



January 04, 2012 9:00 A.M.

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman John Riggs
3. Oath of Office Administrated by Bulloch County Probate Judge Lee Deloach for:
 - a) District 2 Council Member Gary Lewis
 - b) District 3 Council Member Will Britt
 - c) District 5 Council Member Travis Chance
4. Consideration of a Motion to appoint a Mayor Pro Tem for the next two years, per the Statesboro Municipal Code, Section 2-4 of the City Charter
5. Recognitions/Public Presentations
 - a) Dan E. Jackson, Water Sewer Operator, retiring after 17 years of service
 - b) (Wilford) Roy Smith, Wastewater Treatment Operator, retiring after 18 years of service
 - c) Joseph Hurd to address Council with concerns of trash receptacles not being removed in a timely manner
6. Public Comments (Agenda Item):
7. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) December 06, 2011 Council Minutes
 - b) December 06, 2011 Council Work Session Minutes
 - B) First Reading and Consideration of a Motion to approve the application of alcohol license:
 - a) Reginald Tony Mosley (Bunz Restaurant)
 - C) Consideration of a Motion to approve a temporary alcohol license according to Chapter 6 Section 6-34(a) of the Alcohol Ordinance:
 - a) Christian K. Bennett (Chops Statesboro LLC)
 - D) Motion to award a contract to Danna Safety Supply in the amount of \$28,726.12 to install light and siren warning systems on four (4) Police Tahoes.
 - E) Adoption of 2012 City of Statesboro Planning Commission Schedule

8. Public Hearing and Consideration of a Motion to approve the following zoning map amendments:
 - a) APPLICATION # RZ 11-11-01: Jennings Construction and Development, Inc. requests a zoning map amendment of approximately 11.36 acres from HOC (Highway Oriented Commercial) to R4 (High Density Residential) and approximately 58.48 acres from R10 (Single Family Residential) to R3 (Medium Density Multiple Family Residential) for property located on Highway 301 in Northbridge Subdivision to allow for the development of duplexes and apartments.
 - b) APPLICATION # RZ 11-11-02: Mr. Charles Tsang is requesting a zoning map amendment from R4 (High-Density Residential) to CR (Commercial Retail) for property located at 223 Lanier Drive (Tax Parcel Numbers MS63000024 000 & MS63000023 000).
9. Other Business from City Council
10. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
CITY COUNCIL MINUTES
December 6, 2011**

A regular meeting of the Statesboro City Council was held on December 6, 2011 at 9:00 a.m. in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, Tommy Blitch, John Riggs, Gary Lewis and Travis Chance. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Engineer Robert Cheshire, and Director of Community Development Mandi Cody.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) November 15, 2011 Council Minutes**
 - b) November 15, 2011 Work Session Minutes**
 - c) November 29, 2011 Public Hearing and Work Session Minutes**

- B) Second Reading and Consideration of a Motion to approve the application of alcohol license:**
 - a) Steven Jones (Sugar Magnolia Bakery & Cafe)**

- C) First Reading and Consideration of a Motion to approve the application of alcohol license:**
 - a) Christian K. Bennett (Chops Statesboro, LLC)**

- D) Second Reading and Consideration of a Motion to approve Resolution to amend Ordinance #2011-13. An ordinance amending Chapter 86 of the City of Statesboro's Code of Ordinances titled "Urban Forest Beautification and Conservation Ordinance".**

- E) Second Reading and Consideration of a Motion to approve Ordinance 2011-14: An Ordinance Amending Chapter 6 of the City of Statesboro's Code of Ordinances titled Alcoholic Beverages**

- F) Consideration of a Motion to award the purchase of three (3) new sports utility vehicles for use by the City of Statesboro Police Department to Mall of Georgia Ford for \$22,550.00 per a vehicle and for a total of \$67,650.00. No local dealers came within the 3% local preference range.**

- G) Consideration of a Motion to award a contract to Smith Steel Structures having offered the lowest responsive bid of \$37,996.00 for the relocation and extension of existing metal building at the Lakeview landfill Facility**

- H) Consideration of a motion to approve the purchase of a water tanker for the Fire Department in the amount of \$193,693 using SLOST 2007 funds.**

I) Consideration of a Motion to award the second lowest bidder, Tucker Utilities, Inc. in the amount of \$350,997.14 for the Gateway II Industrial Park (Cannady Tract) water and sewer extension

Councilman Riggs made a motion, seconded by Councilman Blitch to remove item (I) from the consent agenda for further discussion and approve the remaining items on the consent agenda. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carries by a 5-0 vote.

(I) Consideration of a Motion to award the second lowest bidder, Tucker Utilities, Inc. in the amount of \$350,997.14 for the Gateway II Industrial Park (Cannady Tract) water and sewer extension

Councilman Riggs started the discussion stating that after having talked with Mr. Jeff Wolfe, who was the lowest bidder, was convinced the bid should be awarded to Southeastern Civil Inc. Director of Water Wastewater Wayne Johnson stated in 32 years, this was the first time liquidation damages have been filed against a contractor by the City. His recommendation was to award the bid to the second lowest bidder (Tucker Utilities). If the bid was awarded to Southeastern Civil, the cost to the City would be an added expense of 8 to 12 thousand dollars to hire an additional inspector for that particular project. Jeff Wolfe was present for any questions by Council.

Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to award the bid contract to the lowest bidder, Southeastern Civil Inc. Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carries by a 5-0 vote.

Public Hearing and Consideration of a Motion to approve the following request:

- a) **APPLICATION # RZ 11-08-01: Breckenridge Properties requests a zoning map amendment of 10.1 acres of property located on Highway 67 from CR (Commercial Retail) to R4 (High Density Residential).**

Joey Maxwell (Maxwell, Reddick and Assoc.) representing Aspen Heights spoke in favor of the request. Mayor Pro Tem Will Britt stated he had some concerns about putting a street down the middle of the complex. City Engineer Robert Cheshire stated it may not be possible to completely do away with the streets in the middle of the complex. Councilman Chance suggested maybe speed bumps and 4 way stops. Laura Marsh spoke in favor of the request on behalf of the neighboring property owner (Beasley). Councilman Blitch made a motion seconded by Councilman Riggs to approve the following request: **APPLICATION # RZ 11-08-01: Breckenridge Properties requests a zoning map amendment of 10.1 acres of property located on Highway 67 from CR (Commercial Retail) to R4 (High Density Residential) with the condition to include the recommendations by staff and to add Georgia Power to page 4 section ii.** Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carries by a 5-0 vote.

Other Business from City Council

Mayor Brannen stated this would be the last meeting for 2011 and thanked Council for its hard work and dedication to make this year a success.

Ms. Carrie Howard addressed Council with questions concerning a picture that was published in the October Statesboro Herald showing a lock that was being taken from the gates at the Whitesville Park. She stated they had no right to take the lock off the gate and wanted Council to tell her if the scene in the picture was a criminal or civil case. Council referred this to City Manager Frank Parker stating he would look into the circumstances surrounding the incident.

Consideration of a Motion to enter into Executive Session to discuss personnel matters in accordance with O.C.G.A. §50-14-3 (2010)

Councilman Chance made a motion, seconded by Councilman Lewis to enter into Executive Session at 10:00 a.m. with a ten(10) minute break before starting the discussion of personnel matters in accordance with O.C.G.A. § 50-14-3 (2010). Councilman Britt, Blitch, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 5-0 vote. Present were Mayor Joe R. Brannen, Council Members: Will Britt, John Riggs, Tommy Blitch, Gary Lewis and Travis Chance. Also present were City Clerk Sue Starling, Director of Human Resources Jeff Grant.

Councilman Blitch left the meeting. Councilman Chance made a motion, seconded by Councilman Lewis to come out of Executive Session at 11:30 am. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Regular Session

Mayor Brannen called the regular session back to order at 11:30 am with no action taken.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Riggs to adjourn. Councilman Britt, Riggs, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote. The meeting was adjourned at 11:35 a.m.



**CITY OF STATESBORO
CITY COUNCIL WORK SESSION MINUTES
December 6, 2011**

A work session of the Statesboro City Council was scheduled to be held on December 6, 2011 immediately following the regular Council Meeting at 9:00 am in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, John Riggs, Gary Lewis and Travis Chance. Also present were City Manager Frank Parker, City Clerk Sue Starling. Councilman Blich was absent.

Reports from Staff:

- a) City Manager's Report
- b) Department Head Reports

No reports from City Manager and Staff

Public Comments (General): None

General discussion on emerging issues: None

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

The meeting was adjourned at 11:36 a.m.

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 12-19-2011 NEW RENEWAL _____

TYPE OF BUSINESS TO BE OPERATED:

- RETAIL BEER & WINE PACKAGED ONLY \$1,250.00
- RETAIL BEER & WINE BY THE DRINK \$1,250.00
- BEER, WINE & LIQUOR BY DRINK \$3,750.00
- WHOLESALE LICENSE \$1,000.00
- APPLICATION FEE - PACKAGED SALES \$ 150.00
- APPLICATION FEE - POURING SALES \$ 150.00

APPLICANTS FULL NAME REGINALD Tony Masley

OWNERS NAME REGINALD T. Masley

DBA (BUSINESS NAME) BUNZ RESTAURANT

BUSINESS ADDRESS 912-681-2867 - 1830 Chandler Road

BUSINESS MAILING ADDRESS P.O. Box 665 Pictal GA 30450

BUSINESS TELEPHONE # 912 -

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE _____

APPLICANTS AGE 54 DATE OF BIRTH _____

ARE YOU A CITIZEN OF THE UNITED STATES? YES NO

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING? YES NO

IS THE APPLICANT THE OWNER OF THE BUSINESS? YES NO

IF NO, WHAT IS YOUR TITLE IN THE BUSINESS? _____

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 1

PLEASE LIST BELOW: REGINALD T Masley

FOR OFFICE USE ONLY:	APPROVED	DENIED (REASON ATTACHED)
Police Department	_____	_____
Community Development	_____	_____
Fire Department	_____	_____
Building Official	_____	_____

ALCOHOL APPLICATION CHECKLIST

Chops Statesboro, LLC

Business Name: _____

1. Zoning/Planning
2. Fire Inspection
3. Background Check (Police Department)
4. Food Service Permit (Health Department)
5. ~~WA~~ Food Sales Permit (Department of Agriculture)
6. State License - Alcohol (Issued after City Approves & Issues City License)
7. Affidavit
8. Copy of Identification
9. Affidavit of Publication (Alcohol License Only)
(Advertised during the 1st and 2nd readings)

No Issues With Any Departments

12-6-11 First Reading _____ Second Reading

_____ **Date Approved/Denied By Mayor and City Council**

Teresa Skinner – Tax Clerk

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 10/31/11 NEW _____ RENEWAL _____

TYPE OF BUSINESS TO BE OPERATED:

- ___ RETAIL BEER & WINE PACKAGED ONLY \$1,250.00
- ___ RETAIL BEER & WINE BY THE DRINK \$1,250.00
- BEER, WINE & LIQUOR BY DRINK \$3,750.00
- ___ WHOLESALE LICENSE \$1,000.00
- ___ APPLICATION FEE - PACKAGED SALES \$ 150.00
- ___ APPLICATION FEE - POURING SALES \$ 150.00

APPLICANTS FULL NAME Christian K. Bennett

OWNERS NAME Christian K. Bennett

DBA (BUSINESS NAME) Chops Statesboro, LLC

BUSINESS ADDRESS 30 West Main St.

BUSINESS MAILING ADDRESS P O Box 508, Statesboro, GA 30459

BUSINESS TELEPHONE # 912-764-7119

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE _____

APPLICANTS AGE 43 DATE OF BIRTH _____

ARE YOU A CITIZEN OF THE UNITED STATES? YES ___ NO

HAVE YOU EVER BEEN ARRESTED FOR ANYTHING? ___ YES NO

IS THE APPLICANT THE OWNER OF THE BUSINESS? YES ___ NO

IF NO, WHAT IS YOUR TITLE IN THE BUSINESS? _____

HOW MANY PARTNERS, SHAREHOLDERS, ETC. ARE INVOLVED IN THE BUSINESS 1

PLEASE LIST BELOW: Christian Bennett

FOR OFFICE USE ONLY: APPROVED DENIED (REASON ATTACHED)

Police Department _____

Community Development _____

Fire Department _____

Building Official _____

Memo



TO: Frank Parker, City Manager
FROM: Darren Prather, Purchasing Director
DATE: 12-28-2011
Re: Bid Award/Light and Siren Warning Packages—(4) PD Tahoes

The City of Statesboro recently solicited sealed bids for the purchase of light and siren warning packages to be installed in four (4) Police Tahoes that were recently purchased. Bid packages were sent to a total of five (5) vendors including local vendors who were authorized dealers of the equipment specified in this bid package. The specifications required that the vendor supply specific brand equipment in order to standardize and the installation had to be done at the City of Statesboro Police facility or within Bulloch County within ten days of the bid award date in order to get these police vehicles fully operational as soon as possible. The following vendors were sent bid packages and the results are as follows:

<u>Vendor</u>	<u>Each Vehicle</u>	<u>Total: (4) Vehicles</u>
1. Dana Safety Supply	\$7,181.53 ea.	\$28,726.12
2. West Chatham Warning Devices	\$7,643.02 ea.	\$30,572.08
3. Savannah Communications	No Bid	
4. Xtream Automotive	No Bid	
5. Interceptor	No Bid	

After discussing the sealed bid results with Wendell Turner, I recommend that the City of Statesboro award this contract to Dana Safety Supply as they have submitted the lowest responsive bid of \$28,726.12 to equip all four (4) vehicles with the requested safety devices. The 3% local preference policy is not a factor in this bid award as both vendors reside outside of Bulloch County.



CITY OF STATESBORO PLANNING COMMISSION 2012 SCHEDULE

Deadline Date*	Planning Commission Meeting**	City Council Meeting***
December 9, 2011	January 10, 2012	February 7, 2012
January 6, 2012	February 14, 2012	March 6, 2012
February 10, 2012	March 13, 2012	April 3, 2012
March 9, 2012	April 10, 2012	May 1, 2012
April 6, 2012	May 8, 2012	June 5, 2012
May 4, 2012	June 12, 2012	July 3, 2012
June 8, 2012	July 10, 2012	August 7, 2012
July 6, 2012	August 14, 2012	September 5, 2012***
August 10, 2012	September 11, 2012	October 2, 2012
September 7, 2012	October 9, 2012	November 6, 2012
October 5, 2012	November 13, 2012	December 4, 2012
November 9, 2012	December 11, 2012	January 2, 2013***

*Applications are due by 4:00 p.m. local time on the deadline date. Applications must be complete and include all required attachments in order to be considered by the Planning Commission and City Council on the corresponding meeting dates.

**Planning Commission meetings are held the second Tuesday of each month, 5:00 PM, City Hall, City Council Chambers, 50 East Main Street.

***Anticipated meeting date. City Council meetings are typically held the first Tuesday of each month. Traditionally moved to Wednesday [See September, January] following a Monday holiday. Confirm City Council meeting dates with the City Clerk's office (912) 764-0621.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

**RZ 11-11-01
 ZONING MAP AMENDMENT
 HIGHWAY 301 NORTH (NORTHBRIDGE SUBDIVISION)**

LOCATION: Highway 301 North (Northbridge Subdivision)

REQUEST: Rezone from R10 (Single Family Residential) and HOC (Highway Oriented Commercial) to R3 (Medium Density Multiple Family Residential) and R4 (High Density Residential).

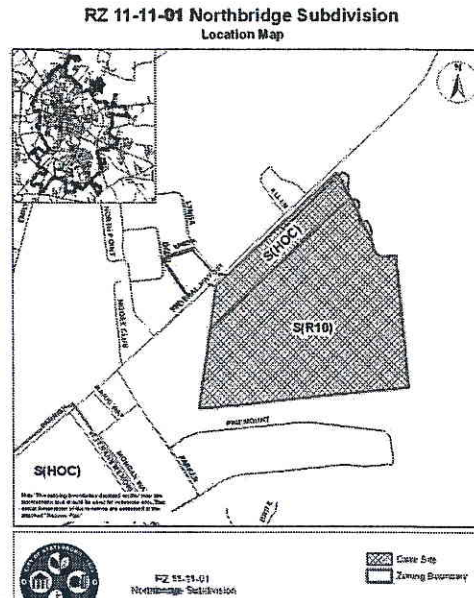
APPLICANT: Jennings Construction and Development, Inc.

OWNER(S): Jennings Construction and Development, Inc.

LAND AREA: apx 87 Acres

PARCEL TAX MAP #s: MS8000013000 & MS8000130C1,C2,C3,C4,C5

COUNCIL DISTRICT: 1 (Blich)



PROPOSAL:

The applicant is requesting rezoning of approximately 11.39 acres of the subject property along the frontage of Highway 301 North from HOC (Highway Oriented Commercial) District to R4 (High Density Residential) District and approximately 58.48 acres in the rear of the subject property from R10 (Single Family Residential) District to R3 (Medium Density Multiple Family Residential) District in order to construct apartments and duplexes on the subject property. (See **Exhibit A – Location Map & Exhibit B – Sketch Plan**)

BACKGROUND:

The subject area of this request is located on approximately 87 acres in Northbridge Subdivision – a single family development at the edge of the municipal limits located off of Highway 301 North. The subdivision is currently zoned R10 (Single Family Residential) with a HOC (Highway Oriented Commercial) frontage. These zoning classifications are the result of previous Council decisions to annex the property inside the municipal limits with the HOC (Highway Oriented Commercial) district portion of the property fronting Highway 301 North with the R10 (Single Family Residential) District portion of the property located behind it to develop single family houses. The R10 (Single Family Residential) District portion was later subdivided into 140 lots and granted a variance allowing a reduced minimum lot width for nine of the parcels. (See **Exhibit B**) The single family portion of this subdivision is largely undeveloped with approximately eleven of the lots currently being utilized as single family homes while approximately three of the lots are undergoing construction for single family use. The HOC (Highway Oriented Commercial) portion of this property also remains as undeveloped green field fronting Highway 301 North.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	HC (Bulloch County)	Commercial
SOUTH:	R25 (Bulloch County)	Single Family Residential
EAST:	MHP (Bulloch County)	Mobile Home Park

WEST	AG5 (Bulloch County)	Undeveloped
-------------	----------------------	-------------

Properties to the south are utilized as single family residential homes. Property to the west is zoned MHP Bulloch County and contains several mobile homes. Property to the east is zoned LI Bulloch County, but remains undeveloped. Property to the immediate north of the subject area is zoned HC Bulloch County and was previously utilized as commercial facilities. The adjacent parcel to the northwest is zoned HOC and is utilized as an assisted living facility (See Exhibit C).

COMPREHENSIVE PLAN:

The subject site lies at the municipal boundary and within the "Developing" character area and adjacent to a proposed annexation area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The Developing character area is primarily residential in nature, but is "under pressure to grow in a suburban manner." "These developing areas can be found at the periphery of the city, adjacent to existing suburban development and highway corridors." *Statesboro Comprehensive Plan, Community Agenda*, page 16.

Multifamily housing is an appropriate land use for properties within the Developing character area. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master planned to include mixed uses wherever appropriate.
- New developments should provide recreational facilities and open space to meet the needs of their residents.
- Promote walking and bicycling as an alternative means of transportation through the provision of safe, accessible and connected networks and bike storage facilities at destinations.
- There should be strong connectivity and continuity between each subdivision.
- There should be good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

TRANSPORTATION:

The subject property is accessed from U.S. Highway 301 North. U.S. Highway 301 North is functionally classed by the Georgia Department of Transportation as an urban collector street and identified as transitional corridor by the *Bulloch County/City of Statesboro Long Range Transportation Plan (LRTP)*. *Bulloch County/City of Statesboro Long Range Transportation Plan*, page 67.

Traffic counts for the immediate area (and thereby relative to the subject property's proposed use) states that the total average annual daily trips reached approximately 9,600 trips both ways for the year 2010. The *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* rated U.S. Highway 301 at this segment at a level of service (LOS) of C or better. Level of Service ratings are a "qualitative measure of traffic flow describing operating conditions" ranging from A (representing the best operating conditions) to F (representing the worst operating conditions). A rating of C or better indicates that "travel speeds are slightly lower than the posted speed with noticeable delay in intersection areas". A rating of D or worse is considered deficient. The *Bulloch County/City of Statesboro Long Range Transportation Plan* did not note any roadway deficiencies or recommend any capacity or safety improvements for this segment of U.S. Highway 301.

This segment of U.S. Highway 301 is not served by sidewalks, curbs, or gutters.

No significant impact on traffic volume, safety, or capacity is expected as a result of this request.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is partially served by city utilities, including water and sewer and is stubbed for the expansion of services throughout the subdivision. No significant impact is expected on community facilities as a result of this request.

ENVIRONMENTAL:

This property contains wetlands and Special Flood Hazard Areas (SFHA) along the northeastern side of the property; however the majority of the property is easily developable and does not contain any homes in the wetland area. There is no expected environmental impact associated with this request.

ANALYSIS:

The approximately residential 76 acres of the subject site (all but the highway frontage) is currently zoned R10 (Single Family Residential), which requires a minimum lot size of 10,000 square feet and limits permissible uses to detached single family residences. The applicant is requesting that approximately 58.84 acres of the R10 property be re-zoned to

R3 (Medium Density Multiple Family Residential), to allow a permissible use of two family duplexes and also requires a minimum lot size of 12,000 square feet. (See **Exhibit B**)

The front portion (11.39 acres) of the subject property is currently zoned HOC (Highway Oriented Commercial), which limits permissible uses to establishments offering accommodations, supplies or services to motorists, and certain specialized uses such as retail outlets. The applicant is requesting that the property be zoned R4 (High Density Residential), which allows for a permissible use of an apartment house or apartment houses which constitute a single operating or proprietary unit as well as any use permitted in the R3 (Medium Density Multiple Family Residential) district which allows for duplexes. (See **Exhibit B**)

The request to rezone approximately 58.48 acres of the residential portion of the subject property from R10 (Single Family Residential) to R3 (Medium Density Multiple Family Residential) district and the highway frontage portion of the subject property from HOC (Highway Oriented Commercial) to R4 (High Density Residential) 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 R3 (Medium Density Multiple Family Residential) zoning district and R4 (High Density Residential) 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 as follows:

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

Existing uses and zoning of nearby property range from undeveloped to single family residential and commercial districts located outside of the municipal limits. This subject site itself is largely undeveloped and located in an area that is not experiencing a demand for growth at this time. The general area has struggled for some years and long term development is not expected in the near future.

The property is already being developed and utilized as single family homes in a manner similar to the request. If granted, this request, would have an impact on population density, community facilities, living conditions, traffic patterns and property values in adjacent areas; however, this impact is not expected to be negative or burdensome to the general public or surrounding property owners.

The applicant's request to rezone the rear 58.48 acre portion of the subject property from R10 (Single Family Residential) to R3 (Medium Density Multiple Family Residential) and the front 11.39 acre portion of the subject property from HOC (Highway Oriented Commercial) to R4 (High Density Residential) is not inconsistent with the vision or land use policies adopted in the *Statesboro Comprehensive Plan* or those articulated within the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*. The *Statesboro Comprehensive Plan* adopts a goal of "promot[ing] infill and redevelopment" stating that "infill development, which consists of developing vacant lots dispersed in developed areas, strengthens neighborhoods and reinvests money into infrastructure which is already in place". (*Community Agenda, page 51*). The requested rezoning and subsequent construction proposed for the subject site would achieve this goal of the *Comprehensive Plan*. Furthermore, the *Comprehensive Plan* encourages the development of non-student oriented housing options (*Community Agenda, page 32*). The development of this request may pose an opportunity to encourage investment in this section of the city while providing housing for non-student mixed/medium income families.

The requested zoning map amendment is consistent with the policies articulated within the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan.

As illustrated on the sketch plan submittal, the subject property can be developed in conformance with the requirements for the proposed R3 and R4 zoning districts as set forth in the Statesboro Zoning Ordinance. The subject property is sufficient in size and shape for the development of medium and high density residential uses that meet the setback and other standards of the R3 and R4 zoning districts as well as the parking, buffering, and other development requirements set forth in the Statesboro Zoning Ordinance. However, the subdivision plat must be revised to provide lots that meet the minimum lot size requirements for the proposed zoning districts.

STAFF RECOMMENDATION:

Staff recommends that the requested zoning map amendment from R10 (Single Family Residential) to R3 (Medium Density Multiple Family Residential) and from HOC (Highway Oriented Commercial) to R4 (High Density Residential) be granted with the following conditions:

1. Applicant must submit a revised final subdivision plat for approval by the City of Statesboro that conforms to all current and applicable development regulations.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 6-0 to recommend approval of Application RZ 11-11-01 with the following staff recommended conditions:

1. Applicant must submit a revised final subdivision plat for approval by the City of Statesboro that conforms to all current and applicable development regulations.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

RZ 11-11-01 Northbridge Subdivision Location Map

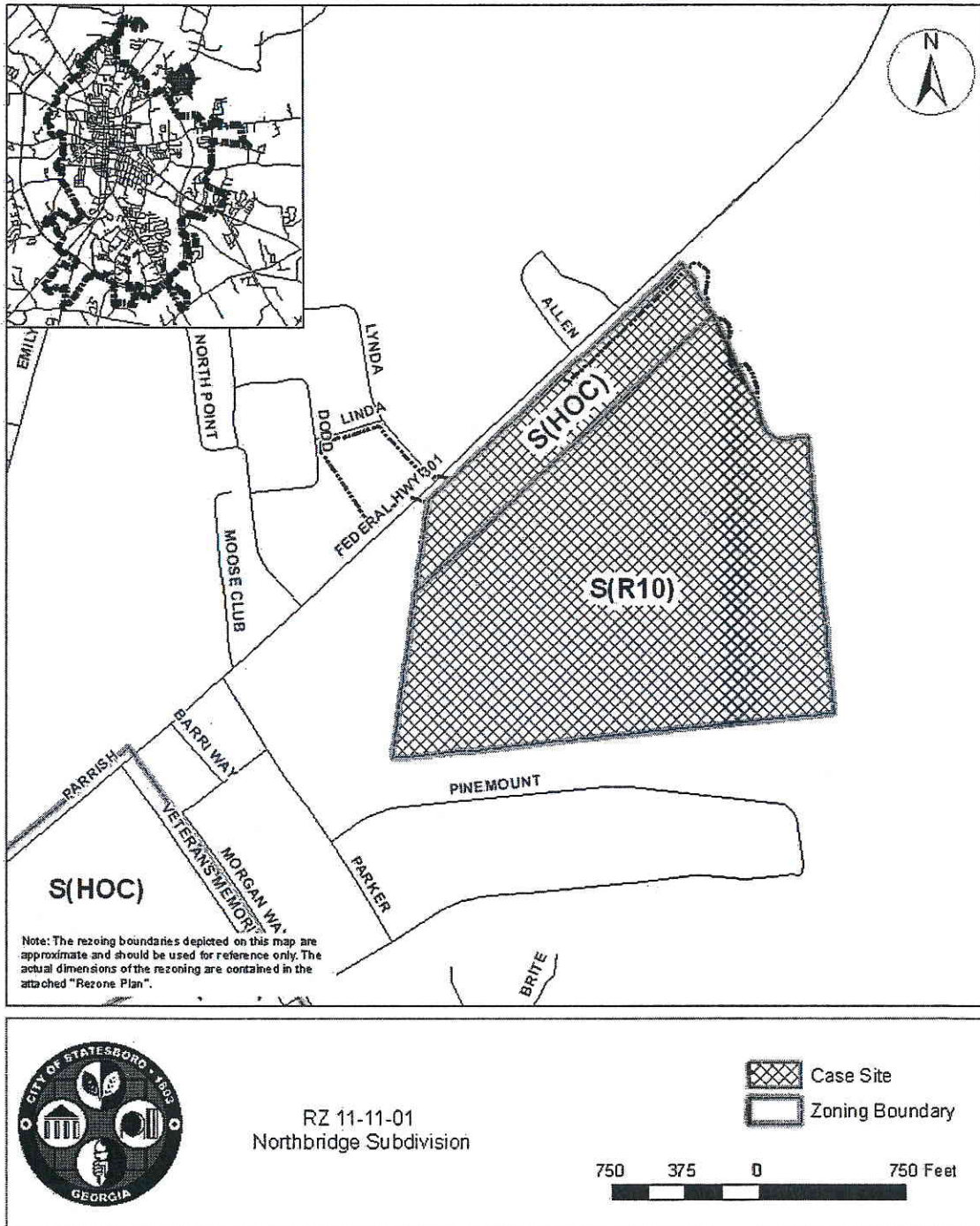


EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: The rear portion of the property to be zoned R3 (Medium Density Multiple Family Residential).



Figure 2: Undeveloped Property to the east.

EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 4: Entrance of subject property from Highway 301.



Figure 5: Property across Highway 301 from subject property.
EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 5: Front portion of the subject property to be zoned R4 (High Density Residential).



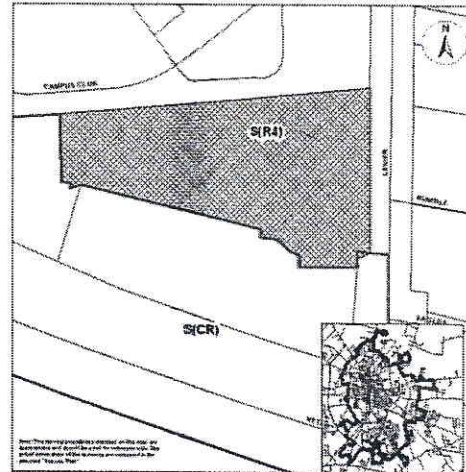
City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

ZONING MAP AMENDMENT
RZ 11-11-02 – 223 Lanier Drive

LOCATION: 223 Lanier Drive
REQUEST: Rezone from R-4 (High Density Residential to CR (Commercial Retail)
APPLICANT: Charles Tsang
OWNER(S): Charles Tsang
LAND AREA: 2.73 Acres
PARCEL TAX MAP #s: MS63000023 & MS63000024
COUNCIL DISTRICT: 3 (Britt)



PROPOSAL:

Mr. Charles Tsang is requesting a zoning map amendment for 2.73 acres of property located at 223 Lanier Drive (**Exhibit A – Location Map**). The request is to rezone the property from the current zoning designation of an R-4 (High Density Residential) district to CR (Commercial Retail) district.

BACKGROUND:

Applicant is requesting a zoning map amendment from the current zoning designation of R-4 (High-Density Residential) to the zoning designation of CR (Commercial Retail) in order to build two commercial centers near Lanier Drive. The subject property currently contains the Stadium Place apartment complex which includes 85 one-bedroom apartment units. The intent of the applicant, as explained to staff, is the removal of a portion of the Stadium Place apartment complex for the location of the commercial centers with the redevelopment of the rear of the property to occur at a later time.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-4 (High Density Residential)	Multi-family residential complex
SOUTH:	CR (Commercial Retail)	Short-term residential (Hotel)
EAST:	R-4 (High Density Residential) CR (Commercial Retail)	Multi-family residential Food service facility & personal service facility
WEST:	CR (Commercial Retail)	Parking area

The subject property is surrounded by two distinct land uses. The adjacent property to the north of the subject property contains the Campus Club apartment complex which has 276 units. The adjacent property to the west of the subject property is owned by the Campus Club apartment complex and is currently used as a parking lot for the complex (**Figure 2e –Surrounding Land Uses**). The adjacent property to the south of the subject property contains a La Quinta

Inn Hotel (**Figure 2a –Surrounding Land Uses**). The properties directly east of the subject property (across Lanier Drive) include the Ellis Apartment complex which contains 22 units (**Figure 2d –Surrounding Land Uses**), and Eagle Creek Townhomes which has 50 units (**Figures 2c & 2d –Surrounding Land Uses**). A Subway restaurant and the Southern Celebrities hair salon are located east of the subject property (**Figure 2b –Surrounding Land Uses**).

COMPREHENSIVE PLAN:

The subject property is located in the "University" character area as identified by the *Statesboro Comprehensive Master Plan 2009-2029* and contains Multi-family, duplex, and single-family housing types. Student-oriented commercial uses are found along primary arteries. The character area is anchored by Georgia Southern University and promotes development focused on pedestrian and bicycle accessibility and promotes the transitioning of the area along the northern side of campus into more active uses. Neighborhood-scaled retail and services are permissible uses, by right, in the CR (Commercial Retail) district. Appropriate land uses also include:

- Higher education facilities
- Multi-family housing
- Single-family housing
- Mixed use retail/office/residential buildings

Suggested development and implementation strategies include

- Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions

The two proposed commercial centers have the potential to provide student-oriented commercial uses. The location of the subject property, relative to Veteran's Memorial Highway, and the existing uses near the subject property may also encourage commercial uses that may not be student oriented. The approval of this request would not be contrary to the *Statesboro Comprehensive Master Plan 2003-2029*.

TRANSPORTATION:

The subject parcel is located at 223 Lanier Drive from which it has sole vehicular access. Lanier Drive is a city maintained two-lane road which begins at Georgia Avenue and contains sidewalks on both sides of the road. This road continues along the southeastern boundary of Georgia Southern University and terminates at Langston Chapel Road (outside the city limits).

The nearest major intersection is Lanier Drive and Veteran's Memorial Highway. The Georgia Department of Transportation has not recorded a traffic count for Lanier Drive. Staff has reviewed the *Bulloch County / City of Statesboro 2035 Long Range Transportation Plan* (LRTP) and traffic generation for the proposed use. The impact on traffic patterns should not be significant should this request be granted.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property is currently served by city water and sewer lines. There are no known issues related to the city's ability to provide public services to this site. There are three sanitary sewer easements and one water line easement that must be taken into account during the design of the site. These easements neither inhibit nor prohibit the subject property to be developed following the regulations of the CR (Commercial Retail) district

ENVIRONMENTAL:

The subject property does not contain wetlands nor is it located in a Special Flood Hazard Area (SFHA) / Flood Zone. The request is not expected to have an environmental impact on the property.

ANALYSIS:

Mr. Charles Tsang recently purchased two parcels of land located at 223 Lanier Drive. These two parcels were adjacent to each other and formed the property on which Stadium Place apartment complex now stands. After the purchase, Mr. Tsang combined the two parcels into one parcel in order to provide more flexibility for redevelopment. The Bulloch County Tax Assessors Office has not assigned a tax parcel number to the newly created parcel at this time, thus the use of the two tax parcel numbers used in this staff report. The subject property is zoned R-4 (High-Density Residential) and the legislative intent for this district is:

"to encourage the logical and timely development of land for apartment and other high density residential purposes in accordance with the objectives, policies, and proposals of the future land use plan..., to assure the suitable design of apartments in order to protect the surrounding environment of the adjacent and nearby neighborhoods, and to insure that the proposed development will constitute a residential environment of sustained desirability and stability and not produce a volume of traffic in excess of the capacity for which access streets are designed." (Article VII, Sec 700)

The applicant is requesting the zoning designation be changed to CR (Commercial Retail) in which the legislative intent is shared by the CDB (Central Business District) and states:

"to provide for the orderly development of a major business and commerce area of the City of Statesboro in accordance with the objectives, policies and proposals of the future land use plan of the city. The development of this district shall be directed as to the plans and redevelopment proposals heretofore shown in the future land use plan and studies which subsequently follow. The district proposes to permit a uniformity of design to ensure the orderly arrangement of buildings, land uses, and parking areas and all construction hereafter proposed for this area shall be related to this objective."(Article VIII, Sec. 800)

The Statesboro Zoning Ordinance provides the Mayor and City Council of Statesboro standards in making its determination and balancing the promotions of the public health, safety, morality, and general welfare against the right of unrestricted use of property. This staff report provides information regarding several of these standards. These "Standards for Determination" are found in Article 20, Sec. 2007 of the *Statesboro Zoning Ordinance* and are as follows:

- | | |
|--|---|
| (1) Existing uses of and zoning or (of) property nearby | (6) The length of the time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property |
| (2) The extent to which property values are diminished by the particular zoning restrictions | (7) The extent the property 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, property values in adjacent areas |
| (3) The extent to which the description of the property values of the property owner promotes the health, safety, morals, or general welfare of the public | (8) Consistency with other governmental land use, transportation and development plans for the community |
| (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 zoned purposes | |

The requested zoning map amendment from the existing R-4 (High-Density Residential) district to a CR (Commercial Retail) district would extend the existing CR (Commercial Retail) district located to the south and east of the subject property. The proposed land uses are consistent with surrounding uses and permitted within the proposed zoning district as permitted uses for the CR (Commercial Retail) district include both retail or wholesale establishments and hotels and motels are specified uses per Article 10, Sec. 1001 (A) which states that any use specifically allowed in the CBD (Central Business District) is allowed in the CR (Commercial Retail) district. The proposed site plan is consistent with the requirements of the CR (Commercial Retail) zoning district. **(Exhibit D: Proposed Site Plan for Commercial Center)**

The subject property is located within an area containing several multi-family residential complexes. The majority of these residents are students attending Georgia Southern University. The subject property currently contains the Stadium Place apartment complex and has a total of 85 one-bedroom apartments. If the proposed zoning change is approved and the applicant redevelops the property as planned a reduction 35 apartment units will be removed from the complex.

The *Statesboro Comprehensive Master Plan* places the subject property in the "University" district and promotes the development of neighborhood scale retail. The location of two commercial centers may provide residents of the surrounding apartment complexes access to additional retail goods and services located within walking distance from their homes. The type of shops the applicant is able to attract to the commercial centers will determine if it is consistent with uses as defined by the "University District" in the *Statesboro Comprehensive Master Plan 2009-2029*. The redevelopment of the Stadium Place apartment complex is in line with the Suggested Development & implementation strategies of the "University" district as the Stadium Place apartment complex has experience a

decline in the condition of the apartment complex. This request does not hinder the implementation of recommendations from the Long Range Transportation Plan and the proposed uses are consistent with the appropriate land uses outlined in the "University" district in the *Statesboro Comprehensive Master Plan*.

STAFF RECOMMENDATION:

The rezoning of the subject property from an R-4 (High-Density Residential) district to a (CR) Commercial Retail zoning district would complement the surrounding zoning districts and serve as an appropriate zoning designation for future land use patterns in the area.

Staff recommends **APPROVAL** of the request to rezone the tax map parcels currently designated MS63000023 & MS63000024a 2.73 acre parcel located at 223 Lanier Drive from R-4 (High-Density Residential) to CR (Commercial Retail).

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 6-0 to recommend approval of the zoning map amendment requested by this application.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual sketch plan (Exhibit D) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

EXHIBIT A: LOCATION MAP

RZ 11-11-02 223 Lanier Drive

Location Map

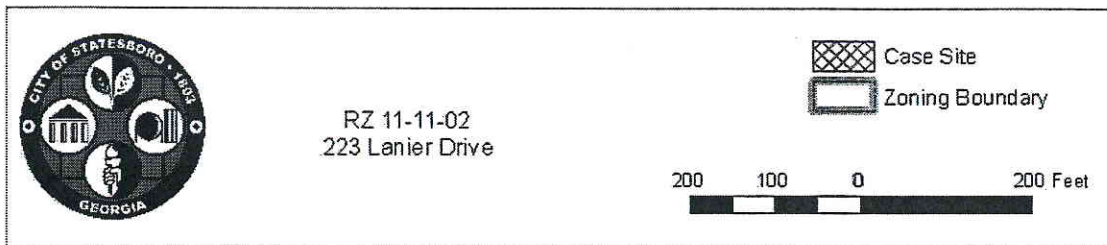
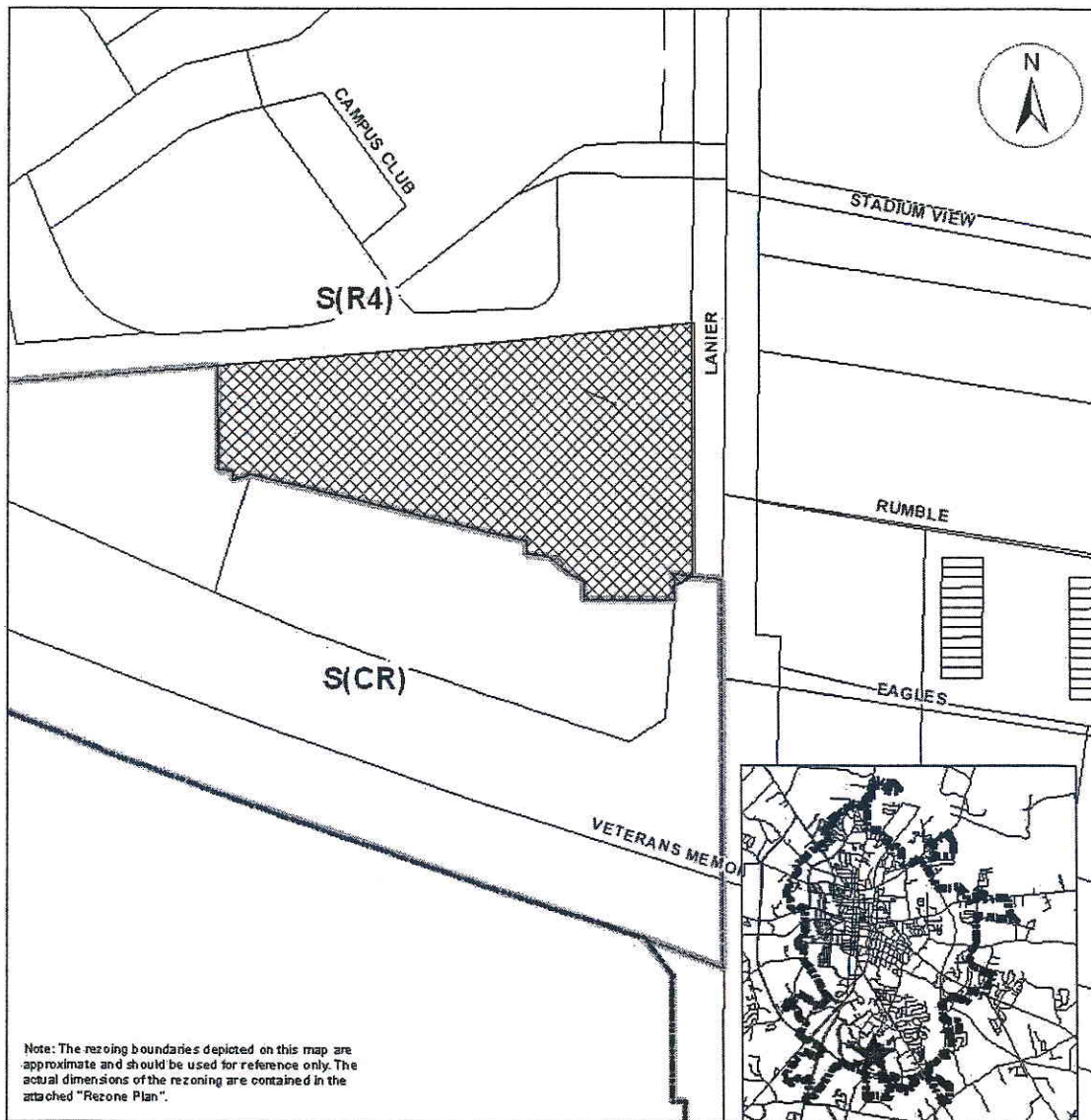



EXHIBIT B: AERIAL MAP OF SUBJECT PROPERTIES



DEVELOPMENT SERVICES REPORT
Case # RZ 11-11-02
Amended December 28, 2011

RZ 11-11-02 223 Lanier Drive

Aerial Map



 RZ 11-11-02
223 Lanier Drive

 Case Site
 Zoning Boundary

125 62.5 0 125 Feet

EXHIBIT C: UPDATED SURVEY OF SUBJECT PARCEL (TWO PARCELS COMBINED)

EXHIBIT D: PROPOSED SITE PLAN FOR COMMERCIAL CENTERS

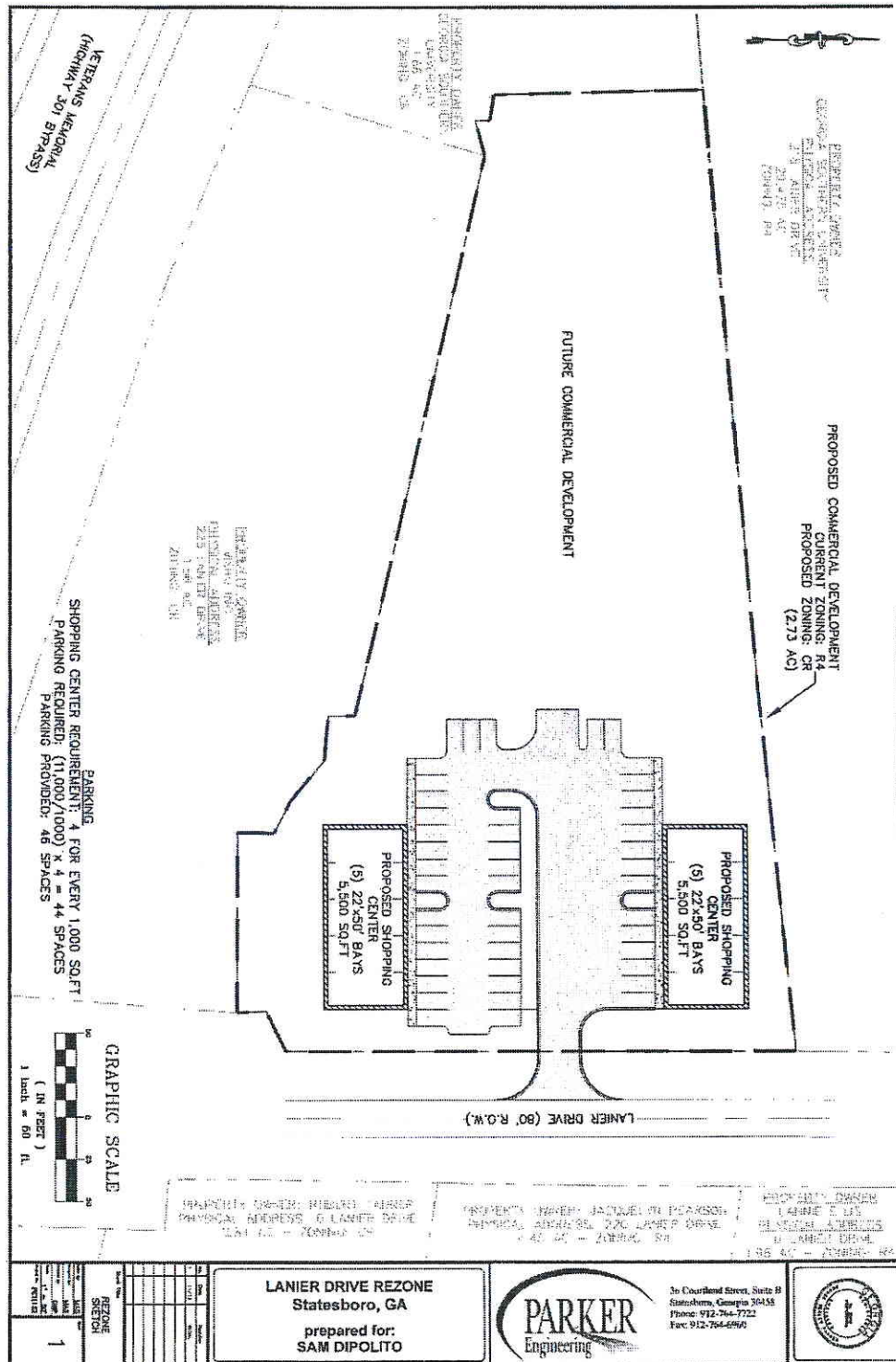


EXHIBIT E: PHOTOS OF THE SUBJECT PROPERTY AND VICINITY

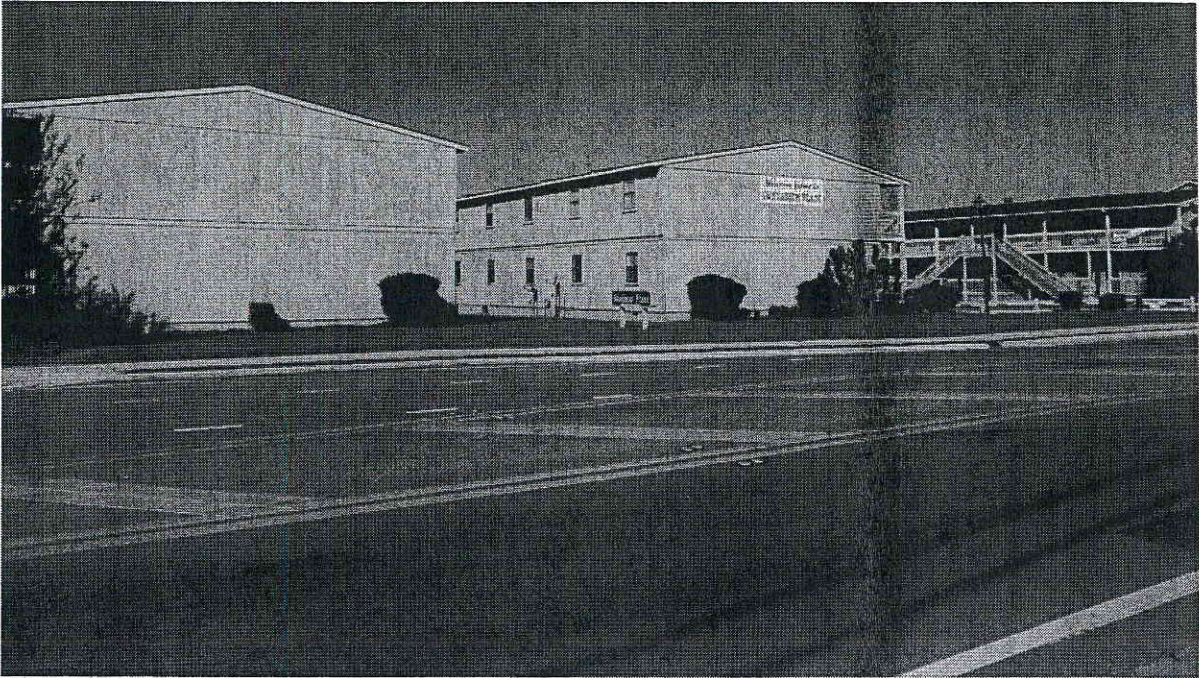


Figure 1a: Subject Property



Figure 1b: Subject Property Rear Area

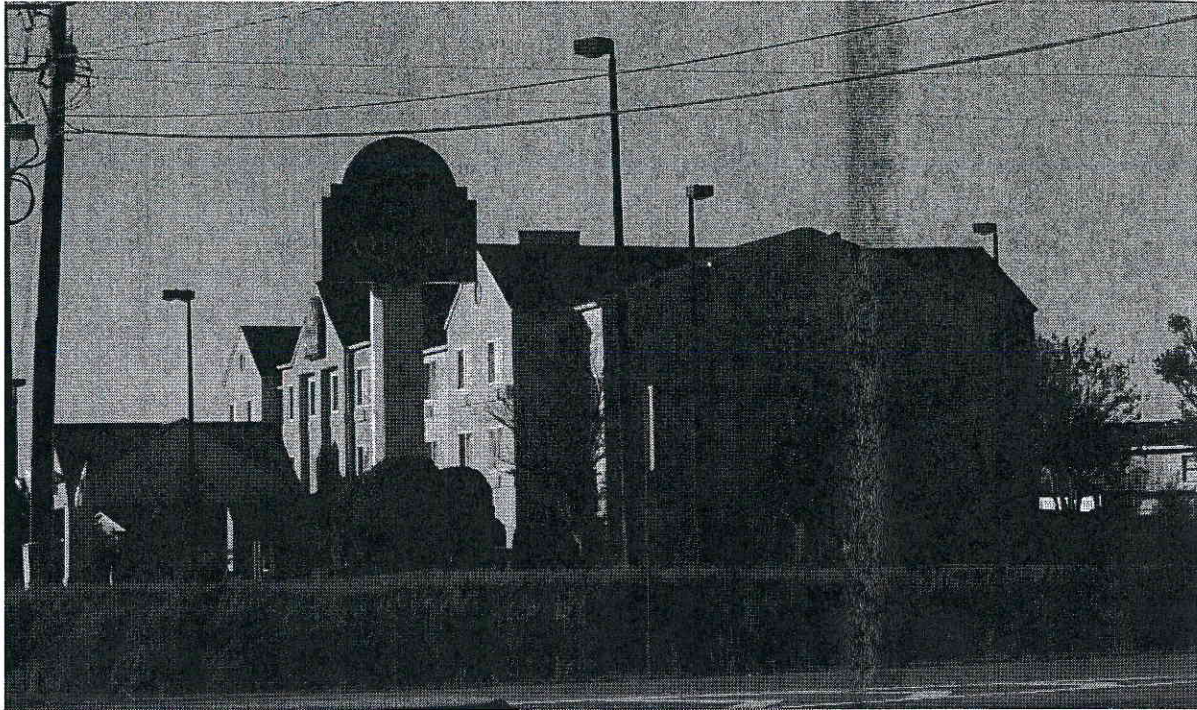


Figure 2a: Surrounding Land Use-La Quinta Inn south of subject property



Figure 2b: Surrounding Land Uses-Subway and Southern Celebrities Hair Salon east of subject property

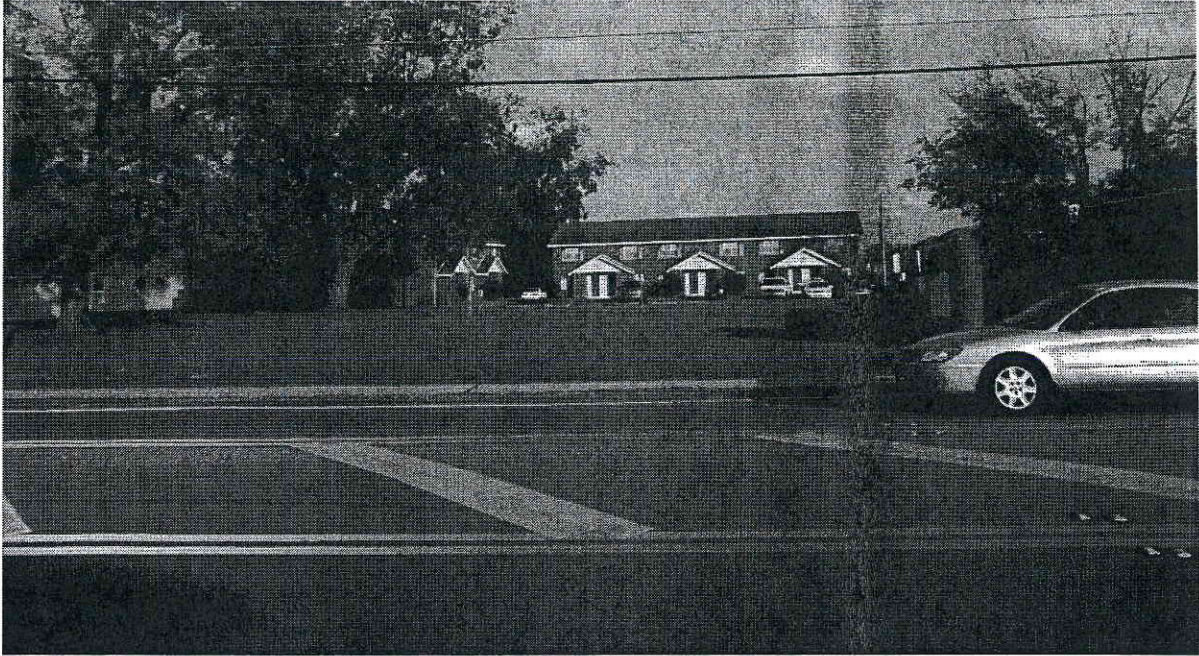


Figure 2c: Surrounding Land Use – Eagle Creek Townhomes east of the subject property

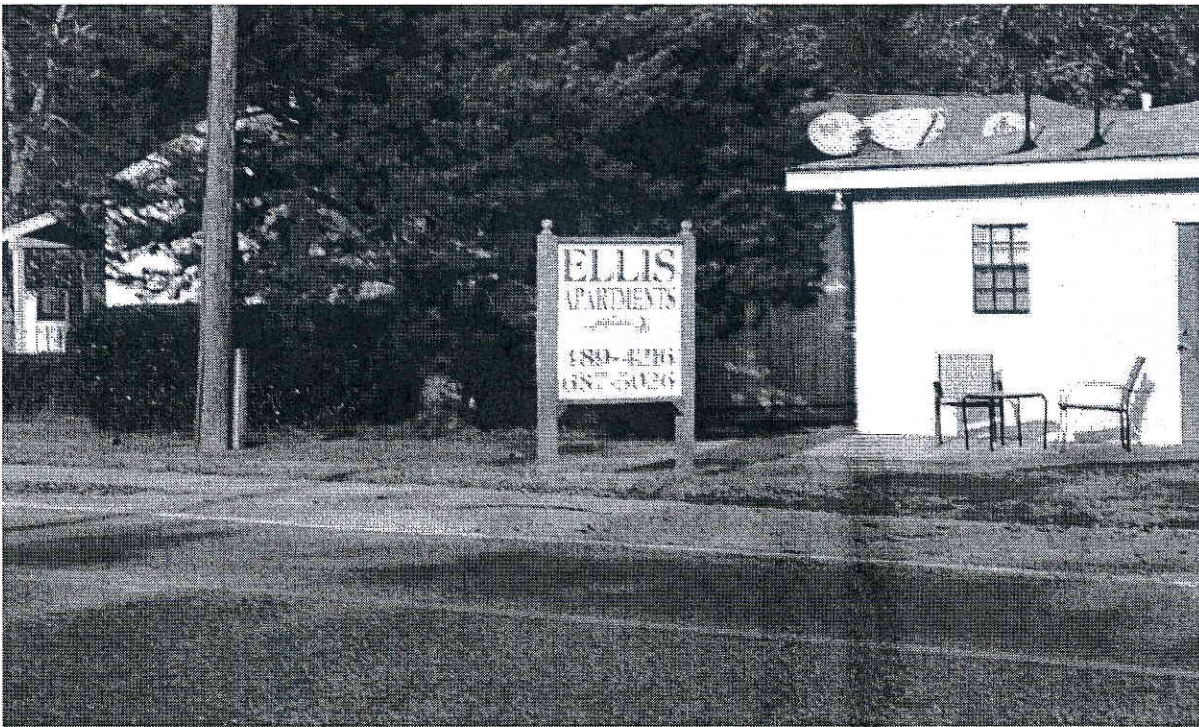


Figure 2d: Surrounding Land Uses – Ellis Apartment east of the subject property

Figure 2e: Surrounding Land Uses - Campus Club Apartments north and east of subject property

DEVELOPMENT SERVICES REPORT

Case # RZ 11-11-02

Amended December 28, 2011

