintain a professional demeanor and an orientation towards customer service;
- Ability to supervise, organize, and communicate effectively;
- Ability to develop and maintain a complex schedule of projects;
- Ability to understand and follow complex oral and written instructions;
- Ability to process information, applications and forms requiring accuracy, thoroughness, timeliness, and attention to detail;
- Ability to meet and deal tactfully, courteously, and professionally with property owners, citizens, developers, builders, City officials, fellow staff, and the public;
- Ability to drive and operate assigned vehicles in a safe and efficient manner;
- Ability to self-motivate and to work independently and with discipline under general supervision;
- Ability to prepare routine correspondence and clear and concise reports;
- Ability to establish strong working relationships with other City employees, City officials, customers, and the general public;
- Ability to read and working knowledge and understanding of plats, maps, building plans, surveys, renderings, etc.; and
- Ability to cooperate with fellow employees as a team member;

PHYSICAL DEMANDS:

The work is typically performed in an office.

WORK ENVIRONMENT:

The work is typically performed while sitting at a desk or table and inside an office.

The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date

**RESOLUTION 2017-34: A RESOLUTION AMENDING THE JOB POSITION
CLASSIFICATION AND COMPENSATION PLAN**

THAT WHEREAS, it is essential to have qualified municipal employees in order to provide reliable services to the citizens of Statesboro; and

WHEREAS, in order to accomplish this the Mayor and City Council previously have adopted a new Job Position Classification and Compensation Plan on April 5, 2017; and

WHEREAS, the City Manager has made a recommendation to reclassify a Captain, PR Corporal and IT specialist position in the Police Department.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia in regular session assembled this 19th day of September, 2017 as follows:

Section 1. That the Job Position Classification and Compensation Plan, which includes a list of job titles and pay grades; a grade and step pay matrix; and written job descriptions for each position with City government, previously adopted on April 5, 2017, and as subsequently amended, is hereby further amended as follows:

- That one (1) Police Department Captain position is hereby amended by reclassifying the position from the pay grade of 119 to a Lieutenant at the pay grade of 115; Job description attached;
- That the Police Department IT Specialist position is hereby amended by reclassifying the position from the pay grade of 109 to a Police Officer at the pay grade of 107;
- That the Police Department PR Corporal position is hereby amended by reclassifying the position from the pay grade of 110 to a Detective at the pay grade of 109;

Section 2. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Passed and adopted this 19th day of September 2017.

CITY OF STATESBORO, GEORGIA

By: _____
Jan J. Moore, Mayor

Attest: _____
Sue Starling, City Clerk



City of Statesboro, GA

JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Lieutenant-PD

Department: Police
Pay Grade: 115
FLSA Status: Non-Exempt

JOB SUMMARY

Under administrative direction, plans, directs, manages, supervises, and coordinates the activities and operations of an assigned service area within the Police Department; coordinates assigned activities with other watches, bureaus, departments, and outside agencies; and provides highly responsible and complex administrative support to higher ranks as assigned.

ESSENTIAL JOB FUNCTIONS:

- Plans and directs operations, assigns duties and special details, reviews work in progress, and supervises personnel assigned to their service area;
- Coordinates activities with other supervisors and managers;
- Briefs personnel in their assigned service area on special assignments and answers questions regarding regular operations;
- Inspects personnel before each shift for personal appearance and equipment readiness;
- Monitors activity of those assigned to their service area;
- Conducts and directs patrols of the City;
- Responds to major, routine, and emergency calls for service, including traffic accidents, domestic disputes, criminal activity, stranded motorists, and others;
- Provides field assistance to officers, and makes decision to call specialized personnel to major crime scenes as necessary;
- Coordinates activities of those in their service area with other bureaus, departments and law enforcement agencies;
- Reviews reports from officers for accuracy and thoroughness and compiles information for administrative reports from activity reports;

- Prepares case reports describing actions taken and results obtained;
- Prepares activity reports;
- Trains subordinate personnel in acceptable patrol practices, methods, techniques and procedures;
- Advises subordinate personnel on unusual, complex, or difficult situations;
- Counsels and conducts performance evaluations for subordinate personnel;
- Plans and develops rosters for assigned activities;
- Schedules and approves holiday, days off, and vacation leave;
- Plans, directs and approves special events as assigned;
- Provides information regarding Department activities to local community groups and the general public;
- Responds to citizen complaints;
- Writes reports;
- Oversees routine and special maintenance requests for bureau vehicles and equipment;
- Testifies in judicial proceedings;
- Attends Department meetings, seminars, and training sessions;
- Determines and takes appropriate disciplinary action for violations of policies and procedures;
- Counsels subordinate officers as necessary;
- Responds to natural disasters, civil unrest or situations or events where public safety is in question;
- Maintains overt integrity in all matters;
- Performs complex administrative work; and
- Performs other assigned duties.

MINIMUM REQUIREMENTS TO PERFORM WORK:

- High School Diploma or GED;
- Seven (7) years of sworn law enforcement experience or six (6) years of sworn law enforcement experience with an Associate's Degree or 60 semester hours from an accredited college or university with a minimum cumulative GPA of 2.5.
- Or equivalent training, education, and/or experience; and
- Valid State of Georgia Driver's License;
- Georgia P.O.S.T. certification

PREFERRED REQUIREMENTS TO PERFORM WORK:

- Ten (10) years of experience in a related field;
- Georgia P.O.S.T. Supervisory Certification,
- Georgia P.O.S.T. Management Certification,
- Georgia Command College Professional Management Program or;
- Other Law Enforcement Supervision and/or Management training courses

Knowledge, Skills and Abilities:

- Knowledge of relevant federal and state laws, criminal and traffic codes, search and seizure laws, City ordinances, and Department policies and procedures;
- Knowledge of principles and modern methods of law enforcement administration including organization, fiscal management, budgetary preparation and controls, program planning, implementation and administration;

- Knowledge of principles of employee supervision and personnel management including training, developing, mentoring, and disciplining of personnel;
- Knowledge of modern criminal justice-related information systems;
- Knowledge of personnel management practices;
- Knowledge of traffic investigation techniques and procedures;
- Knowledge of the geography and streets of the City;
- Knowledge of the court system and judicial procedures related to canine operations.
- Knowledge of first-aid and CPR techniques;
- Knowledge of the court system and judicial procedures;
- Skilled in operating standard and specialized equipment, including firearms (lethal and non-lethal), communications equipment, digital cameras and video cameras, recorders, in oximeters, radar, and processing kits;
- Skilled in operating police vehicles, firearms, emergency equipment, and other standard and specialized law enforcement equipment;
- Skilled in interrogation and interviewing techniques;
- Skilled in restraining persons without causing physical harm;
- Skilled in using computers for data entry;
- Skilled in using highly technical computer applications, such as GIS or CAD;
- Skilled in using computers for word processing and/or accounting purposes;
- Ability to meet current requirements set forth in the Georgia Mandate Law Enforcement Training Act/Peace Officer's Standards and Training Act;
- Ability to analyze situations and to adopt quick, effective, and reasonable courses of action based on surrounding hazards and circumstances;
- Ability to create plans for and guide implementation of new technology systems;
- Ability to establish policies for using, acquiring, and/or maintaining technology systems;
- Ability to handle sensitive public contacts, and the ability to deal with the public tactfully and courteously, but firmly when necessary;
- Ability to analyze situations and to adopt quick, effective, and reasonable courses of action based on surrounding hazards and circumstances;
- Ability to carry duty belt, other weapons, and evidence equipment and sometimes lifting and/or carrying of tires and debris, or of individuals in a rescue effort;
- Ability to create plans for and guide implementation of new technology systems;
- Ability to maintain constructive and cooperative working relationships with others; and
- Ability to cooperate with fellow employees as a team member.
- Ability to perform complex administrative duties.
- Ability to display overt integrity.

PHYSICAL DEMANDS:

The work is typically performed while sitting, standing, walking, running, bending, crouching, or stooping. The employee must occasionally lift light or heavy objects, climb ladders, use equipment requiring a high degree of dexterity, the ability to distinguish between shades of color, and use the physical force necessary to arrest and restrain persons.

WORK ENVIRONMENT:

The work is performed indoors, in a vehicle, and outdoors. The employee may be exposed to noise, infectious diseases, life-threatening situations, and inclement weather. The work requires the use of protective clothing and devices.

The City has the right to revise this position description at any time, and does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date