

City of Statesboro Department of Planning and Development Memorandum

 50 East Main Street
 P.O. Box 348
 » (912) 764-0630

 Statesboro, Georgia 30458
 Statesboro, Georgia 30459
 » (912) 764-0664 (Fax)

# Statesboro Planning Commission June 6, 2017 5:00 P.M. City Hall Council Chamber

# Meeting Agenda

- I. Call to Order
- II. Invocation & Pledge of Allegiance
- III. Motion to Approve Order of the Meeting Agenda
- IV. Approval of Minutes
  - 1.) May 2, 2017 Meeting Minutes

# V. New Business

- <u>APPLICATION # SE 17-05-01</u>: Enterprise Leasing Company Southeast, LLC requests a special exception for .68 acres of property located at 922 Northside Drive West to utilize the property as a motor vehicle leasing facility in the CR (Commercial Retail) zoning district (Tax Parcel S51 000064 000).
- <u>APPLICATION # V 17-05-02</u>: Ellianos Coffee Company requests a variance from Article XV Section 1509(B) Table 2 of the Statesboro Zoning Ordinance regarding the installation of a projecting sign for a commercial building located at 600 Brannen Street, which is prohibited in sign district 3 (Tax Parcel S53 000059 000).

# VI. Announcements

VII. Adjourn



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# Statesboro Planning Commission May 2, 2017 5:00 P.M. City Hall Council Chamber

# **Meeting Minutes**

**Present**: Planning Commission Members: Ben McKay; Russell Rosengart; David McLendon; Carlos C. Brown, Jr.; Jamey Cartee and Mary Foreman **Absent**: James W. Byrd, Sr. **City of Statesboro Staff**: Director of Planning and Development Frank Neal, Development Project Manager Cindy Clifton, Director of Public Works and Engineering Jason Boyles, and Code Compliance Officer Mike Chappel.

# I. Call to Order

Commissioner McLendon called the meeting to order at 5:01 PM.

### II. Invocation & Pledge of Allegiance

The Invocation was given by Commissioner Brown and the Pledge of Allegiance was given by Commissioner Cartee.

## III. Motion to Approve Order of the Meeting Agenda

Commissioner Cartee made a motion to approve the order of the meeting agenda, seconded by Commissioner Brown and the motion carried 6 to 0.

# IV. Approval of Minutes

Commissioner Foreman made a motion to approve the minutes of the April 4, 2017 Planning Commission meeting, seconded by Commissioner McKay and the motion carried 6 to 0.

### V. New Business

 <u>APPLICATION # RZ 17-04-02</u>: Dr. Alex Jordan and Sherry Jordan request a zoning map amendment for .31 acres of property located at 11 West Grady Street from the R3 (Medium Density Multiple Family Residential District) zoning district to the R6 (Single Family Residential) zoning district to divide the property into two (2) parcels for future development (Tax Parcel S19 000033 000).

Frank Neal presented the case to the commissioners and took any questions. John Dotson of Maxwell-Reddick & Associates, Inc. spoke on behalf of the applicant's request. No one spoke against the request.

Commissioner Rosengart made a motion to approve the application, seconded by Commissioner Brown, and the motion carried 6 to 0.

<u>APPLICATION # RZ 17-04-01</u>: Wayne Laircey requests a zoning map amendment for .37 acres of property located on West Parrish Street from the R20 (Single Family Residential) zoning district to the CR (Commercial Retail) zoning district (Tax Parcel S16 000077 000).

Frank Neal presented the case to the commissioners and took any questions. Wayne Laircey spoke on behalf of the request. No one spoke against the request.

Commissioner Cartee made a motion to approve the application with staff's recommended condition, seconded by Commissioner Brown, and the motion carried 6 to 0.

# VI. Announcements

Frank Neal announced the upcoming Citywide Strategic Meeting on May 13, 2017 and distributed "save-the-date" cards to the Planning Commissioners.

# VII. Adjourn

Commissioner Cartee made a motion to adjourn, seconded by Commissioner McKay and the motion carried 6 to 0.

Chair – James W. Byrd, Sr.

Secretary – Frank Neal, AICP Director of Planning and Development



# City of Statesboro – Department of Community Development DEVELOPMENT SERVICES REPORT

P.O. Box 348 Statesboro, Georgia 30458 » (912) 764-0630 » (912) 764-0664 (Fax)

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# SE 17-05-01 SPECIAL EXCEPTION REQUEST 922 NORTHSIDE DRIVE EAST

		Case # SE 17-05-01 Parcel # 551 000064 000
LOCATION:	922 Northside Drive East	Location Map: 922 Northside Drive East
REQUEST:	Special exception to utilize the property located at 922 Northside Drive West as a motor vehicle leasing facility in the CR (Commercial Retail) zoning district.	
APPLICANT:	Enterprise Leasing Company Southeast LLC	
OWNER(S):	Shin Real Estate Holdings, LLC	
LAND AREA:	.68 acres	
PARCEL TAX MAP #s:	S51 000064 000	INDREAS ST AND AND
COUNCIL DISTRICT:	District 1 (Boyum)	
		Planning and Development

### PROPOSAL:

The applicant requests a special exception to utilize the property located at 922 Northside Drive East as a motor vehicle leasing facility in the CR (Commercial Retail) zoning district (Tax Parcel S51 000064 000). The applicant's business has outgrown the current location (967 Northside Drive East), which is located in a small strip shopping center with shared parking among three (3) businesses. The *Statesboro Zoning Ordinance* does not specifically mention motor vehicle leasing facilities and their zoning designation; however, automotive and allied sales and services are restricted to the HOC (Highway Oriented Commercial) zoning district (See **Exhibit A**—Location Map, **Exhibit B**—Pictures of Applicant's Current Location and **Exhibit C**—Pictures of Proposed Subject Site).

#### BACKGROUND:

The applicant's current location (967 Northside Drive East) is split-zoned R15 (Single-Family Residential) and CR (Commercial Retail). The location contains nineteen (19) parking spaces, of which two (2) are ADA. Statesboro Karate, located on the same parcel as Enterprise Rent-A-Car, operates Monday, Wednesday and Thursday from 10:00 AM to 9:00 PM; Tuesday from 10:00 AM to 2:00 PM and Friday from 10:00 AM to 7:00 PM. All-Clean of Statesboro, which opened in 2014, is located on the parcel, operates Monday through Friday from 8:30 AM to 6:00 PM and offers a 24/7 on-call service, which may require operation beyond regular business hours. Consequently, the number of businesses, the nature of their services, their operating hours and the limited number of parking spaces creates problematic traffic/parking conditions.

In 2008, building permit number 6727 was issued for the construction of a parking lot addition at the proposed subject site (922 Northside Drive East) (See **Exhibit D**—Statesboro Cardiology Site Plan). The site contains thirty-three (33) parking spaces and one (1) ADA space.

#### SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:	
NORTH:	CR (Commercial Retail) and R15 (Single- Family Residential)	Personal service facility and single-family detached dwelling units	
SOUTH:	CR (Commercial Retail)	Personal service facility	
EAST:	R15 (Single-Family Residential)	Single-Family detached dwelling units	
WEST:	CR (Commercial Retail) and R15 (Single- Family Residential)	Personal service facilities and single-family detached dwelling units	

The subject property is adjacent to single-family residential dwellings to the east and personal service facilities to the north, south and west, including My Eye Doctor, Statesboro Karate and All-Clean, to name a few. (See **Exhibit B**— Pictures of Proposed Subject Site (922 Northside Drive East)).

#### **COMPREHENSIVE PLAN:**

The subject site lies 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 Strategies:

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

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 23.

#### **COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):**

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

#### ENVIRONMENTAL:

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

#### ANALYSIS:

The applicant requests a special exception to utilize the property located at 922 Northside Drive East as a motor vehicle leasing facility with an average capacity of ten (10) to fifteen (15) vehicles available for rental. The subject site is located in the CR (Commercial Retail) zoning district and the applicant's requested use is <u>only</u> permitted in the HOC (Highway Oriented Commercial) zoning district by right as an allied use to automobile sales and services.

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

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

The applicant is requesting to use the subject site as a motor vehicle leasing facility for a parcel zoned CR (Commercial Retail). While motor vehicle leasing facilities are not specifically mentioned in the

*Statesboro Zoning Ordinance,* automotive and allied sales and services is not a permissible use by right in the CR (Commercial Retail) zoning district and are restricted to the HOC (Highway Oriented Commercial) zoning district <u>only</u>.

The general character of the applicant's business requires the on-site storage of inventory vehicles for lease, however short-lived, which is similar in nature to automotive sales facilities.

#### II. Consideration of the Proposed Use's Ability to Adhere to the CR Zoning District's Requirements

The proposed subject site was upgraded to include twenty-five (25) additional parking spaces in 2008. The site contains thirty-three (33) parking spaces and one (1) ADA space. The subject site contains one 2,800 sq. ft. building, one 465 sq. ft. storage section and one 75 sq. ft. porch. The subject site was developed in accordance with CR (Commercial Retail) requirements when the building was erected.

While the applicant is requesting the use of the subject site as a motor vehicle leasing facility, the applicant estimates an average ten (10) to fifteen (15) vehicles stored on-site. In addition, the applicant's policy prohibits the overnight storage of customer vehicles upon rental, which may reduce problematic parking/traffic.

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

According to the *City of Statesboro Updated 2014 Comprehensive Plan,* the subject site lies within the "Neighborhood Center" character area. This character area emphasizes the development of neighborhood-scale residential, commercial and personal service uses. Generally, neighborhood-scale uses include retail, restaurant and neighborhood services.

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

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

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

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

- A. Existing uses and zoning or [of] property nearby.
- B. The extent to which property values are diminished by the particular zoning restrictions.
- C. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
- D. The relative gain to the public, as compared to the hardship imposed upon the property owner.
- E. The suitability of the subject property for the zoned purposes.

- F. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.
- G. The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.

#### STAFF RECOMMENDATION:

Staff recommends approval of the use requested by application SE 17-05-01 with the following recommendations:

- 1. The total number of vehicles parked at the location shall not exceed thirty-three (33).
- 2. Extend the continuous shrub buffer, of at least four (4) feet in height at the time of planting, in front of the right side lot facing Northside Drive (See **Exhibit B**—Pictures 5 and 6).

#### **EXHIBIT A: LOCATION MAP**

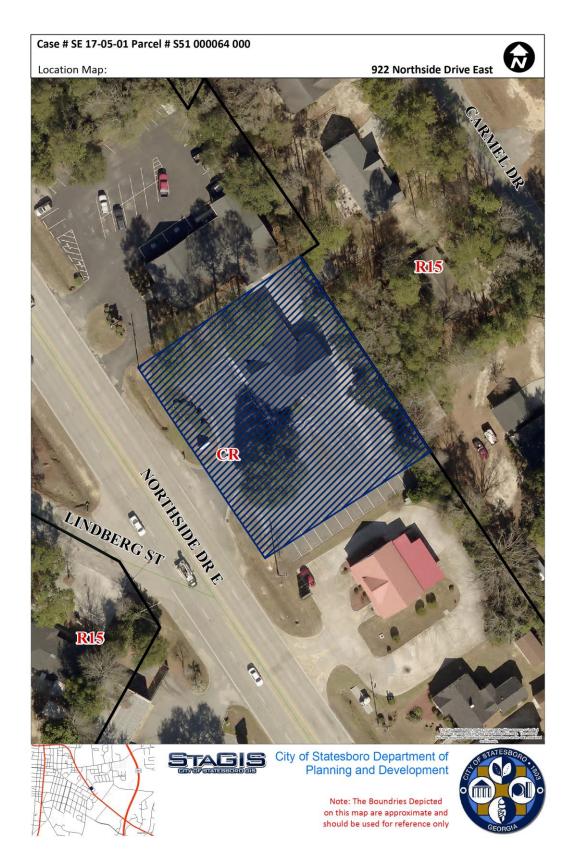




EXHIBIT B: PICTURES OF PROPOSED SUBJECT SITE (922 NORTHSIDE DRIVE EAST)

Picture 1 Proposed Location Depicting Parking Lot facing North



Picture 2 Proposed Location Depicting Existing Structure





Picture 3 Proposed Location Depicting Parking Lot on Southern Side of Existing Structure



Picture 4 Proposed Location Depicting Additional Spaces on Southern Property Line

EXHIBIT B: PICTURES OF PROPOSED SUBJECT SITE (922 NORTHSIDE DRIVE EAST) (CONT.)

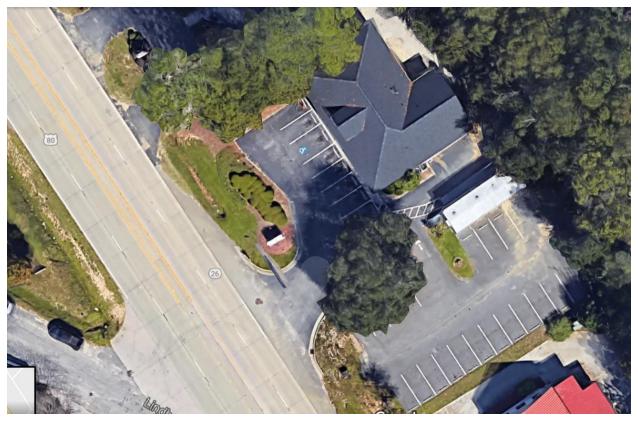


Picture 5 Right Side Lot Facing Northside Drive for Installation of Shrubs



Picture 6 Left Side Lot Facing Northside Drive with Shrubs Installed

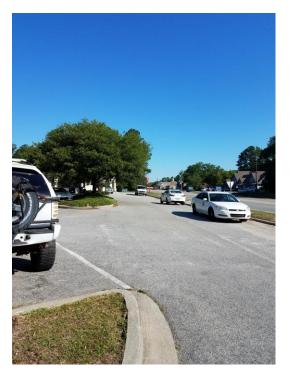
EXHIBIT B: PICTURES OF PROPOSED SUBJECT SITE (922 NORTHSIDE DRIVE EAST) (CONT.)



Picture 7 Aerial View of Proposed Location Depicting Parking Area (Image: Google Earth)



Picture 8 Applicant's Current Location Depicting the Site's Southern Property Line and Parking Lot



Picture 9 Applicant's Current Location Depicting the Site's Parking Lot Facing North



Picture 10 Applicant's Current Location Depicting the Site's Parking Lot Facing North



Picture 11 Applicant's Current Location Depicting the Site's Limited Parking



Picture 12 Applicant's Current Location Depicting the Site's Parking Lot Facing South



Picture 13 Applicant's Current Location Depicting the Site's Parking Lot Facing North



Picture 14 Applicant's Current Location Depicting Rear of Lot and Northside Drive East where Customers Park Evenings

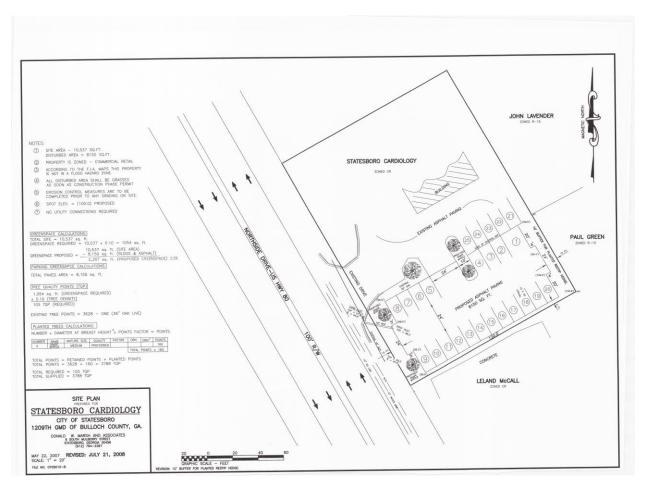


Picture 15 Northside Drive East Depicting Location where Customers Park Evenings

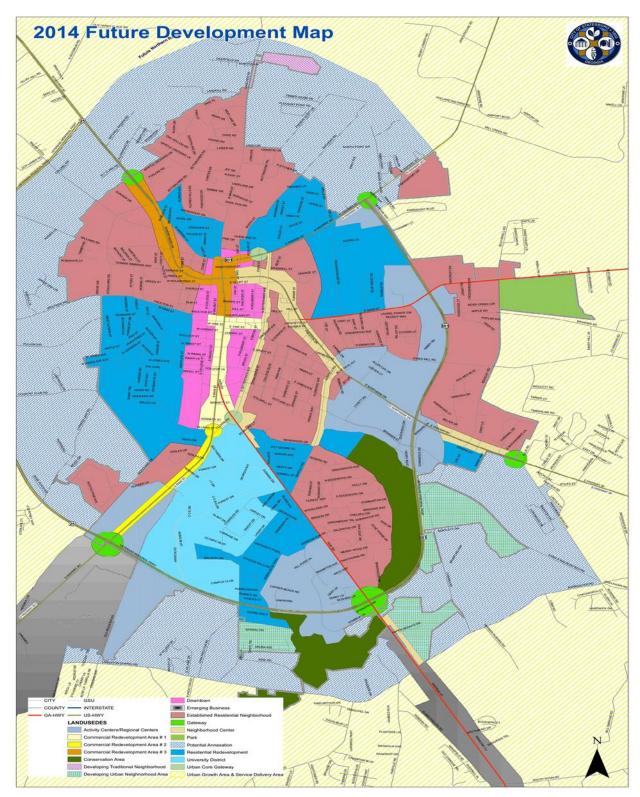


Picture 16 Northside Drive East Depicting Customers Parking in the Evening

#### **EXHIBIT D: STATESBORO CARDIOLOGY SITE PLAN**



### EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP





# 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 17-05-02 VARIANCE REQUESTS 600 BRANNEN STREET

LOCATION:	600 Brannen Street	Loc
REQUEST:	Ellianos Coffee Company requests a variance from Article XV Section 1509(B) Table 2 of the <i>Statesboro Zoning Ordinance</i> regarding the installation of a projecting sign for a commercial building located at 600 Brannen Street, which is prohibited in sign district 3 (Tax Parcel S53 000059 000).	Part Part
APPLICANT:	Ellianos Coffee Company	
OWNER(S):	Hull Properties	E Ho
ACRES:	8.48 acres	Contraction of the
PARCEL TAX MAP #:	S53 000059 000	2 12
COUNCIL DISTRICT:	District 5 (Chance)	1 in = 30



#### PROPOSAL:

The applicant requests a variance from Article XV Section 1509(B) Table 2 of the *Statesboro Zoning Ordinance* regarding the installation of a projecting sign in Sign District 3 (See **Exhibit A** – Location Map). The applicant would like to install one (1) 3' 5" by 3' 5" projecting sign to the east-facing wall of a commercial building. The *Statesboro Zoning Ordinance* prohibits the installation of projecting signs that exceed 12" in Sign District 3.

#### SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:	
NORTH: CR (Commercial Retail)		Food Service Facilities, Retail Facilities	
SOUTH:	CR (Commercial Retail)	Vacant Parcel	
EAST:	CR (Commercial Retail)	Vacant Parcels	
WEST	O (Office and Business Office District)	Personal Service Facilities	

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

#### COMPREHENSIVE PLAN:

The subject site lies within the "Neighborhood Center" character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Master Plan*. 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 (See **Exhibit B** – Future Development Map).

Some appropriate land uses for the "Neighborhood Center" character area include the following:

Neighborhood scale commercial, office, and service

#### Statesboro Comprehensive Master Plan, Community Agenda page 23.

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

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

Statesboro Comprehensive Master Plan, Community Agenda page 11.

#### ANALYSIS:

I. V 17-02-02: Variance from Article XV Section 1509(B) Table 2: Permitted Signs by Type and Sign District to permit the installation of a projecting sign.

The applicant is requesting a variance from Article XV (Signs) regarding the installation of a projecting sign, which is prohibited in Sign District 3. The subject site is located in the CR (Commercial Retail) zoning district and is regulated by the dimensional standards of Sign District 3 (See **Exhibit D**—Section 1509(C) Table 5). Article XV (Signs) Section 1509(B) Table 2 of the *Statesboro Zoning Ordinance* regulates the permitted signs by type and sign district and prohibits the installation of projecting signs that exceed 12 inches when affixed to a building, as defined in Article XV Section 1501. The applicant's intention is to install a 3' 5" by 3' 5" projection sign to the east-facing wall of a commercial building (See **Exhibit E**—Photos of Proposed Signage).

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:** 

- 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;
   There are no special conditions.
- 2. The special conditions and circumstances do not result from the actions of the applicant;
- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
  - There is no proven hardship.
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.

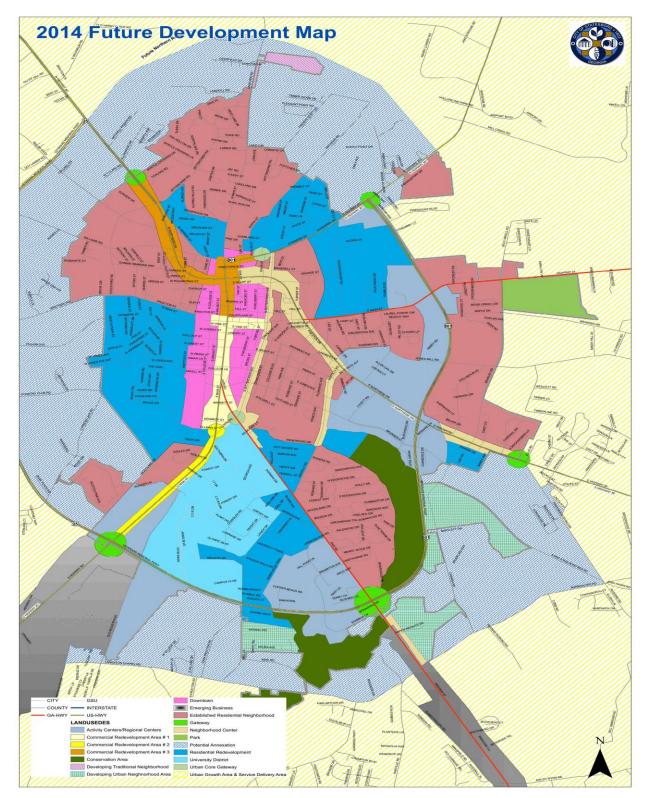
#### STAFF RECOMMENDATION:

Staff recommends approval of application V 17-05-02 with the following condition:

1. The applicant/installer must submit installation/mounting details that meet the minimum requirements of the City of Statesboro Engineering Department.



#### EXHIBIT B: FUTURE DEVELOPMENT MAP



#### **EXHIBIT C: PHOTOS OF SUBJECT SITE**



Picture 1 Subject Site Facing West Depicting Location for Sign Installation



Picture 2 Subject Site Facing West Depicting Location for Sign Installation

#### Table 5. Sign District 3 Dimensional Standards

TABLE INSET:

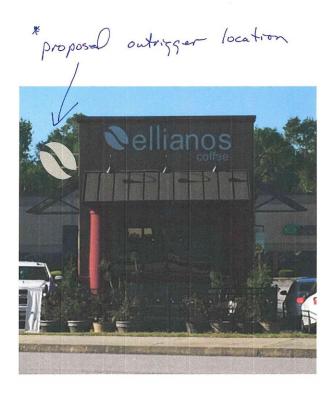
SIGN DISTRICT 3 (As defined in subsection 1509[A.3])	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
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:		a an ann a' sun an Ionnaichte ann ann ann ann ann ann ann ann ann an	
1. Maximum Number of Total Square Feet	Wall length of 100 feet or less: 50 square feet. Wall length of greater than 100 feet: 100 square feet.	60 square feet	The greater of 60 sf or 5% of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building elevation	Building elevation
3. Number of Building Signs Allowed***	One per elevation	One sign per common entrance	One per building elevation per tenant

\*As provided in Section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.

\*\*Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein. \*\*\*Two (2) per building elevation where one (1) sign is in the form of a canopy/awning, and where the cumulative square footage of both does not exceed the "maximum number of total square feet" for building signs.

City of Statesboro, Georgia Zoning Ordinance

XV-16





598 Brownia Street

