



January 19, 2016 5:30 pm

1. Call to Order by Mayor Jan J. Moore
2. Invocation and Pledge of Allegiance by Councilman John Riggs
3. Public Comments (Agenda Item):
4. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 01-05-2016 Council Minutes
 - b) 01-05-2016 Executive Minutes
 - B) Consideration of a Motion for the surplus and disposal of a 1998 Ford F-150 XLT extended cab truck, 1 2004 Cub Cadet riding mower and a 2004 Husqvarna riding mower.
5. Public Hearing and Consideration of a Motion to approve: **APPLICATION # SE 15-10-05**: ARCH Recovery, LLC requests a Special Exception pursuant to the Statesboro Zoning Ordinance to allow for the accommodation of three or more unrelated adults to reside at 109 Broad Street, utilizing the property as a Group Home (Tax Parcel # S29 000073 000).
6. Public Hearing and Consideration of a Motion to approve: **APPLICATION # RZ 15-12-05**: Jarvis RW Barnes requests a zoning map amendment for .66 acres of property located at 0 Proctor Street from split zoning CR (Commercial Retail) / R15 (Single Family Residential) zoning districts to CR (Commercial Retail) zoning district to allow for the construction of a funeral home. (Tax Parcel # S03 000019 000).
7. Public Hearing and Consideration of a Motion to approve Applications SE # 15-10-01 and SE #15-15-12-01:
 - A.) **APPLICATION # SE 15-10-01**: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 116 Savannah Avenue is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000079 000).
 - B.) **APPLICATION # SE 15-12-01**: Lawrence J. Zaslavsky requests a Special Exception pursuant to the Statesboro Zoning Ordinance as a companion case to case #SE 15-10-01 to allow lower level floors to be utilized for residential and commercial uses. The subject site located at 0 Broad Street is within the CBD (Central Business) zoning district allowing only residential uses to be permitted on upper floors by right (Tax Parcel # S28 000073 000).

8. Public Hearing and Consideration of a Motion to Approve Applications DSDA-001 and DSDA -003:

A.) **APPLICATION #DSDA-001**: John Ray Hendley requests the demolition of one (1) structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the *Statesboro Zoning Ordinance* (Tax Parcel # S19 000050 000).

B.) **APPLICATION # DSDA-003**: John Ray Hendley requests the demolition of a second structure located at 218 South College Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the *Statesboro Zoning Ordinance* (Tax Parcel # S19 000050 000).

10. Public Hearing and Consideration of Motion to Approve Applications RZ 15-10-02, RZ 15-10-03, and RZ 15-10-04.

A.) **APPLICATION # RZ 15-10-02**: John Ray Hendley requests a zoning map amendment for .2 acres of property located at 218 South College Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential District) zoning district (Tax Parcel # S19 000050 000).

B.) **APPLICATION # RZ 15-10-03**: John Ray Hendley requests a zoning map amendment for .17 acres of property located at 16 West Inman Street from the R3 (Medium Density Multiple Family Residential) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000042 000).

C.) **APPLICATION # RZ 15-10-04**: John Ray Hendley requests a zoning map amendment for .17 acres of property located at 0 West Inman Street from the CR (Commercial Retail) zoning district to R4 (High Density Residential) zoning district (Tax Parcel # S19 000051 000).

11. Public Hearing and Consideration of a Motion to Approve **APPLICATION # DSDA-002**: John Ray Hendley requests the demolition of two (2) structures located at 215 South Walnut Street. The subject site is within the jurisdiction of the Downtown Statesboro Design Standards, which does not permit the demolition of structures over 50 years of age without a finding of necessity, per Article XXX of the *Statesboro Zoning Ordinance* (Tax Parcel # S19 000039 000).

12. Public Hearing and Consideration of a Motion to Approve Applications RZ 15-12-02, RZ 15-12-03, and RZ 15-12-04.

A.) **APPLICATION # RZ 15-12-02:** Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 12 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000032 000).

B.) **APPLICATION # RZ 15-12-03:** Hendley Properties requests a zoning map amendment for roughly .2 acres of property located at 14 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19000031 000).

C.) **APPLICATION # RZ 15-12-04:** Hendley Properties requests a zoning map amendment for .2 acres of property located at 18 Bulloch Street from the R3 (Medium Density Residential) zoning district to R4 (High Density Residential) zoning district to construct one-bedroom brick cottages (Tax Parcel # S19 000030 000).

13. Consideration of a Motion to Approve a Memorandum of Understanding between the City of Statesboro, the Downtown Development Authority, and the Averitt Center for the Arts transferring the America's Best Communities prize winnings to the City of Statesboro for administration and expenditure in support of the South Main Street / Blue Mile Revitalization Master Plan.

14. Consideration of a Motion to Approve Agreement for Professional Services for "Blue Mile" Streetscape Project between the City of Statesboro and EMC Engineering Services, Inc. in an amount not to exceed \$51,500 for surveying, planning, and grant purposes. Services to be paid for by the 2015 America's Best Communities quarter finalist winnings.

15. Consideration of a Motion to accept **Resolution 2016-03:** A Resolution accepting as a gift the conveyance of two parcels of real property from Anne Sognier Murray and Jessica Sognier Osborne, individually and as duly qualified Executors of the Last Will and Testament of Josephine Kennedy Osborne a/k/a Josephine K. Sognier Osborne."

16. Consideration of a Motion to approve **Resolution 2016-04:** A Resolution requesting approval to develop documents for preparation of a 2016 community development block grant application.

17. Consideration of a Motion to approve **Resolution 2016:05:** A Resolution Calling for the Re-Establishment of the Downtown Statesboro Incentives Program.

18. Consideration of a Motion to award a "Sole Source Purchase" to Xylem Water Solutions USA, Inc. in the amount of \$34,291.80 for (4) MultiSmart Pump Controllers with spare replacement parts. This equipment is budgeted as CIP#WWD-150 in the amount of \$130,000.00 of ATC funds.

19. Other Business from City Council

20. City Managers Comment:

21. Public Comments (General)

A) Jessica Szilagyi request to speak with Council

B) Downtown Developer Alan Gross request to address Council regarding temporary vendors

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

23. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
Council Minutes
January 05, 2016**

A regular meeting of the Statesboro City Council was held on January 05, 2016 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, John Riggs and Travis Chance. Also present were Deputy City Manager Robert Cheshire, City Clerk Sue Starling, City Attorney Alvin Leaphart, Director of Public Works and Engineering Jason Boyles and Director of Planning and Development Mandi Cody.

The meeting was called to order by Mayor Jan J. Moore
The Invocation and Pledge of Allegiance was given by Mayor Jan Moore

Oath of Office Administrated by Bulloch County Probate Judge Lee Deloach for:

- a) District 2 Council Member Sam Lee Jones
- b) District 3 Council Member Jeff Yawn
- c) District 5 Council Member Travis Chance

Judge Lee Deloach swore in the newly elected Council members.

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.

Councilmen Riggs made a motion, seconded by Councilman Boyum to appoint Councilman Travis Chance as Mayor Pro Tem. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote. Councilman Riggs also stated he would like to see the Councilmembers serve one year as Mayor Pro Tem to allow others an opportunity to serve a term.

Recognitions/Public Presentations

- A) Presentation of the “5K Run the Boro” with proceeds going to the Open Hearts Community Mission**
- B) “Proclamation Congratulating Georgia Southern University on the Football Team's First Bowl Win”.**

Director of Human Resource and Mayor Moore presented the Open Hearts Community Mission with a check for \$8,350.00 which was the proceeds from the “5K Run the Boro”.

Mayor Moore presented a proclamation announcing the Georgia Southern University Football Team's First Bowl Win". GSU Athletic Director Tom Kleinlein accepted the proclamation.

The semi-finalist for “Americas Best Community” will be announced at noon on January 13th, 2016 at the Black Box Theatre on West Main St.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) **Approval of Minutes**
 - a) **12-01-2015 Council Minutes**
 - b) **12-01-2015 Executive Session Minutes**

- B) **Consideration of a motion for the surplus and disposal of a 1999 Ford truck in the Street Division of the Public Works & Engineering Department.**

- C) **Consideration of a motion for the surplus and disposal of a 2001 Dodge Ram truck in the Parks Division of the Public Works & Engineering Department.**

- D) **Consideration of a motion for the surplus and disposal of a 2002 HP Design Jet 800 printer in the Engineering Division of the Public Works & Engineering Department.**

- E) **Consideration of a Motion to approve Special Event permit**
 - a) **Georgia Southern Museum- Five course gourmet dinner benefit**

Councilman Riggs made a motion, seconded by Councilman Chance to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Administrative Hearing for alleged alcohol violation as pursuant to the City of Statesboro Alcohol Ordinance: Chapter 6 Sec. 6-159 – Ration of alcoholic/nonalcoholic sales. Should the total sales from food and nonalcoholic beverages reported by any licensee for consumption on the premises not equal those from the sale of all alcoholic beverages for any two reporting periods in any 12-month period, the license may be suspended or revoked by the Mayor and City Council.

- A) **Joshua R Ledford**
Rusty’s Tavern
15 University Plaza

Mayor Moore conducted the hearing and all participants were sworn in by Mayor Moore.

Mr. Ledford, owner of Rusty’s Tavern waived his right to a hearing and agreed to the violation of Chapter 6 Sec. 6-159 – Ration of alcoholic/nonalcoholic sales. The total sales from food and nonalcoholic beverages reported by Mr. Ledford for consumption on the premises did not equal those from the sale of all alcoholic beverages for two quarters in a twelve month period.

Bob Mikell spoke on behalf of Mr. Ledford stating that he would like for Mayor and Council to consider this a first violation. Mr. Mikell stated that Mr. Ledford runs a responsible business and last fall voluntarily went to 21 and over before there was any issue. Mr. Ledford has purchased ID scanners and his employees are participating in the TIPS certification program. Mr. Ledford would like to urge Council to seriously consider the proposed Ordinance and adopt some type of regulated bar category that is 21 and up.

Moore then asked for a motion and Mr. Ledford agreed that based on the evidence presented here today that Council finds that the licensee, did violate 6-159 of the Code of Ordinances of the City of Statesboro regarding the ration of alcoholic to nonalcoholic sales for two quarters in a twelve month period. Councilman Boyum made the motion seconded by Councilman Chance to accept the guilty plea from Mr. Ledford. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

For the penalty of the violation, Councilman Boyum made a motion seconded by Councilman Riggs to consider this a first offense with a warning. Councilman Boyum, Jones Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Return of vetoed Ordinance 2015-13 to the City Council for reconsideration as required by Section 4-1(c) of the City Charter.

There was no motion on this item. Therefore the item dies.

Consideration of a Motion to approve Ordinance 2016-01: An Ordinance to amend the City of Statesboro definition of Final Average Earnings (FAE) so that the calculation is based on the sixty (60) consecutive months of credited service preceding a participant's most recent termination in which the Participant's Earnings were highest.

Councilman Chance made a motion, seconded by Councilman Riggs to approve Ordinance 2016-01: An Ordinance to amend the City of Statesboro definition of Final Average Earnings (FAE) so that the calculation is based on the sixty (60) consecutive months of credited service preceding a participant's most recent termination in which the Participant's Earnings were highest. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve Resolution 2016- 01: A Resolution appointing Van Collins as the Project Superintendent for the 2010 Water and Sewer Revenue Bonds.

Councilman Chance made a motion, seconded by Councilman Riggs to approve Resolution 2016- 01: A Resolution appointing Van Collins as the Project Superintendent for the 2010 Water and Sewer Revenue Bonds. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to Resolution 2016-02: A Resolution adopting the Standard Operating Procedures regarding information derived from the Georgia Crime Information Center (CGIC) Criminal Justice Information System (CJIS) network.

Councilman Boyum made a motion, seconded by Councilman Riggs to approve **Resolution 2016-02**: A Resolution adopting the Standard Operating Procedures regarding information derived from the Georgia Crime Information Center (CGIC) Criminal Justice Information System (CJIS) network. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve a Memorandum of Understanding (MOU) between the City of Statesboro, DCA and the DSDA for the 2016 Georgia Classic Main Streets Program

Councilman Boyum made a motion, seconded by Councilman Jones to approve a Memorandum of Understanding (MOU) between the City of Statesboro, DCA and the DSDA for the 2016 Georgia Classic Main Streets Program. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to award the purchase of a roadway crack sealer machine per the HGAC to CrafcO, Inc. in the amount of \$53,672.53. This item is budgeted as CIP# ENG-STS 108 in the amount of \$55,000. This item will be utilized by our Streets Division of Public Works.

Councilman Yawn made a motion, seconded by Councilman Riggs to award the purchase of a roadway crack sealer machine per the HGAC to CrafcO, Inc. in the amount of \$53,672.53. This item is budgeted as CIP# ENG-STS 108 in the amount of \$55,000. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Consideration of a Motion to approve the "Statesboro Police Department Towing Rotation Agreement" template for use by the Statesboro Police Department to regulate towing companies performing towing services at the request of the Statesboro Police Department.

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the "Statesboro Police Department Towing Rotation Agreement" template for use by the Statesboro Police Department to regulate towing companies performing towing services at the request of the Statesboro Police Department. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Other Business from City Council

Councilman Boyum stated he would like to get back to the alcohol ordinance and look at the bar category, 50/50 report, no Sunday sales and administration or staff duties as it relates to an alcohol ordinance. There will be a work session on January 19th, 2016 at 4:00 pm and a work session on February 2nd at 5:00 pm.

Councilman Riggs stated he had received a report from the Police Department that showed crime was down.

Mayor Moore stated she had attended the funeral of Sgt. McBride and thanked the Police and Fire Department for their participation in the funeral. She also stated it was a very moving experience.

Councilman Riggs made a motion, seconded by Councilman Chance to appoint Councilman Jeff Yawn as the voting delegate for the Georgia Municipal Association Conference meeting to be held on Sunday January 24th, 2016 in Atlanta. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

City Managers Comments

- A) City Clerk's Dept. (Notice of alcohol application)
 - a)"Coconut Thai Cuisine" is applying for an alcohol license pending the background investigation. The owner will be Kamolwan Kawpunna. Ownership change
- B)"Holiday Pizza" is applying for an alcohol license pending the background investigation. The owners will be John Kalloniatis and Mark Brandon O'Mahoney.
- B) "Parkers #57" is applying for an alcohol license pending the background investigation. The owners will be Gregory M Parker, Terri Heidmann, and Patricia Sweat. The manager will be Amy Mae Lane.

Acting City Manager Robert Cheshire read the notifications for alcohol applications. He also stated a revised ordinance was being prepared for the downtown incentive plan.

City Engineer Brad Deal updated Council on the Hawk signal and the drainage issues on Fletcher Drive.

Public Comments (General)

A) Amber Fiske request to address Council with concerns regarding Fletcher Drive.

Ms. Amber Fiske continued to address Council with the drainage on Fletcher Drive. She was appreciative of the work that has been done but feels there should be additional plans for drainage and traffic control.

Mayor Moore announced the reception for the newly elected Councilmembers was being held downstairs in the lobby at City Hall.

Consideration of a Motion to enter into Executive Session to discuss "Personnel Matters" in accordance with O.C.G.A.§50-14-3 (2012)

At 10:25 am, Councilman Riggs made a motion, seconded by Councilman Chance to enter into Executive Session to discuss "Personnel Matters" in accordance with O.C.G.A.§50-14-3 (2012). Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

At 10:48 am, Councilman Riggs made a motion, seconded by Councilman Yawn to exit Executive Session. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

Mayor Moore called the regular meeting back to order.

Consideration of a Motion to Adjourn

Councilman Chance made a motion, seconded by Councilman Riggs to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Chance voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 10:50 am.

Memorandum

To: Sue Starling, City Clerk

CC: Robert Cheshire, PE, Deputy City Manager

From: Van H. Collins, Assistant Director *V.H.C.*

Date: 1/11/2016

Re: Consideration of a motion for the surplus and disposal of a 1998 Ford F-150 XLT extended cab truck, a 2004 Cub Cadet riding mower and a 2004 Husqvarna riding mower.

The Wastewater Department requests the surplus and disposal of the following items:

- 1.) 1998 Ford F-150 XLT extended cab truck - #7779 – Vin#1FTZX1765WNB07779, with 168,635 miles.
- 2.) 2004 Cub Cadet LT1024 riding mower – Ser# 1H244H10067-000001 with 444 hours.
- 3.) 2004 Husqvarna YTH1542XP riding mower – Ser#050103A007338 with 1,073 hours



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

SE 15-10-05
SPECIAL EXCEPTION REQUEST
109 BROAD STREET

LOCATION: 109 Broad Street
REQUEST: Special Exception to allow a group home in a R6 (Single Family Residential) district.
APPLICANT: ARCH Recovery, LLC
OWNER(S): Cartee Investments LLC
LAND AREA: 0.21 acres
PARCEL TAX S29 000073 000
MAP #s:
COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The property owner requests a Special Exception to allow for the utilization of the residential property located at 109 Broad Street to be occupied by more than three (3) unrelated adults for the use of a group home. The subject site is zoned R6 (Single Family Residential) which limits usage to single family residences. Section 201(11) provides that unless all members are related by blood, marriage or adoption, no such family shall contain over three (3) persons. (See **Exhibit A** – Location Map, **Exhibit B** – Photos of Subject Site)

BACKGROUND:

The 0.21 acre single lot contains a 2,524 square foot, four (4) bedroom residence and has had multiple rezoning requests (See **Exhibit C** – BC Property Tax & Zoning Information). The first request was in 2006 when the property was requested to be rezoned from R4 (High Density Residential District) to CBD (Central Business District). This request was for the purpose of allowing the operation of a daycare center at the location. This request was tabled by City Council in December of 2006 because the applicant had not received approval from the property owner to file the application and the request was never pursued.

In 2007 a zoning map amendment was submitted requesting that the property be rezoned from R4 (High Density Residential District) to R6 (Single Family Residential) for the purpose of preserving the property for single-family use. In April 2007, City Council approved the requested zoning map amendment. However, all but one (1) surrounding properties remained in the R4 (High Density Residential) zoning district.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential)	Single Family Homes
SOUTH:	R4 (High Density Residential)	Single Family Homes
EAST:	R4 (High Density Residential)	Single Family Homes
WEST	R6 (Single Family Residential)	Single Family Homes

The subject property is located in a residential area with the property's boundaries surrounded by single family homes. The property is also located within the Downtown Statesboro Developmental Authority (DSDA) boundary as well as the Tax Allocation District (TAD) boundary.

COMPREHENSIVE PLAN:

The subject sites lay within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map within the City of Statesboro Updated 2014 Comprehensive Plan (**Exhibit D-2014 Future Development Map**).

Vision:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, Traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Appropriate Land Uses:

- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above

Suggested Development & Implementation Strategies:

- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.
- Economic development strategies should continue to nurture thriving commercial activity.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

TAX ALLOCATION DISTRICT (TAD) REDEVELOPMENT PLAN:

The subject sites also fall within the boundaries of the Tax Allocation District (TAD). The goal of the TAD is to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed use centers to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and 2009 and 2014 Comprehensive Plans." The plan does not set forth suggestions specific to this subject site. The parcel has a tax value of \$132,364 and is listed in the TAD under Appendix B (page 45) (See **Exhibit E**—List of Parcels Included in the TAD).

DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY (DSDA) MASTER PLAN:

The 2011 DSDA Locational Guidance for Redevelopment Initiatives Land Use Map places the subject site within zone 10 with targeted use/enhancements identified as residential, institutional and mixed use. This area is considered to be secondary as importance level, as it operates as a supportive element to downtown development. Implementation strategies recommend ensuring that residential and office uses continue with minimal conflict and that land use decisions and strategies contribute to neighborhood stabilization and the maintenance of housing stock. (See **Exhibit F—Locational Guidance/Zone Implementation Table**).

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 zone. 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 0.21 acre site is currently zoned R6 (Single Family Residential). The site contains a 2,524 square foot, four-bedroom residential building that has been used in the past as a rental residence and is currently vacant. The surrounding properties are R4 (High Density Residential) District. (See

A group home is generally defined as a home where a small number of unrelated people in need of support or supervision reside together. Group homes do not offer any personal services such as medical care, baths, etc. but may offer moral and residential support, transportation assistance, etc.

The Statesboro Zoning Ordinance defines “family” as one or more persons occupying a single dwelling unity, provided the dwelling is located in R-6, R-8, R-10, R-15, R-20, R-30, or R-40 district and provided that unless all members are related by blood, marriage or adoption no such family shall contain over three persons. In addition, a related family may have up to two unrelated individuals living with them. The term “family” does not include any organization or institutional group.

Special Exceptions allow for a land use that are not permitted as right within a zoning district but which may be granted where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a group home is not a use permitted by right within the R6 (Single Family residential) zoning district; however, the *Statesboro Zoning Ordinance* lacks regulations providing guidance as to which zoning district for which this type of use is permissible. Implementation of the Statesboro Zoning Ordinance as a whole leads staff to the opinion that a group home is restricted to high density and industrial related districts; therefore, the proposed use by the applicant necessitates approval by the Mayor and City Council as for previous applicants.

It should be noted that the applicant originally filed an application for a variance request, but upon review, staff determined that a special exception was the appropriate request and processed the review accordingly.

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.**
 - The proposed use should not cause an increased negative impact on vehicular traffic.
- 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.**

- According to Article XVI of the *Statesboro Zoning Ordinance*, the applicant must have 1.4 parking spaces for every four (4) beds. This site has adequate room for the required parking. The site has a paved driveway with parking available in the rear; however, if front yard parking is planned, then paved parking pads will have to be installed.
- D. Public facilities and utilities are capable of adequately serving the proposed use.**
- Building Inspections by the Building Inspections Division (Building Official) have not been conducted but may be required in the permitting stage.
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.**
- The proposed use is not expected to have an adverse effect on property values in the area given the uses and zoning of surrounding structures.
- 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.**
- The existing structure is approximately 2,524 square feet in size.
- 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 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*”:

- 1. Existing uses and zoning or [of] property nearby.**
 - The property is surrounded by R-4 (high density residential) zoning districts with the exception of the rear of the site which is zoned R6 (Single Family Residential).
 - Note: These parcels were originally a single parcel that was rezoned from R4 (High Density Residential) to R6 (Single Family Residential).
- 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.**
 - There is a seemingly increasing need for group living arrangements such as that being offered by this applicant.
- 5. The suitability of the subject property for the zoned purposes.**
 - The existing structure is a suitable residence for a group home with four (4) bedrooms, the house may be large enough to accommodate up to eight (8) people.
- 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.**
 - The property is currently vacant.
- 7. 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.**
 - The proposed use should not negatively impact any of the above.

STAFF RECOMMENDATION:

Option 1:

Based on the factors of consideration for Special Exceptions given in Section 2406 of the *Statesboro Zoning Ordinance*, the *Statesboro Comprehensive Plan*, staff recommends approval of the Special Exception requested by this application with the following condition:

1. Special Exception for use as a group home is granted to property tenant, ARCH Recovery, LLC, with a maximum tenant number of four (4) people.

Option 2:

The property was rezoned in 2007 from R4 (High Density Residential) to R6 (Single Family Residential). From reading the staff report prepared at the time, it appears this was done in order to preserve this neighborhood as single family by other property owners in the area following suit in having their High Density Residential property rezoned to Single Family Residential. However, no other neighboring property owners followed suit and created a undesirable situation of having a "spot zone" in this neighborhood. Based upon this, the staff would recommend rezoning the property back to its original R4 (High Density Residential) in lieu of a Special Exception for the R6 (Single Family Residential) zoning.

PLANNING COMMISSION RECOMMENDATION:

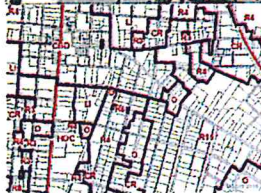
At its regular scheduled meeting on Tuesday, January 5, 2016 the Planning Commission voted, 5 to 0, to recommend tabling the request until the applicant could be contacted for comment regarding the number of allowed tenants.

EXHIBIT A: LOCATION MAP




V 15-10-05, Parcel # S29 000073 000

Location Map:

109 Broad Street



STAGIS
CITY OF STATESBORO, GA

-  Zoning Districts
-  Taxing Districts
-  Parcels

City of Statesboro Department of Planning and Development

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



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



Figure 1: The Subject Property from Broad Street



Figure 2: Property north of Subject Site on Broad Street.

EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY CONT'D



Figure 4: Property South of Subject Site on Broad Street.



Figure 4: Property across from Subject Site on Broad Street.

EXHIBIT C: BULLOCH COUNTY PROPERTY TAX & ZONING INFORMATION

12/29/2015

qpublic7.qpublic.net/ga_display.php?county=ga_bulloch&KEY=S29 000073 000



[Recent Sales in Neighborhood](#) [Recent Sales in Area](#) [Previous Parcel](#) [Next Parcel](#) [Field Definitions](#) [Return to Main Search Page](#) [Bulloch Home](#)

Owner and Parcel Information

Owner Name	CARTEE INVESTMENTS LLC	Today's Date	December 29, 2015
Mailing Address	15 S MULBERRY ST STATESBORO, GA 30458	Parcel Number	S29 000073 000
Location Address	109 BROAD ST	Tax District	Statesboro TAD 29.046 (District 08)
Legal Description	109 BROAD ST/LT 2/PAR B	2015 Millage Rate	
Property Class(NOTE: Not Zoning Info)	R3-Residential	Acres	0.21
Zoning	R6	Neighborhood	000023
ACC/DES	0 /	Homestead Exemption	No (\$0)
		GMD	1209
		Parcel Map	Show Parcel Map

2015 Tax Year Value Information

Land Value	Improvement Value	Accessory Value	Total Value	Assessed Value
\$ 9,542	\$ 68,254	\$ 3,114	\$ 80,910	\$ 32,364

Land Information

Type	Description	Calculation Method	Frontage	Depth	Acres	Photo
RES	0023 - REGULAR - 1	Front Feet	65	142	0.21	NA

Improvement Information

Style	Heated Sq Ft	Interior Walls	Exterior Walls	Attic Area Sq Ft	Basement Area Sq Ft	Year Built	Photo
Other	2,524	Other	Alum/Vinyl	0	0	1945	Building Images
Roof Type	Flooring Type	Heating Type	Rooms Bedrooms/Bathrooms/Extra Plumbing	Value	Cond	Number Fire Pl	Sketch
Other	Other	CENT AIR-ELEC-WARM AIR	7/4/2.0/3	\$ 68,254	Good	2	Sketch Building 1

Accessory Information

Description	Year Built	Dimensions/Units	Value
Utility Shed, Frame	1993	18x21 0	\$ 1,181
Carport	1993	18x21 0	\$ 1,933

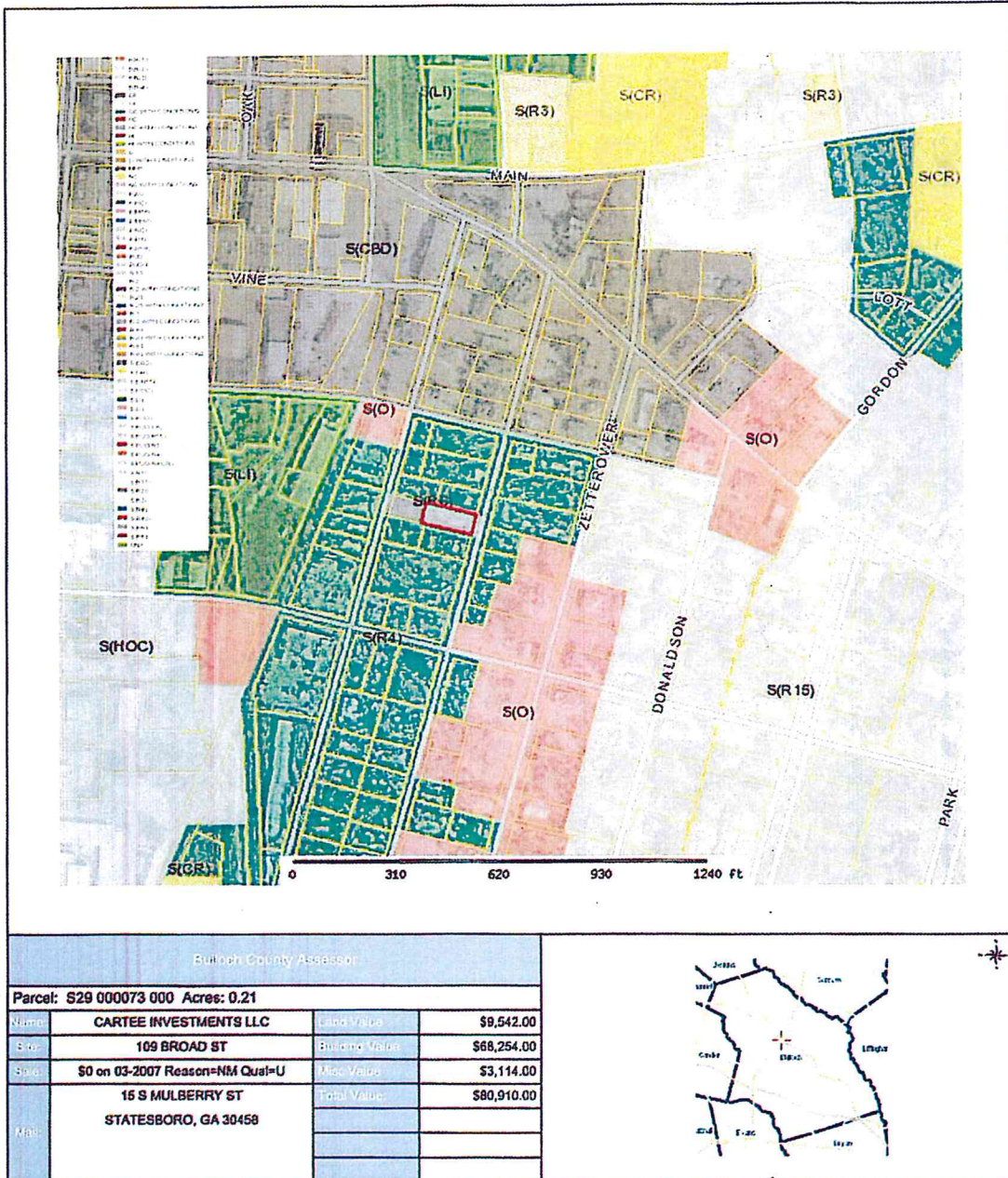
Sale Information

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
No sales information associated with this parcel.						

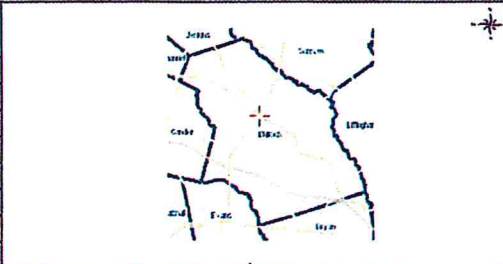
http://qpublic7.qpublic.net/ga_display.php?county=ga_bulloch&KEY=S29%20000073%20000

1/2

EXHIBIT C: BULLOCH COUNTY PROPERTY TAX & ZONING INFORMATION CONT'D



Bulloch County Assessor			
Parcel: S29 000073 000 Acres: 0.21			
Name:	CARTEE INVESTMENTS LLC	Land Value:	\$9,542.00
Site:	109 BROAD ST	Building Value:	\$68,254.00
State:	\$0 on 03-2007 Reason=NM Qual=U	Misc Value:	\$3,114.00
Map:	15 S MULBERRY ST STATESBORO, GA 30458	Total Value:	\$80,910.00



The Bulloch County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER BULLOCH COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 12/31/15 : 08:51:46

EXHIBIT D: 2014 CITY OF STATESBORO FUTURE DEVELOPMENT MAP



EXHIBIT E: TAX ALLOCATION DISTRICT (TAD) LIST OF PARCELS, PG. 45

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan 2014

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Value	Assessed Value	Tax Value
7878-58-1970	529 000053 000	214 S MULBERRY ST/PT LT 20	R	1	71,542	28,617	28,617
7878-58-2512	530 000036 000	225 BROAD ST	R	1	69,011	27,604	27,604
7878-58-2631	529 000085 000	223 BROAD ST	R	1	58,355	23,342	23,342
7878-58-2659	529 000084 000	221 BROAD ST	R	1	63,722	25,489	25,489
7878-58-2778	529 000083 000	217 BROAD ST	R	1	93,214	37,286	37,286
7878-58-2896	529 000082 000	215 BROAD ST/JOHNSON	R	1	56,125	22,450	22,450
7878-58-2909	529 000054 000	212 S MULBERRY ST	R	1	54,117	21,647	21,647
7878-58-3925	529 000081 000	213 BROAD ST	R	1	61,534	24,614	24,614
7878-59-0361	529 000045 000	OFFICE/EAST GRADY STREET	E	1	75,700	30,280	0
7878-59-0888	529 000028 001	0.22 AC/PAR B	E	1	83,575	33,430	0
7878-59-1568	529 000009 000	MULBERRY & E GRADY	C	1	26,280	10,512	10,512
7878-59-2027	529 000055 000	210 S MULBERRY ST	R	1	56,873	22,749	22,749
7878-59-2157	529 000056 000	208 S MULBERRY ST	R	1	88,118	35,247	35,247
7878-59-2352	529 000057 000	EAST GRADY STREET	E	1	33,500	13,400	0
7878-59-2701	529 000010 000	111 S MULBERRY ST	R	1	53,756	21,502	21,502
7878-59-2717	529 000011 000	109 S MULBERRY ST	R	1	53,712	21,485	21,485
7878-59-2844	529 000012 000	107 MULBERRY ST	R	1	60,182	24,073	24,073
7878-59-2986	529 000013 000	APTS/103 S MULBERRY ST	R	1	181,367	72,547	72,547
7878-59-3053	529 000080 000	211 BROAD ST PART LT 18	R	1	53,147	21,259	21,259
7878-59-3173	529 000079 000	207 BROAD ST	R	1	84,962	33,985	33,985
7878-59-3321	529 000058 000	110 E GRADY STREET	R	1	11,054	4,422	4,422
7878-59-3409	529 000060 000	HART/107 E GRADY /	R	1	112,128	44,851	44,851
7878-59-3478	529 000059 000	109 E GRADY ST	R	1	54,126	21,650	21,650
7878-59-3794	529 000061 000	110 MULBERRY ST/RENTAL	R	1	55,449	22,180	22,180
7878-59-4218	529 000078 000	ROWSE EST/114 E GRADY ST	R	1	85,090	34,036	34,036
7878-59-4465	529 000077 000	111 E GRADY ST	R	1	79,532	31,813	31,813
7878-59-4630	529 000076 000	115 BROAD ST	R	1	150,053	60,021	60,021
7878-59-4789	529 000073 000	109 BROAD ST/LT 2/PAR B	R	1	80,910	32,364	32,364
7878-59-4801	529 000073 001		R	1	110,461	44,184	44,184
7878-59-4828	529 000072A000	106 S MULBERRY ST	R	1	20,349	8,140	8,140
7878-59-4926	529 000062 000	104 S MULBERRY ST	R	1	27,985	11,194	11,194
7878-59-5710	529 000074 000	LT 3 BROAD ST	R	1	59,110	23,644	23,644
7878-59-5854	529 000072 000	107 BROAD ST	R	1	45,456	18,182	18,182
7878-59-5953	529 000071 000	105 BROAD ST/ADKINS	R	1	61,714	24,686	24,686
7878-86-3752	553 000001 000	SALLY ZETTEROWER SCHOOL	E	1	2,846,200	1,138,480	0
7879-20-5083	511 000116 000	130 BULLOCH ST	R	1	13,662	5,465	5,465
7879-20-6799	518 000175 000	CLUB ZONE/1.37 AC	C	1	445,550	178,220	178,220
7879-20-7236	518 000171A000	2.24 AC	E	1	94,080	37,632	0
7879-20-8033	519 000115 000	126 BULLOCH ST	R	1	5,100	2,040	2,040
7879-20-8306	518 000171 000	0.50 AC / PAR 2	C	1	22,885	9,154	9,154
7879-20-8584	518 000172 000	1.13 AC / PAR 1	R	1	24,600	9,840	9,840

Appendices

45

EXHIBIT F: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE

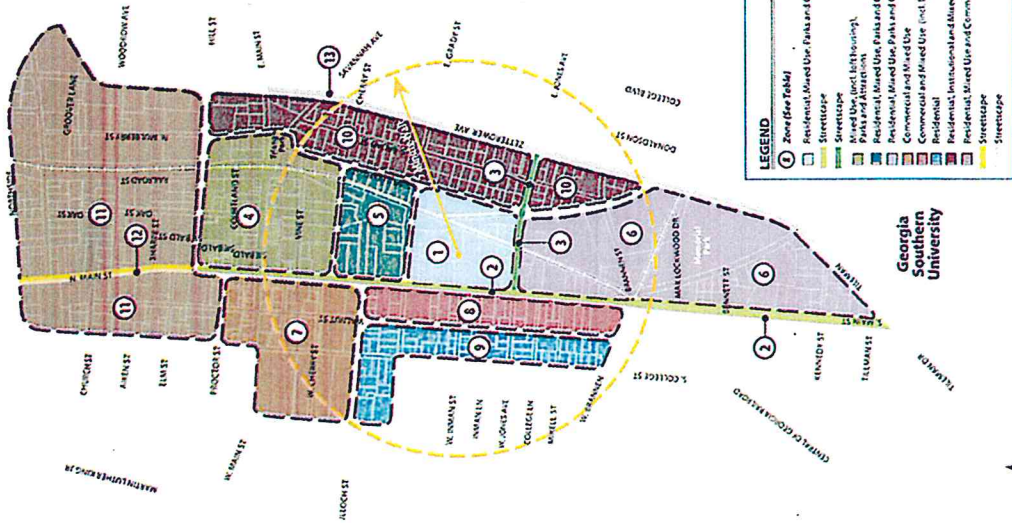
Locational Guidance for Redevelopment Initiatives

The primary purpose of this section is to provide a locational framework for implementing redevelopment initiatives as part of the master plan. This framework is intended to offer guidance and basic parameters related to the general location of redevelopment opportunities and enhancement projects within the DDA. Leveraging the existing assets of Statesboro's downtown and the community in an efficient, market-sensitive and contextual manner that will support a variety of redevelopment projects and initiatives are outlined below. Community assets include:

- Georgia Southern University
- The public and private realms of the downtown core
- Properties owned or controlled by the City of Statesboro and the DSDA
- Programmatic and Funding Elements (example: municipal events and functions, public funding strategies, existing initiatives and public/private partnerships, etc.)
- Vehicular and Pedestrian thoroughfares
- Property acquisition opportunities (i.e., vacant land, underdeveloped, unoccupied or substandard structures)

Based on the process utilized to create this master plan, a number of redevelopment opportunities are evident. These elements provide the basis for the locational framework and guidance identified herein.

- Georgia Southern University students and faculty are an important factor in shaping redevelopment opportunities downtown
- Parks, open space and public common areas are a primary consideration in programming new uses in the DDA
- Safe and efficient modes of pedestrian and bicycling circulation (including the potential for transit) are a critical component for evaluating the implementation of new projects within the DDA
- Developing elements that support local and regional destinations with respect to downtown Statesboro is a key redevelopment initiative



Locational / Zone Implementation





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 15-12-05
ZONING MAP AMENDMENT
0 Proctor Street

LOCATION: 0 Proctor Street

REQUEST: Rezone from split zoning CR (Commercial Retail) /R15 (Single Family Residential) districts to CR (Commercial Retail) zoning district.

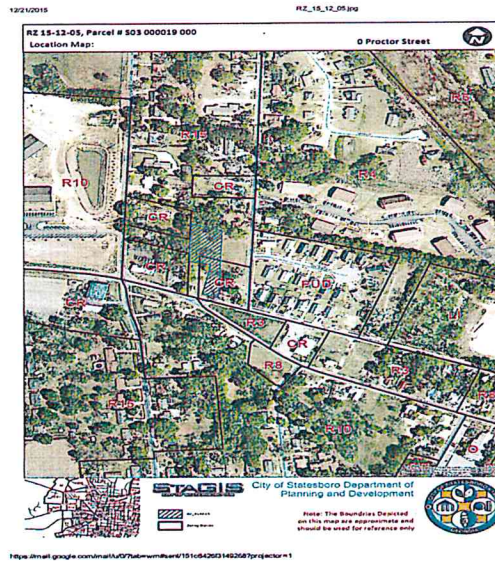
APPLICANT: Jarvis Robinetta Barnes

OWNER(S): Jarvis Robinetta Barnes

ACRES: 0.66 Acres

PARCEL TAX MAP #: S03 000019 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a zoning map amendment to a 0.66 acre lot located at 0 Proctor Street that is currently split zoned CR (Commercial Retail) / R-15 (Single-Family Residential) zoning district to be rezoned to the CR (Commercial Retail) zoning district. The applicant would like to combine the subject parcel with an adjacent commonly owned parcel, allowing the two parcels to be used for the proposed construction of a funeral home. As currently zoned, the use of a funeral home is not permissible; therefore, the subject parcel must be rezoned to CR (Commercial Retail). (See **Exhibit A** – Location Map)

The adjacent common parcel mentioned above (Tax Parcel S03 000018 000), also owned by Ms. Barnes, went before City Council on May 19, 2015 and was approved to be rezoned from R-15 (Single-Family Residential) / CR (Commercial Retail) split zoning to CR (Commercial Retail) zoning with conditions set and approved by City Council as stated in Exhibit D. The applicant plans to use the same concept plan as presented to City Council in May and plans for the proposed funeral home to look very similar to the Barnes family's existing funeral home located in Sylvania, Georgia. (See **Exhibit B** – Proposed Concept Plan, **Exhibit C**- Photos of Existing Funeral Home/Sylvania, GA, **Exhibit D** – City Council Judgement Letter).

Ms. Barnes also requests that City Council consider refunding the \$400.00 filing fee for this zoning map amendment request. She intended for both parcels to be addressed simultaneously during the original zoning map amendment request, however; the subject parcel of this request was mistakenly left off of the original submitted zoning map amendment application. Therefore, the subject parcel was not included in staff's original presentation to City Council for consideration at their May 19, 2015 meeting. It should be noted that it is policy to require a separate application and fee for each parcel and each case for every parcel.

BACKGROUND:

Years ago, the subject parcel was utilized as a funeral home which was operated and owned by the applicant's family. The original funeral home was located on the subject parcel and fronted Proctor Street. The funeral home was destroyed years ago by fire, leaving only the concrete foundation which still remains on the subject parcel today. To the direct east of the funeral home, on the commonly owned adjacent parcel, the applicant's family built a single family

residence which still exists and has double frontage on Proctor Street and Morris Street. At that time the adjacent commonly owned parcel was split zoned as R-15 (Single-Family Residential) / CR (Commercial Retail).

In May of 2015, Ms. Barnes submitted a zoning map amendment application requesting to rezone the adjacent commonly owned parcel to the CR (Commercial Retail) zoning district. Upon the request being presented to the Planning Commission, members of the community were present and submitted a petition opposing the requested rezone which would allow the property to be used in a commercial fashion. The community members expressed numerous concerns regarding the increase of traffic flow that would be generated by the addition of a funeral home within their neighborhood. Ms. Barnes was not present at the meeting, nor did anyone speak in favor of the request. The Planning Commission voted to recommend denial of the rezone request by a vote of 5 to 0.

At its regular scheduled meeting on Tuesday, May 19, 2015, the City of Statesboro City Council approved with conditions the requested rezone of the adjacent commonly owned parcel from R-15 (Single-Family Residential) / CR (Commercial Retail) split zoning to CR (Commercial Retail) zoning. Council approved the request based on public discussion with community members who were present at the meeting and a petition presented by the applicant of forty-nine signatures from community members who agreed for the funeral home to be built in their community.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R15 (Single Family Residential) & R4 (High Density Residential)	Single family houses; apartment complex
SOUTH:	CR (Commercial Retail) & R10 (Single Family Residential)	Church; single family structures
EAST:	PUD (Planned Unit Development)	Single family subdivision
WEST	CR (Commercial Retail) & R15 (Single Family Residential)	Personal services; school; single family houses

Properties to the north, south, east, and west are predominantly single family homes and neighborhoods. There are a few commercial retail businesses located to the south and west such as an old gas station currently being used as a church, a janitorial service and Julia P Bryant Elementary school (See **Exhibit E**-Photos of the Subject Site and Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the "Established/Existing Traditional Neighborhood" character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit F**) within the *City of Statesboro Updated 2014 Comprehensive Plan*. The Established character area is traditionally residential while major corridors support a mix of residential and commercial uses.

Small to mid-size retail and commercial, offices, services, and multi-family residential are all appropriate land uses for properties within the Established/Existing Traditional Neighborhood character area. Some suggested development and implementation strategies for the area include the following:

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

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 17.

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 request to rezone the subject property from split zoning CR (Commercial Retail) / R15 (Single Family Residential) 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 for commercial retail 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. Adjacent and nearby properties are both zoned and utilized mainly as a residential use with several CR (Commercial Retail) uses to the south and west of the subject site. The residential uses range from single family to medium density multi family.
 - b. The adjacent commonly owned parcel was rezoned from split zoning R15 (Single-Family Residential) / CR (Commercial Retail) to CR (Commercial Retail) zoning in May 2015 to allow the utilization of the property as a funeral home.
- (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.**
 - a. The property is adequate in size and shape to develop in conformance with the CR regulations.
 - b. The applicant submitted the conceptual plans only for the Right Start review. Staff strongly encourages the development of a site plan for Right Start review.
- (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 contains one single family structure currently in use. Otherwise, it has remained undeveloped since the loss of the previous funeral home due to fire.
- (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. Transportation patterns and congestion along Proctor Street and Morris Street would be impacted by the proposed development of this site. However, this impact would be limited to service times only.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**
 - a. Commercial Retail zoning is appropriate for the character area of the property as identified by the Comprehensive Plan.

STAFF RECOMMENDATION:

Should Council determine to rezone the subject parcel, staff would suggest the following conditions (as reflected from the conditions applied to the adjacent commonly owned parcel) be applied to this parcel:

1. The property is required to take ingress/egress from Proctor Street only.
2. The house on the property should be removed to provide additional parking on the property (the overflow does not need pavement).

3. If a dumpster or other large scale sanitation equipment is utilized at the site, it shall be enclosed according to the specifications of the City of Statesboro.
4. Access easements along the property will be granted to the City of Statesboro for proper maintenance of storm drainage system with the expressed ability for the City to cut and install any necessary storm ditches or other facilities common to management of the drainage system.
5. Given the residential surroundings of the property, commercial signage at the site shall be governed by the nonresidential use section for Sign District 1. The site shall not have a double frontage allowance. Electronic message boards are not permissible.
6. Sidewalks shall be constructed along the property's frontage at both Proctor Street and Morris Street, at least 5' in width, to the specifications of the City of Statesboro.
7. Buildings on the site shall be constructed of either brick, masonry, or wood siding on all facades.
8. Exterior lighting shall have a low level of luminescence that cast a color similar to day time light and should not interfere with the adjacent property or automobile traffic.
9. Lighting standards shall meet those required by the Safe By Design Program of the City of Statesboro.
10. Parking areas must be landscaped. Where a parking lot abuts a public sidewalk, a landscaped strip, or planter with a minimum width of five feet utilizing a combination of trees, shrubs, and flowers shall be provided.
11. Foundation landscaping along fifty percent (50%) of the building length is required for each building on the property.
12. All planting areas shall be protected from vehicle damage by the installation of curbing or other methods approved by the administrator. Alternative barrier designs which provide improved infiltration or storage or storm water are strongly encouraged.
13. Mechanical equipment and service areas shall be designed and located to minimize visual impact.
14. The plant materials used in and around parking lots and adjacent to street rights of way and pedestrian ways shall be designed to assure visibility at intersections and safety of pedestrians. Therefore, shrubs shall not exceed two (2) feet in height at maturity, and trees are to be pruned to at least six (6) feet above ground.
15. All planting areas shall be stabilized with ground covers, mulches, or other approved materials to prevent soil erosion and to allow rainwater infiltration. Rubber mulch is not acceptable.
16. Grassed areas shall be finished with sod.

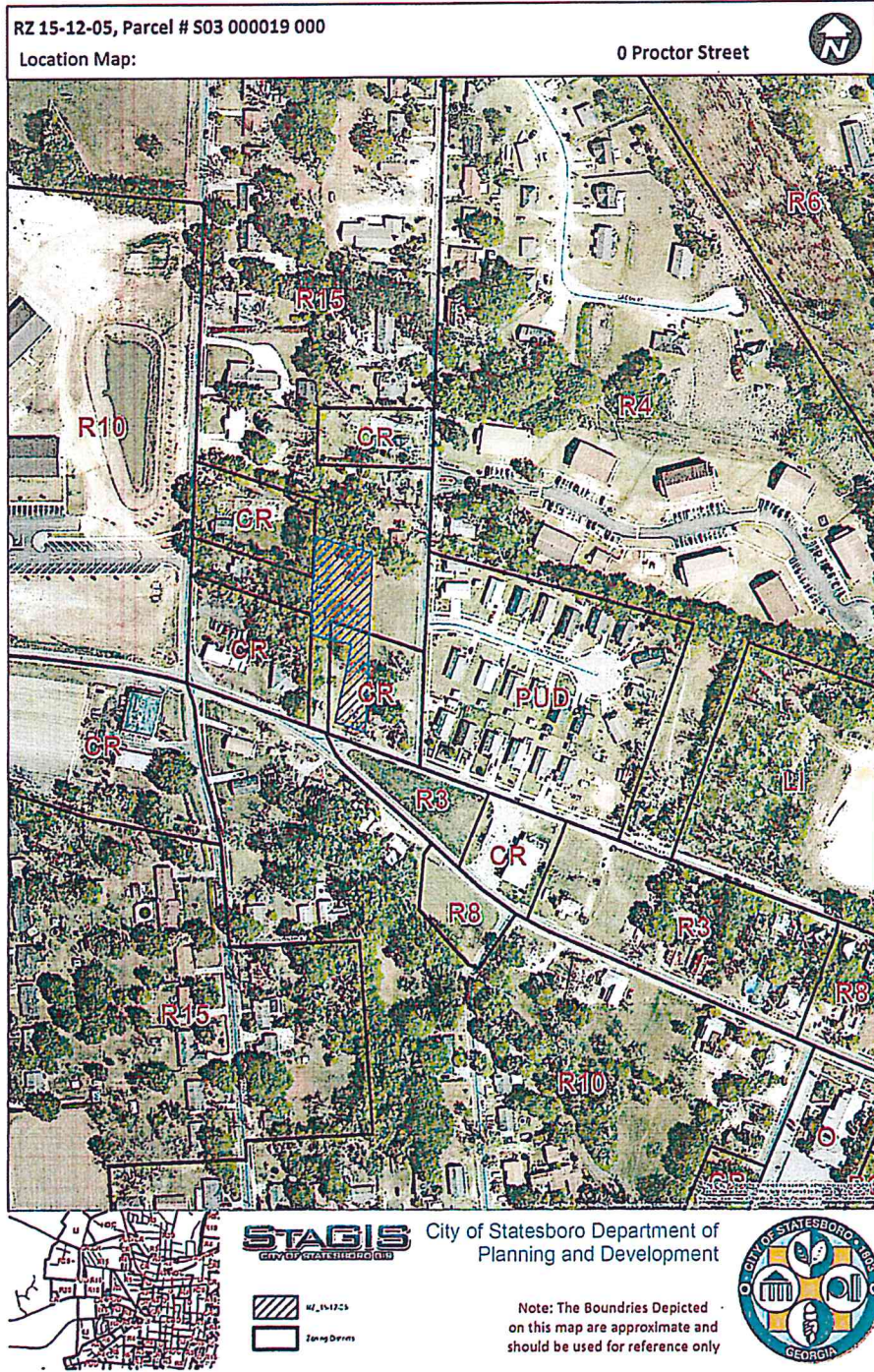
PLANNING COMMISSION RECOMMENDATION:

At its regular scheduled meeting on Tuesday, January 5, 2016, the Planning Commission voted, 6 to 0, to recommend approval of request with the staff recommended conditions as listed above.

EXHIBIT A: LOCATION MAP

12/21/2015

RZ_15_12_05.jpg



<https://mail.google.com/mail/u/0/?tab=wm#sent/151c5426f3149268?projector=1>

1/1

EXHIBIT B: PROPOSED CONCEPT PLAN

Front Elevation:

A detailed architectural drawing of the front elevation of a long, single-story building. The structure features a prominent gabled roof section on the left side, with a smaller gable roof section further to the left. The main body of the building has a low-pitched roof. The facade is characterized by a series of windows: a large set of windows under the gable, followed by several pairs of windows, and a final set of windows on the right. The drawing includes height markers (H1, H2, H3, H4, H5) along the roofline. The text "FRONT ELEVATION" is centered below the drawing.

[Empty Box]	
[Empty Box]	[Empty Box]
[Empty Box]	
[Empty Box]	
[Empty Box]	[Empty Box]

Rear Elevation:

Three architectural drawings showing rear elevations of the building from different perspectives. The top drawing shows a side view with a gabled roof and a series of windows. The middle drawing shows a side view with a low-pitched roof and a series of windows. The bottom drawing shows a side view with a low-pitched roof and a series of windows. A height marker (H1) is visible on the middle drawing. To the right of the drawings is a vertical panel containing a table and several boxes with text.

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EXHIBIT B: PROPOSED CONCEPT PLAN CONT'D

Interior Layout:

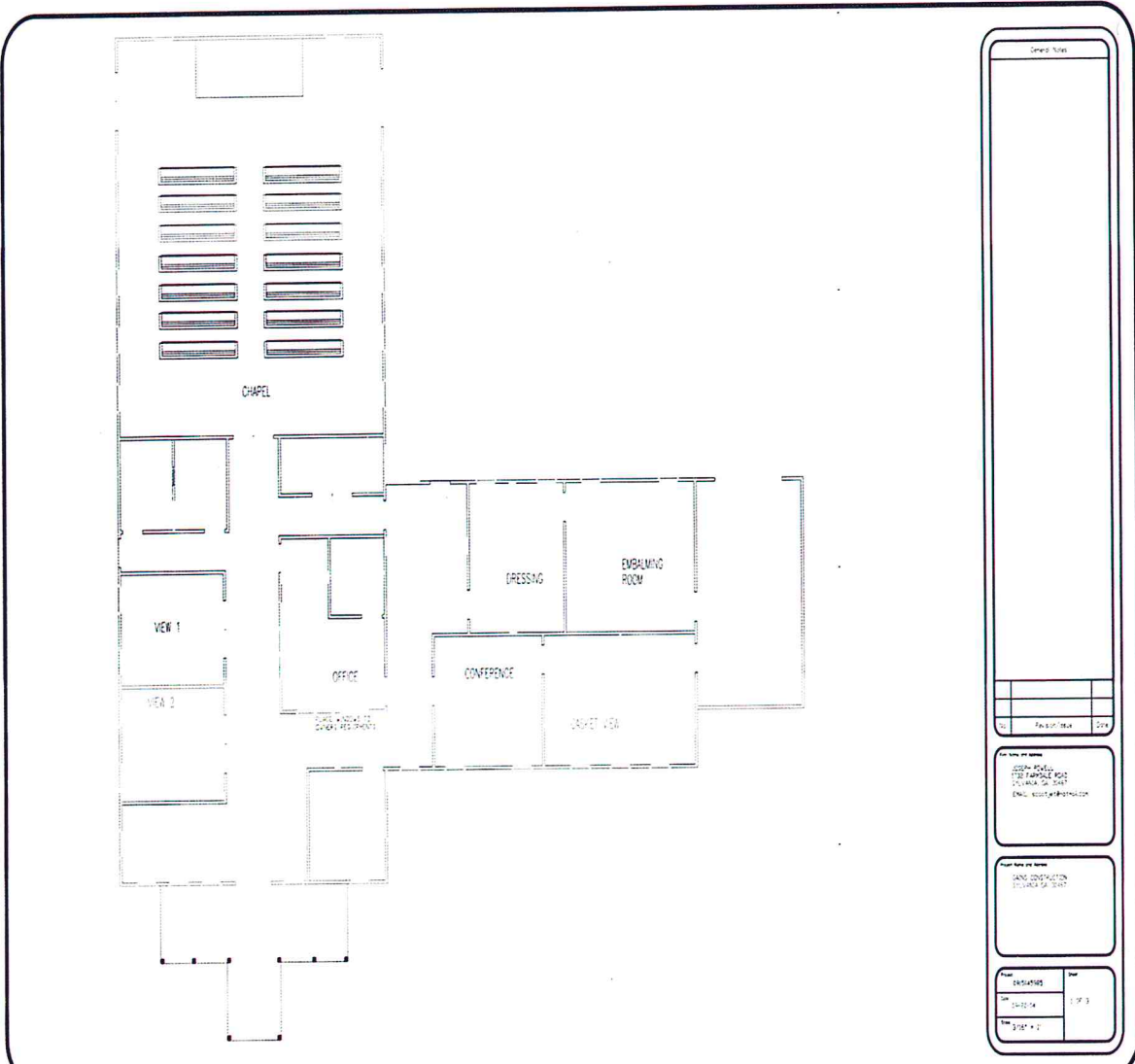


EXHIBIT C: PHOTOS OF EXISTING FUNERAL HOME

The below photos are of an existing funeral home located in Sylvania, GA that was constructed by the applicant using the proposed concept plan presented in Exhibit B.



Front Elevation of Funeral Home



Parking to the side of the Funeral Home



Parking to the rear of the Funeral Home

EXHIBIT D: JUDGEMENT LETTER

CITY OF STATESBORO

COUNCIL
Phil Boyum
John C. Riggs
William P. Britt
Travis L. Chance
Gary L. Lewis



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

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

May 22, 2015

Jarvis Robinetta Barnes
PO Box 1356
Statesboro, GA 30459

RE: APPLICATION # RZ 15-03-04 (335 Proctor Street)

Dear Ms. Barnes,

At its regular scheduled meeting on Tuesday, May 19, 2015, the Statesboro City Council approved with conditions the following request:

APPLICATION # RZ 15-03-04: Jarvis Robinetta Barnes requested a zoning map amendment for a .81 acre lot located at 335 Proctor Street. The applicant requests a rezone to CR (Commercial Retail) zoning district. The subject site is currently split zoned; the south portion of the lot that fronts Proctor Street and Morris Street is zoned CR (Commercial Retail); the north portion of the lot that fronts Morris Street is zoned R-15 (Single-Family Residential). The applicant would like to utilize the subject site as a funeral home. As funeral homes are not permissible uses within residential zones, the applicant requests the entire lot to be zoned CR (Commercial Retail) (Tax Parcel Number S03 000018 000).

Conditions:

1. The property is required to take ingress/egress from Proctor Street only.
2. The house on the property should be removed to provide additional parking on the property (the overflow does not need pavement).
3. If a dumpster or other large scale sanitation equipment is utilized at the site, it shall be enclosed according to the specifications of the City of Statesboro.
4. Access easements along the property will be granted to the City of Statesboro for proper maintenance of storm drainage system with the expressed ability for the City to cut and install any necessary storm ditches or other facilities common to management of the drainage system.
5. Given the residential surroundings of the property, commercial signage at the site shall be governed by the nonresidential use section for Sign District 1. The site shall not have a double frontage allowance. Electronic message boards are not permissible.
6. Sidewalks shall be constructed along the property's frontage at both Proctor Street and Morris Street, at least 5' in width, to the specifications of the City of Statesboro.
7. Buildings on the site shall be constructed of either brick, masonry, or wood siding on all facades.

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EXHIBIT D: JUDGEMENT LETTER CONT'D

8. Exterior lighting shall have a low level of luminescence that cast a color similar to day time light and should not interfere with the adjacent property or automobile traffic.
9. Lighting standards shall meet those required by the Safe By Design Program of the City of Statesboro.
10. Parking areas must be landscaped. Where a parking lot abuts a public sidewalk, a landscaped strip, or planter with a minimum width of five feet utilizing a combination of trees, shrubs, and flowers shall be provided.
11. Foundation landscaping along fifty (50)% of the building length is required for each building on the property.
12. All planting areas shall be protected from vehicle damage by the installation of curbing or other methods approved by the administrator. Alternative barrier designs which provide improved infiltration or storage or storm water are strongly encouraged.
13. Mechanical equipment and service areas shall be designed and located to minimize visual impact.
14. The plant materials used in and around parking lots and adjacent to street rights of way and pedestrian ways shall be designed to assure visibility at intersections and safety of pedestrians. Therefore, shrubs shall not exceed two (2) feet in height at maturity, and trees are to be pruned to at least six (6) feet above ground.
15. All planting areas shall be stabilized with ground covers, mulches, or other approved materials to prevent soil erosion and to allow rainwater infiltration. Rubber mulch is not acceptable.
16. Grassed areas shall be finished with sod.

Please be advised that the approval of the zoning map amendment permits the use of the property pursuant to the R4 (High Density Residential) zoning district regulations found in the Statesboro Zoning Ordinance. Any development of the property must first be properly reviewed and permitted by the City of Statesboro.

Should you have any questions, please do not hesitate to contact me at 912-764-0630 or by email at candra.teshome@statesboroga.gov.

Sincerely,



Candra Teshome
Development Clerk

cc: Planning Commission Members via email
Jason Boyles, Interim City Engineer via email
Justin Daniel, GIS Coordinator via email
Chris Colson, Deputy Chief via email
Col. Justin Samples, Statesboro Police Department via email
David Campbell, Protective Inspections

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EXHIBIT E: PHOTOS OF SUBJECT SITE & SURROUNDING PROPERTIES

Photo 1: Adjacent Commonly Owned Parcel (CR)



Photo 2: Subject Parcel (R15) Remaining Foundation of the Original Funeral Home



EXHIBIT E: PHOTOS OF SUBJECT SITE & SURROUNDING PROPERTIES CONT'D

Photo 3: Rear portion of the Subject Parcel (R15) along with the Rear portion of the Adjacent Commonly Owned Parcel



Photo 4: Planned Unit Development that is directly Adjacent to the above Photo.



EXHIBIT E: PHOTOS OF SUBJECT SITE & SURROUNDING PROPERTIES CONT'D

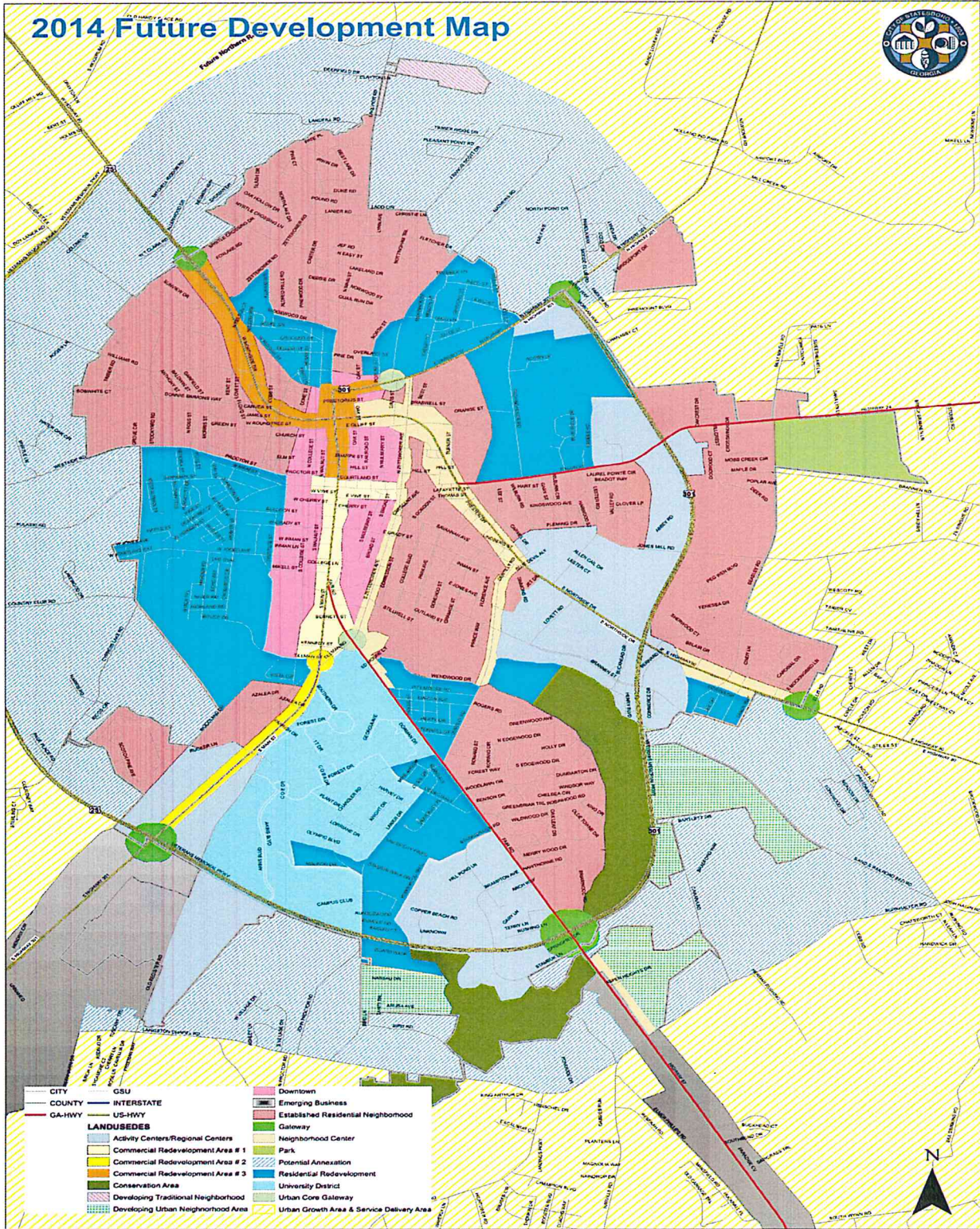
Photo 6: Properties to the West of the Subject Site- Residential & Commercial Retail



Photo 7 & 8: South & South East view from the Subject Site-Residential & Commercial Retail



EXHIBIT F: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP





City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

SE 15-10-01
SPECIAL EXCEPTION REQUEST
116 SAVANNAH AVENUE

LOCATION: 116 Savannah Avenue

REQUEST: Special Exception to allow commercial and residential mixed use, on upper and lower-level floors, in the CBD (Central Business District).

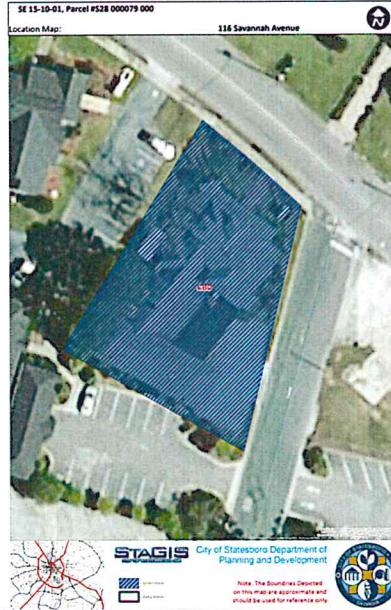
APPLICANT: Lawrence J. Zaslavsky

OWNER(S): Farmers & Merchants Bank

LAND AREA: .29 acres

PARCEL TAX MAP #s: S28 000079 000

COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

Lawrence J. Zaslavsky requests a special exception to allow for the utilization of the property located at 116 Savannah Avenue as commercial and residential mixed use on street level floors. The subject site is zoned CBD (Central Business District), which does not permit residential uses on lower-level floors by right. (See **Exhibit A – Location Map**)

BACKGROUND:

The subject site contains a 5,988 square foot building which was previously utilized as a flower shop by both Colonial House of Flowers and the Flower Girl. The property is situated on the corner of Savannah Avenue and Broad Street. A large structure, its Savannah Avenue frontage of 79 feet and a depth down Broad Street of 141 feet. A pedestrian entrance is offered from Savannah Avenue, but parking and vehicle access occurs from Broad Street. Off Street paved parking is provided at the site (See **Exhibit B—Building Sketch**).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CBD (Central Business District)	Business offices
SOUTH:	CBD (Central Business District)	Single-family residences
EAST:	CBD (Central Business District)	Personal services facilities, office buildings
WEST:	CBD (Central Business District)	Retail establishments; food service facilities; office buildings

The subject property is located in a mixed-use area with business offices to the north, single-family residences to the south and a mix of personal services, retail establishments, food service facilities and office buildings to the east and west (See **Exhibit C—Photos of the Subject and Adjacent Properties**).

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See Exhibit F) within the City of Statesboro Updated 2014 Comprehensive Plan (See Exhibit D-2014 Future Development Map).

Vision:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, Traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Appropriate Land Uses

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

Suggested Development & Implementation Strategies

- Maintain/enhance integrity of interconnected grid and pedestrian circulation interconnectivity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.
- Economic development strategies should continue to nurture thriving commercial activity.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY (DSDA) MASTER PLAN

The subject sites lies within the boundaries of the Downtown Statesboro Development Authority's Master Plan. The master plan envisions a downtown that:

- Serves as the employment, entertainment, service and retail hub of the community
- Maintains and strengthens the governmental functions for the city, county, and federal governments
- Develops a vibrant retail presence
- Develops diverse entertainment, recreational and cultural opportunities
- Offers expanded housing opportunities and types
- Offers significant new public community space
- Provides increased transportation choices for Statesboro residents, workers, and visitors
- Links and enhances city wide trails and open spaces
- Accommodates future major attraction needs for the region

The DSDA Locational Guidance for Redevelopment Initiatives Land Use Map places the subject site within zone 10 with targeted use/enhancements identified as residential, institutional and mixed use. This area is considered to be secondary as importance level, as it operates as a supportive element to downtown, but could potentially include some additional enhancement activity. Implementation strategies for zone 10 include:

- Targeted redevelopment in this area which is consistent with the emerging development pattern is an appropriate approach in this zone.
- Ensure residential and office uses continue with minimal conflict and promote the development an emerging mixed use corridor.
- Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock.

"The Land Use Strategy of the DSDA Master plan designates recommended land uses for downtown Statesboro, identifying parcels in which a specific land use is recommended over the long term implementation of the master plan. Existing parcels and properties suitable for specific uses should be considered for development and generally based on the siting strategies identified in the plan." The Land Use Strategy of the Plan encourages a mixed use framework wherever feasible and recommends that the "predominant or most important ground floor use" of this site is secondary retail, stating that "street level retail activity is desirable but not necessary to generate adequate vitality on secondary retail streets. Thus these secondary retail blocks allow commercial uses to be mixed in with retail uses at the ground floor. Key actions include:

- Convert non-retail uses- existing storefront non-retail uses should be replaced, to create a continuous and uninterrupted retail frontage
- Parking – shopper friendly retail supportive parking should be proximate to destinations
- Existing retail, entertainment, and commercial uses – where these activities already occur, street frontages would be strengthened by being filled in with further supporting uses
- Destination uses – that benefit from high traffic volume exposure but do not need a strong pedestrian orientation

TAX ALLOCATION DISTRICT (TAD) REDEVELOPMENT PLAN

The subject site also falls within the boundaries of the Tax Allocation District (TAD). The goal of the TAD is to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed use centers to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and 2009 and 2014 Comprehensive Plans." The plan does not set forth suggestions specific to this subject site.

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 zone. 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 .29 acre site is currently zoned CBD (Central Business) District with one vacant 5,988 square foot building on the property which has previously been utilized in both commercial and residential manners. The CBD (Central Business) District has a stated purpose of permitting logical, timely, and orderly development of land in accordance with the objectives, policies, and proposals of the future land use plan for the City of Statesboro. This zoning district proposes uniformity of design in buildings, land use, and parking areas as a business and commerce area.

Special Exceptions allow for a land use that is not permitted as right within a zoning district but which may be granted where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a facility that provides commercial and residential mixed use on street level floors is not a use permitted by right within the CBD (Central Business) zoning district; rather requiring that mixed residential and commercial uses be occur with restricted placement of retail on bottom floor and residential to upper floors.

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.**
 - The proposed use should not cause an increased negative impact on vehicular traffic.
 - The property takes vehicular access from Broad Street and has paved on-site parking.
- 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.**
 - Paved, off street parking is provided at the site and takes access from Broad Street.
- D. Public facilities and utilities are capable of adequately serving the proposed use.**
 - Building Inspections by the Building Inspections Division (Building Official) have not been conducted but may be required in the permitting stage.

- 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.**
 - i. Section 803 of the Statesboro Zoning Ordinances requires that a site plan and architectural drawings are required prior to issuance of a building permit. It continues to state that the planning commission shall review these plans and drawings and submit their findings and recommendations to the building inspector and city council prior to the issuance a building permit. The drawings shall keep in mind the integrity and harmony of the central business district as designated in the future land use plan and other related studies.
 - ii. Although the applicant has not expressed an intention of making exterior changes to the property to staff, applicant has NOT submitted a site plan, concept or representation of his intended use of the property. Therefore, no approvals for site plans could be granted at this time and would have to be brought back before Planning Commission and City Council at such time as they are developed before staff could authorize any permitting for the property.
- 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 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*”:

1. **Existing uses and zoning or [of] property nearby.**
 - Surrounding properties are zoned CBD (Central Business District), O (Office), and R4 (High Density Residential) and uses range from single family residential to small-scale retail.
2. **The extent to which property values are diminished by the particular zoning restrictions.**
 - a. The existing structure was originally constructed and designed as a home in the early twentieth century and has undergone alteration. In the recent past, the subject site was used in a commercial capacity.
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.**
 - a. The property is suitable to be utilized as zoned.
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 has been vacant and/or underutilized for the last several years.
7. **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.**
 - The proposed use should not negatively impact any of the above.
 - The Comprehensive Plan, DSDA Master Plan, and TAD Redevelopment Plan all support an increase in residential living and population in the downtown area.
8. **Consistency with other governmental land use, transportation, and development plans for the community.**
 - a. Land use plans for this area consistently recommend the infill of residential development in the downtown area. However, they are also consistent in the recommendation that residential use should be restricted to upper floors and not serve to interrupt a consistent retail or commercial frontage for downtown streets.

STAFF RECOMMENDATION:

In consideration of the factors of this case, and the guidance of the City of Statesboro Comprehensive Land Use Plan, the DSDA Master Plan, and the Tax Allocation District Master Plan, staff recommends that the special exception allowing the mixed commercial and residential use of this property be permitted with the following mitigating conditions:


1. The portion of the structure with frontage on Savannah Avenue must be utilized in a commercial fashion.

2. Residential usage is restricted to the “back” of the property – those sections not having frontage on Savannah Avenue.
3. Site Plans, Concepts, and/or appropriate renderings must be submitted for approval. Any changes to the exterior or footprint of the property will require additional council approvals.
4. Redevelopment plans must meet all standards and regulations of the City of Statesboro and the State of Georgia, including but not limited to, the Design Standards for this area and adequate off street parking for mixed uses.

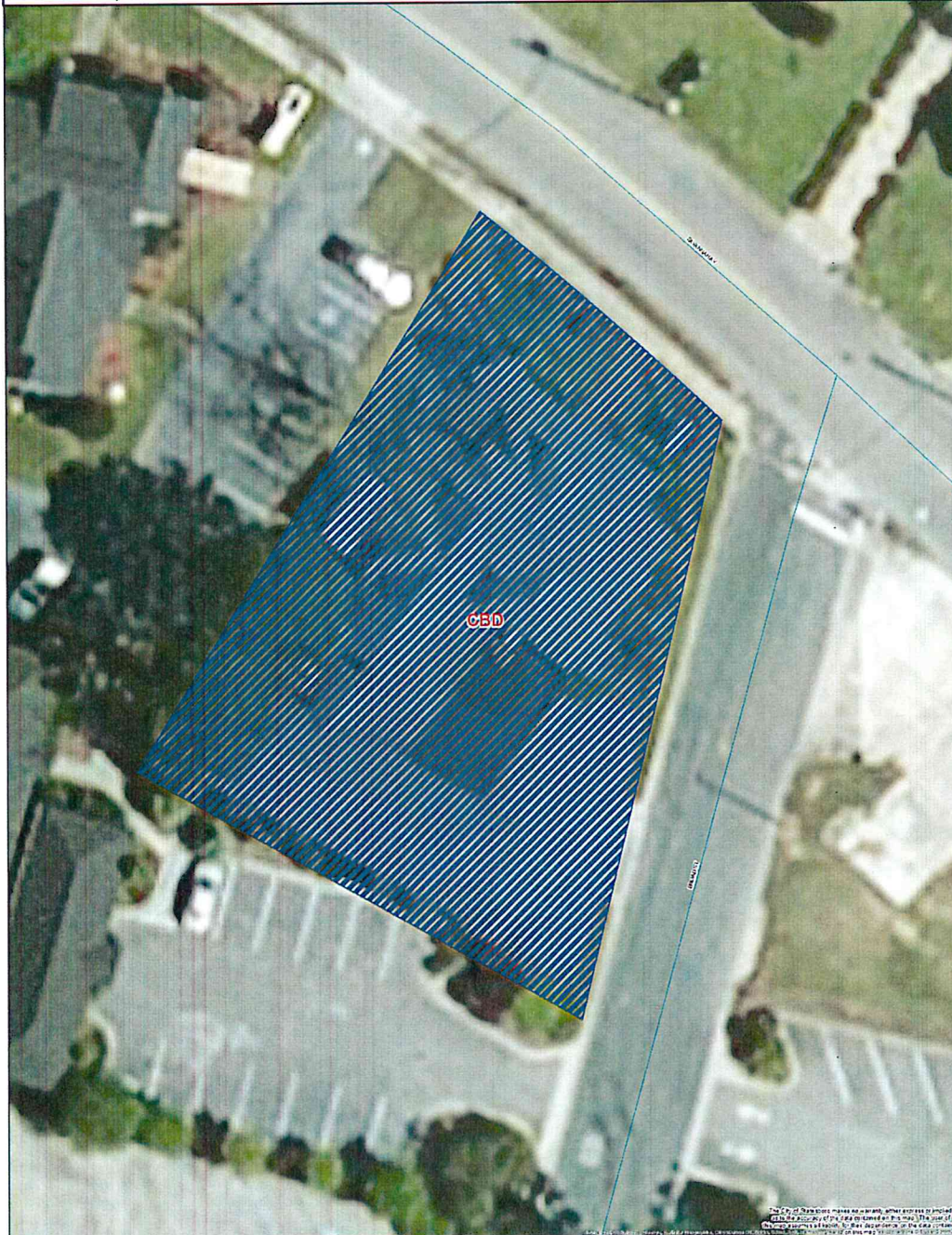
PLANNING COMMISSION RECOMMENDATION:

At its regular meeting on Tuesday, January 5, 2016, the Planning Commission voted, 5 to 0, to recommend approval of SE 15-10-01 and SE 15-12-01 with the staff recommended conditions as listed in the staff report above.

EXHIBIT A: LOCATION MAP

SE 15-10-01, Parcel #S28 000079 000 

Location Map: **116 Savannah Avenue**



STAGIS
CITY OF STATESBORO GIS

City of Statesboro Department of
Planning and Development

 S28000079000
 Zoning Districts

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



EXHIBIT B: BUILDING SKETCH

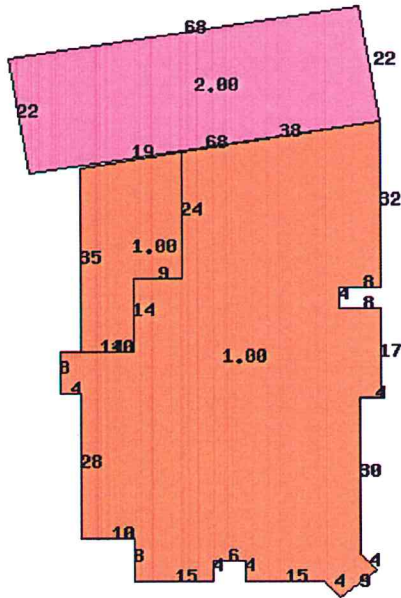
10/30/2015

Bulloch County Building Sketcher

Bulloch County Tax Assessor's Office

Resize

Close Window



Color	Area Type Description	Square Feet
	1.00	3906
	2.00	1514
	1.00	568

http://qpublic7.qpublic.net/cgi-bin/gap_sketch.cgi?county=bulloch&p=25746&b=2305&s=400&c=bulloch&t=C

1/1

EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES



Picture 1 Subject Property Facing West



Picture 2 Rear of Subject Property Facing North

EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES (CONT.)



Picture 3 Front of Subject Property Facing South



Picture 4 Side of Subject Property Facing East

EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES (CONT.)

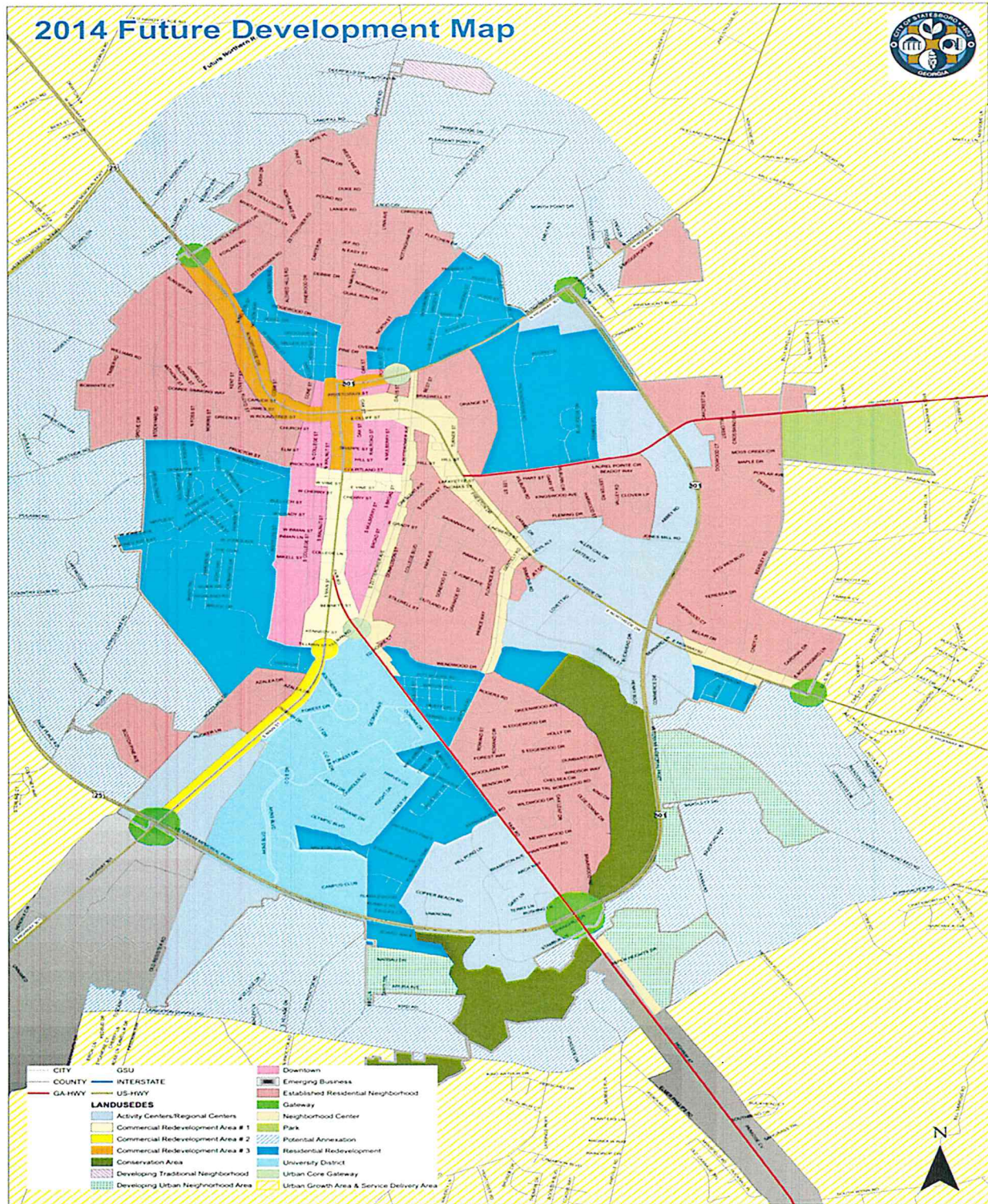


Picture 5 Adjacent Property Facing North



Picture 6 Adjacent Property Facing South

EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP





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

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Statesboro, Georgia 30458

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**DSDA DEMO – 001, DSDA DEMO – 003, RZ 15-10-02, RZ 15-10-03 & RZ 15-10-04
DEMOLITION & ZONING MAP AMENDMENT REQUESTS
218 South College Street, 16 West Inman and 18 West Inman**

LOCATION: 218 South College Street, 16 West Inman and 18 West Inman

REQUEST: Request for a finding of necessity for the demolition of two structures; request for two rezones from CR (Commercial Retail) to R4 (High Density Residential District) and request for one rezone from R3 (Medium Density Multiple Family Residential District) to R4 (High Density Residential District) within the DSDA Design Standards District.

APPLICANT: John Ray Hendley

OWNER(S): John Ray Hendley (Hendley Properties)

ACRES: .54 Acres Combined

PARCEL TAX MAP #: S19 000050 000, S19 000051 000 and S19 000042 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a finding of necessity for the demolition of two structures located at 218 South College Street (Tax Parcel # S19 000050 000); a zoning map amendment for the .2 acre parcel located at 218 South College Street (S19 000050 000) to be rezoned from the CR (Commercial Retail) district to R4 (High Density Residential); a zoning map amendment for the .17 acre parcel located at 18 West Inman (S19 000051 000) to be rezoned from CR (Commercial Retail) to R4 (High Density Residential); and a zoning map amendment for the .17 acre parcel located at 16 West Inman (S19 000042 000) to be rezoned from R3 (Medium Density Multiple Family Residential) district to R4 (High Density Residential), which lie within the boundaries of the Downtown Statesboro Development Authority district and are therefore governed by the recently adopted Design Standards, which require the preservation of potentially historic structures.

The applicant has immediate plans to combine the parcels and construct four (4) duplexes that will provide eight (8) one bedroom apartments. (See **Exhibit A** – Location Map, **Exhibit B** – Proposed Concept Plan)

BACKGROUND:

The subject site located at 218 South College Street contains two (2) single-family structures and is currently zoned CR (Commercial Retail). The sites located at 16 West Inman and 18 West Inman are vacant and zoned CR (Commercial Retail) and R3 (Medium Density Multiple Family Residential), respectively. The properties lie within the boundaries of the Downtown Statesboro Development Authority, and in September 2015, City Council adopted Article XXX: Design Standards: Downtown District of the *Statesboro Zoning Ordinance*, which requires a finding of necessity for proposed demolitions where the structure does not exceed 35 percent in structural damage and is deemed "Historical" by the criteria in the ordinance. The applicant is requesting rezoning of the subject sites to R4 (High Density Residential District) in order to construct four (4) duplexes with a total of eight (8) one bedroom apartments.

SURROUNDING ZONING/LAND USES:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail) & R4 (High Density Residential District)	Apartment houses
SOUTH:	CR (Commercial Retail)	Health care facilities; retail establishments
EAST:	CR (Commercial Retail) & R3 (Medium Density Multiple Family Residential)	Single-family detached dwellings
WEST	CR (Commercial Retail)	Apartment houses

The subject site is located one (1) block west of the South Main Street corridor—affectionately known as the “Blue Mile”—a concentrated area of redevelopment. Properties to the north are predominantly residential, while properties to the south include health care facilities and retail establishments. There are several personal services facilities, food service facilities, automobile oriented services and a hotel located to the east, including the Meineke Car Care Center, Quality Inn & Suites and the GATE gas station. (See **EXHIBIT C**—Photos of the Subject Site and **EXHIBIT D**—Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the “Urban Core/Downtown” 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* – which calls for the protection of “historic buildings from demolition or inappropriate restoration” while encouraging the construction of multi-family residential uses in the area.

Vision:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Appropriate Land Uses

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

Suggested Development & Implementation Strategies

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.

- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to “encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers” to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions to these subject sites. Each parcel in this request is listed in the TAD under Appendix B (page 41) (See **Exhibit F**—List of Parcels Included in the TAD). Tax parcel S19 000050 000 has a tax value of \$25,149; tax parcel S19 000051 000, a tax value of \$4,000; and tax parcel S19 000042 000, a tax value of \$3,950.

STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcels in Zone 9- a Residential with the focus of creating appropriately scaled residential uses and hosting redevelopment efforts which are supportive of commercial, mixed-use and streetscape zones. Additionally, the Plan encourages infill and medium-density housing in the area and the preservation of historic resources within the District. (See **Exhibit G**—Locational Guidance/Zone Implementation Table).

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. There is no expected environmental impact associated with this request. Any environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

ANALYSIS:

I. Application DSDA DEMO-001: Article XXX Section 3003 (Tax Parcel # S19 000050 000)

Given that Bulloch County Tax Records indicate that the structures are greater than fifty (50) years in age, staff is not authorized to administratively approve a demolition permit. Rather, council must determine whether the structures are considered to be a “Historical Building” as defined by Article XXX of the *Statesboro Zoning Ordinance*, and if so, may authorize a demolition only upon a showing of necessity. In order to designate the structure as a “Historical Building” meriting preservation, Council must find the building to be greater than fifty years in age and that at least one of the following criteria or the criteria of the National Register of Historic Places are met. Ordinance considerations, and relevant known factors, are as follows:

The 1,645 square-foot structure is at least ninety-three (93) years of age (See **Exhibit I**—Sanborn Map Company, Statesboro, Ga., May 1922). The 968 square-foot structure is at least sixty-five (65) years of age; based on the Bulloch County Tax Assessor’s website (this structure was not present in May 1922).

(1) The structure is an outstanding example representative of its era:

- a. The 1,645 square-foot structure is a Georgia White Clapboard home, which was common in the rural south during the first half of the 19th century and is still being built today. The structure presents exposed height of 2”-2 ½” on the clapboards, a roof with gabled ends and a shallower pitch on the porch’s roof. While this was a common style of house in Georgia, this building, in its current state, is likely not an “outstanding” example of a structure representative of its era (See **EXHIBIT C**—Pictures 1 through 3).
- b. The 968 square-foot structure is a shotgun house, a popular style during the early to mid-twentieth century which presents a long, rectangular, narrow structure with one floor, and a narrow front porch. This specific property is identified as having exterior walls constructed of asbestos, based on the Bulloch County Tax Assessor website. This building, in its current state, is likely not an “outstanding” example of a structure representative of its era (See **EXHIBIT C**—Picture 4).

(2) The structure is one of few remaining examples of a past architectural style:

There is no indication that either structure is one of few remaining examples of a past architectural style.

(3) The property or structure place or structure is associated with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, the State of Georgia, or the region:

No evidence of association with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, Georgia or the region was found.

(4) The property or structure is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City of Statesboro, Bulloch County, the State of Georgia, or the region;

The subject property is not a site of natural or aesthetic interest that contributes to the cultural or historical development of the City of Statesboro.

(5) It is within an existing historic district or is listed with the National Register of Historic Places; or

The parcel does not lie within, or adjacent to, the boundaries of a NRHP district. However; the property lies roughly four (4) blocks northwest of the South Main Street Residential Historic District (registered in 1989); as recognized by the NRHP (See **Exhibit H**—Historic Resources of Statesboro). Consequently, it's possible this site, and others along the South College Street corridor, was previously a portion of the South Main Street Residential Historic District made discontinuous due to demolitions and redevelopment (structures in the vicinity appear to be contemporary).

Generally, the Department of Interior evaluates the following criteria in consideration of whether a structure is historical in significance and therefore deemed worthy of preservation:

(1) Age

Despite the Tax Assessor's estimated age, the 1,645 square-foot structure is older. The Sanborn Fire Insurance Map, Statesboro, Ga., May 1922 indicates the structure existed at the time of the 1922 survey. The 968 square-foot structure would also qualify for NHRP review based on its recorded construction date.

(2) Integrity

An inspection performed on October 5, 2015 by the City of Statesboro Building Official revealed the structural integrity of the single-family structure remains intact, with less than 35 percent structural damage. Structural damage is assessed by evaluating the building's walls, floors, roof, windows and external structure and structural members. In addition, it is unlikely the single-family building has undergone extensive renovations that changed the building's original design or floor plan, which demonstrates design integrity, one of the NRHP's requirements.

II. Application RZ 15-10-02, RZ 15-10-02 & RZ 15-10-04: Zoning Map Amendments

The request to rezone the subject properties from the CR (Commercial Retail) and R3 (Medium Density Multiple Family Residential) zoning districts to the R4 (High Density Residential) 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 *Statesboro Comprehensive Plan*, the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*, the *Tax Allocation District Redevelopment Plan*, the *Statesboro Downtown Master Plan*, the *2015 Tax Allocation District Redevelopment Plan*, and the potential for the property to develop and be utilized in conformance with the requirements of the proposed R4 (High Density Residential) zoning district as set forth in the *Statesboro Zoning Ordinance*, including the recently adopted Design Standards in Article XXX.

Current Zoning Compared to Requested Zoning

CR – Commercial Retail Districts allow for general retail, wholesale, office, and 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 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.

R3 – Medium Density Multiple Family Residential are restricted to single-family detached dwellings, two-family twins and two-family duplexes and accessory uses, but limits development to a single residential structure per parcel.

R4 – High Density Residential District uses are restricted to apartments, single-family attached dwelling units, non-commercial recreational facilities and accessory uses.

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 in “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;**
 - a. Adjacent property to the north, south, east and west of tax parcel S19 000050 000 is zoned CR (Commercial Retail). Adjacent property to the north of tax parcels S19 000051 000 and S19 000042 000 are zoned R4 (High Density Residential). Adjacent property to the south and west of tax parcel S19 000051 000 is zoned CR (Commercial Retail) and the parcel to the east (which is one of the subject sites) is zoned R3 (Medium Density Multiple Family Residential).
- (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.**
 - a. The proposed land use could be developed in conformance with the dimensional standards of the R4 (High Density Residential District) standards of the *Statesboro Zoning Ordinance*.
 - b. The applicant’s conceptual plan depicts a parking lot at the complex’s frontage composed of twelve (12) regular parking spaces and two (2) handicapped spaces. No parking exists on either side of the buildings and Section 3014 of Article XXX of the *Statesboro Zoning Ordinance* requires no more than 25% of parking for new developments be located in the front of the building(s).
 - c. Article XXX also requires parking areas to be landscaped, which likely cannot be met given, the parcels’ total acreage is only .6 acres.
 - d. The concept submitted by the applicant proposed eight (8) bedrooms on the site. Density for a lot of this size zoned R4 would be capped at 6 beds by right – less than proposed here.
- (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. Tax parcel S19 000050 000 contains two (2) residential structures, which were recently occupied. Tax parcels S19 000051 000 and S19 000042 000 have been undeveloped for some time.
- (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**
 - a. The applicant is proposing the construction of four (4) duplexes that will provide eight (8) one bedroom apartments.
 - b. The proposed use is limited in size and therefore not expected to have a negative impact on community facilities, living conditions, traffic patterns and congestion or property values in adjacent areas.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**
 - a. Appropriate infill within established areas of the City is supported by the Comprehensive Plan. However, the plan also supports that the placement and scale of infill is complimentary to surrounding uses and zones and requires it to occur in a manner which protects established residential areas.
 - b. The applicant’s request to rezone tax parcel S19 000050 000 and S19 000051 000 from CR 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.
 - c. The subject sites lie one (1) block west of the South Main Street corridor—affectionately known as the “Blue Mile”—a concentrated area of redevelopment.
 - d. The Tax Allocation District Redevelopment Plan supports redevelopment within the district.
 - e. The requested zoning is supportive of the vision of the Downtown Statesboro Master Plan.

Previously reviewed cases under the 2009 Comprehensive Plan requesting zoning map amendments from Commercial Retail to High Density Residential District:

- RZ 12-05-02: South College Street approved for rezone from PUD/CR to R4.

STAFF RECOMMENDATION:

Pursuant to the review criteria established by Article XXX of the *Statesboro Zoning Ordinance*, staff is of the opinion that the structures located at 218 South College Street (tax parcel S19 000050 000) do not meet the definition of historic structures. In addition, staff is of the opinion the structures would not meet NRHP guidelines for the nomination of properties that have achieved significance in the past 50 years. Therefore, the request does not require a finding of necessity and staff recommends approval of demolition of the structures on site.

Additionally, staff recommends approval of the zoning map amendment requested. However, Council should determine whether to approve the concept plan as submitted or to require strict compliance with the Downtown Design Standards in Article XXX. The following should be noted when determining such as approval:

- a. The proposed land use could be developed in conformance with the dimensional standards of the R4 (High Density Residential District) standards of the *Statesboro Zoning Ordinance*.
- b. The applicant's conceptual plan depicts a parking lot at the complex's frontage composed of twelve (12) regular parking spaces and two (2) handicapped spaces. No parking exists on either side of the buildings and Section 3014 of Article XXX of the *Statesboro Zoning Ordinance* requires no more than 25% of parking for new developments be located in the front of the building(s).
- c. Article XXX also requires parking areas to be landscaped, which likely cannot be met given, the parcels' total acreage is only .6 acres.
- d. The concept submitted by the applicant proposed eight (8) bedrooms on the site. Density for a lot of this size zoned R4 would be capped at 6 beds by right – less than proposed here.

PLANNING COMMISSION RECOMMENDATION:

At its regular meeting, Tuesday, January 5, 2016, the Planning Commission voted, 5 to 0, to recommend approval of DSDA-0014, DSDA-003, RZ 15-10-02, RZ 15-10-03 and RZ 15-10-04 with the approval being based upon the submitted concept plan as shown in Exhibit B.

EXHIBIT A: LOCATION MAP

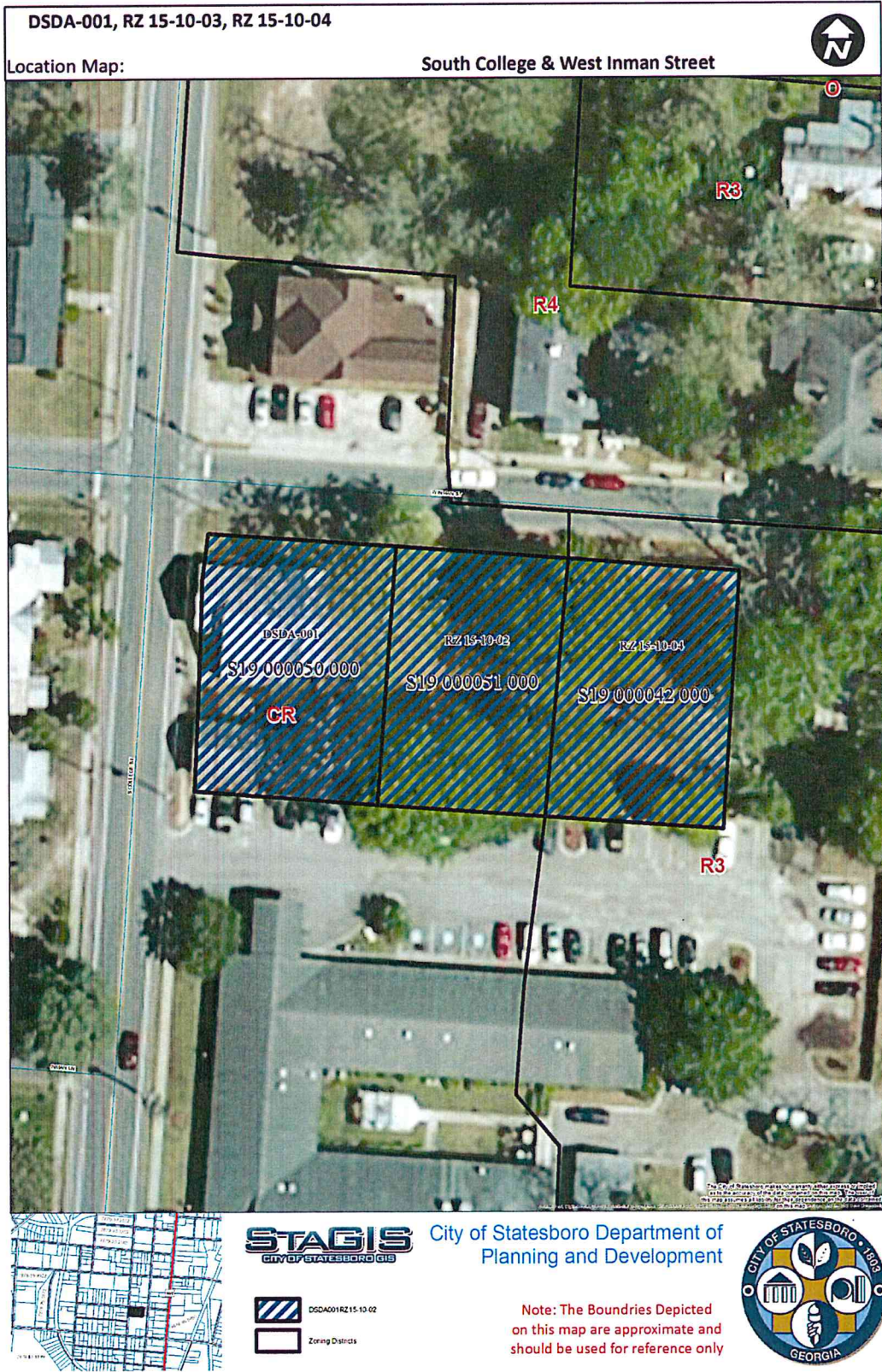


EXHIBIT B: PROPOSED CONCEPT PLAN

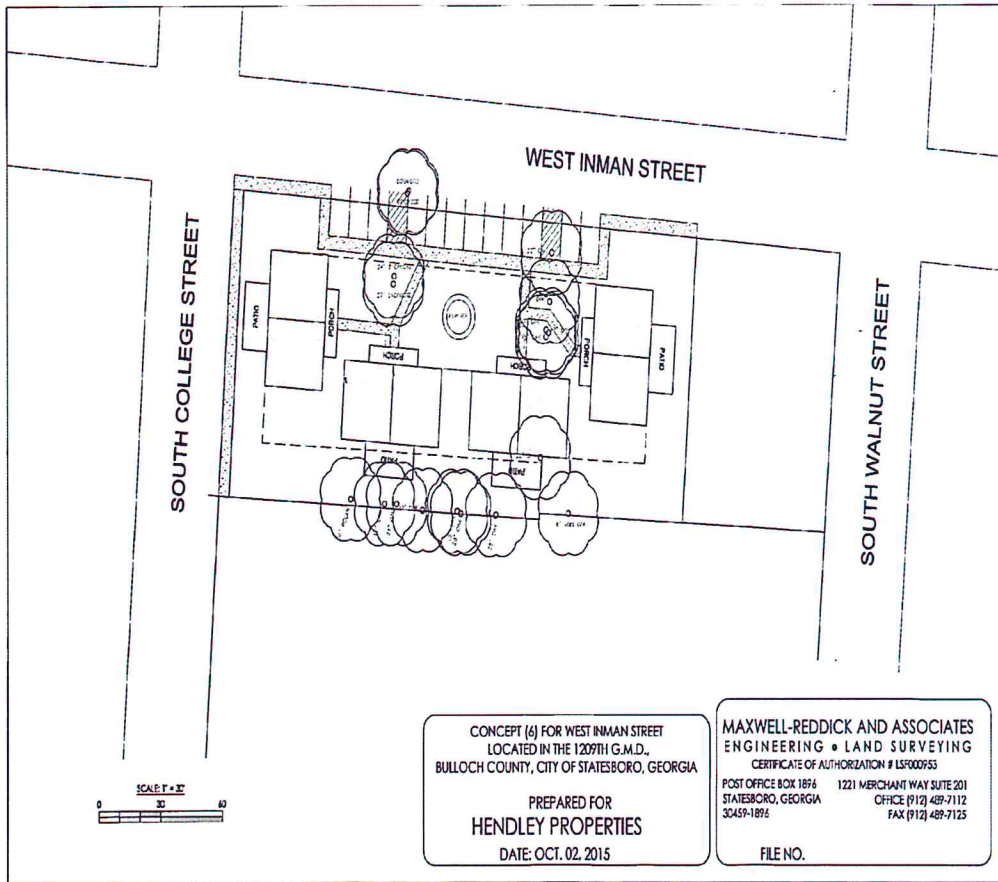


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Tax Parcel S19 000050 000 Facing East (Demolition Request)



Picture 2 Back of Tax Parcel S19 000050 000 Facing West (Demolition Request)

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 3 Side of Tax Parcel S19 000050 000 Facing West (Demolition Request)



Picture 4 Front of Second Structure on tax parcel S19 000050 000 Facing East (Demolition Request)

EXHIBIT C: PHOTOS OF SUBJECT SITE CONTINUED



Picture 5 Subject Sites (including all three tax parcels) Facing East

EXHIBIT D: SURROUNDING PROPERTIES



Picture 6 Multi-Family Property Zoned R4 Adjacent to Tax Parcels S19 000051 000 and S19 000042 000



Picture 7 Multi-Family Property Zoned CR Adjacent to Tax Parcel S19 000050 000

EXHIBIT D: SURROUNDING PROPERTIES



Picture 8 Multi-Family Property Zoned CR Adjacent to Tax Parcel S19 000050 000



Picture 9 Multi-Family Property Zoned CR to the Northwest Across South College Street

EXHIBIT E: CITY OF STATESBORO 2014 FUTURE DEVELOPMENT MAP

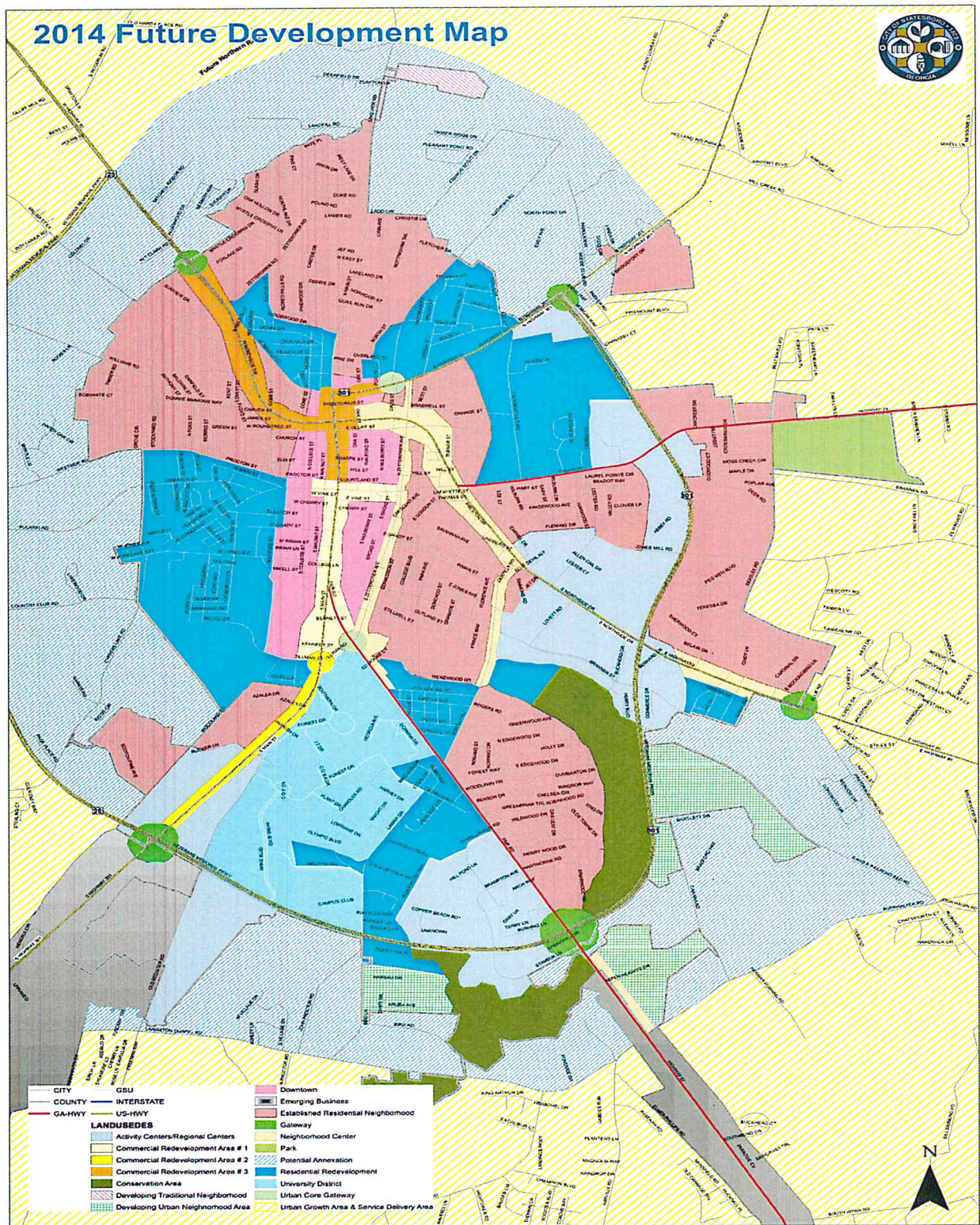


EXHIBIT F: LIST OF PROPERTIES INCLUDING IN THE TAD (PAGE 41)

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Value	Assessed Value	Tax Value
7878-38-6629	S19 000048 000	226 & 230 S COLL	C	1	1,181,999	472,800	472,800
7878-38-6692	S19 000047 000	19 W JONES AVE	R	1	52,027	20,811	20,811
7878-38-6907	S19 000050 000	INMAN & COLLEGE ST	R	1	62,872	25,149	25,149
7878-38-6977	S19 000051 000	18 W INMAN/MORRIS	R	1	10,000	4,000	4,000
7878-38-7002	S20 000072 000	B DEAL/319 S WALNT	C	1	164,240	65,696	65,696
7878-38-7365	S20 000074 000	WALNUT ST	R	1	37,337	14,935	14,935
7878-38-7475	S20 000075 000	16 W JONES AVE	R	1	68,569	27,428	27,428
7878-38-7671	S19 000046 000	17 W JONES AVE	R	1	57,861	23,144	23,144
7878-38-7946	S19 000042 000	LAWTON/16 INMAN ST	R	1	9,900	3,960	3,960
7878-38-8916	S19 000043 000	14 W INMAN ST	R	1	40,545	16,218	16,218
7878-39-0215	S19 000099 000	EAST PT LT 3 BLK 4/119 W INMAN	R	1	24,010	9,604	9,604
7878-39-0265	S19 000098 000	117 W INMAN ST	R	1	45,730	18,292	18,292
7878-39-0489	S19 000105 000	FIRE DEPT/2.288	E	1	370,600	148,240	0
7878-39-0765	S19 000108 000	W GRADY/POLICE DEPT	E	1	4,222,500	1,689,000	0
7878-39-1070	S19 000090 001	108 W INMAN ST	R	1	68,272	27,309	27,309
7878-39-1214	S19 000097 000	111 W INMAN/PHILLI	R	1	26,136	10,454	10,454
7878-39-1282	S19 000096 000	113 W INMAN ST	R	1	45,989	18,396	18,396
7878-39-1914	S19 000117 000	116 BULLOCH ST	R	1	68,836	27,534	27,534
7878-39-2281	S19 000095 000	109 INMAN ST/SEA ISLAND	R	1	53,372	21,349	21,349
7878-39-2772	S19 000107 000	27 W GRADY ST	E	1	13,200	5,280	0
7878-39-2827	S19 000118 000	110 BULLOCH ST/HM	R	1	20,617	8,247	8,247
7878-39-2963	S19 000119 000	HOME/BULLOCH ST	R	1	54,045	21,618	21,618
7878-39-3164	S19 000094 000	107 W INMAN/SIMMONS	C	1	40,443	16,177	16,177
7878-39-3770	S19 000106 000	25 W GRADY ANDERSO	E	1	11,557	4,623	0
7878-39-3960	S19 000120 000	106 BULLOCH ST	R	1	58,756	23,502	23,502
7878-39-4124	S19 000093 000	W INMAN ST/SIMMONS	R	1	28,340	11,336	11,336
7878-39-4184	S19 000069 000	215 S COLLEGE ST	C	1	252,855	101,142	101,142
7878-39-4243	S19 000068 000	211 S COLL/BLEVINS	R	1	97,034	38,814	38,814
7878-39-4249	S19 000067 000	209 S COLLEGE/31AC	R	1	99,561	39,824	39,824
7878-39-4415	S19 000066 000	W GRADY/POLICE DEPT	E	1	435,100	174,040	0
7878-39-4776	S19 000064 000	121 S COLLEGE/OFFICE	C	1	96,818	38,727	38,727
7878-39-4893	S19 000063 000	119 S COLLEGE/WILLIAMS	R	1	51,410	20,564	20,564
7878-39-4956	S19 000121 000	104 BULLOCH ST	R	1	27,101	10,840	10,840
7878-39-5607	S19 000065 000	125 S COLLEGE/ADM OFC MUN CT	E	1	83,991	33,596	0
7878-39-5911	S19 000062 000	117 S COLLEGE	R	1	81,513	32,605	32,605
7878-39-6029	S19 000052 000	214 S COLLEGE ST/SELIGMAN	C	1	120,000	48,000	48,000
7878-39-6149	S19 000053 000	COLEMAN HSE/APTS/S COLLEGE	R	1	15,400	6,160	6,160
7878-39-6351	S19 000054 000	212 S COLLEGE ST/DELOACH HSE	R	1	18,900	7,560	7,560
7878-39-6441	S19 000055 000	204 S COLLEGE/HEIN	R	1	51,532	20,613	20,613
7878-39-6550	S19 000056 000	202 COLLEGE/HAGIN	R	1	69,176	27,670	27,670

Appendices

41

EXHIBIT G: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE

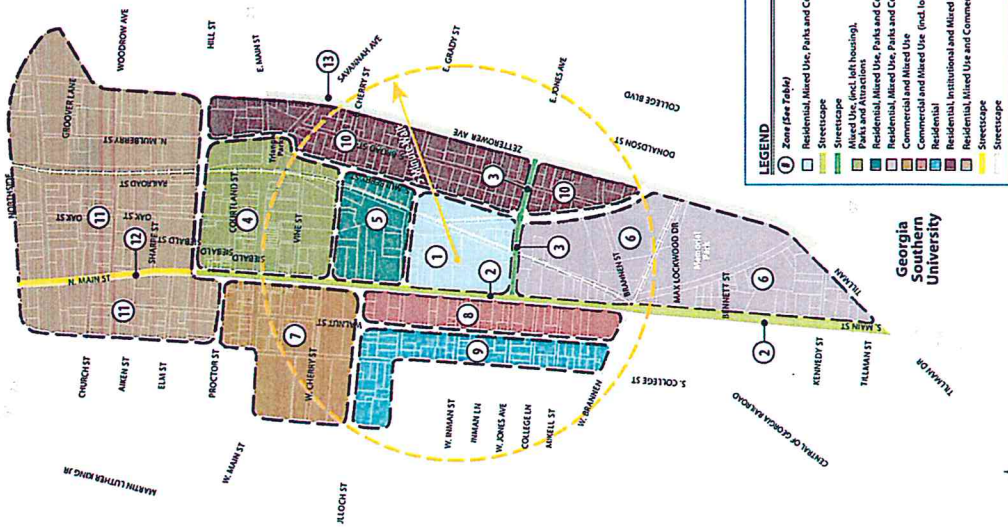
Locational Guidance for Redevelopment Initiatives

The primary purpose of this section is to provide a locational framework for implementing redevelopment initiatives as part of the master plan. This framework is intended to offer guidance and basic parameters related to the general location of redevelopment opportunities and enhancement projects within the DDA. Leveraging the existing assets of Statesboro's downtown and the community in an efficient, market-sensitive and contextual manner that will support a variety of redevelopment projects and initiatives are outlined below. Community assets include:

- Georgia Southern University
- The public and private realms of the downtown core
- Properties owned or controlled by the City of Statesboro and the DSDA
- Programmatic and Funding Elements (example: municipal events and functions, public funding strategies, existing initiatives and public/private partnerships, etc.)
- Vehicular and Pedestrian thoroughfares
- Property acquisition opportunities (i.e., vacant land, underdeveloped, unoccupied or substandard structures)

Based on the process utilized to create this master plan, a number of redevelopment opportunities are evident. These elements provide the basis for the locational framework and guidance identified herein.

- Georgia Southern University students and faculty are an important factor in shaping redevelopment opportunities downtown
- Parks, open space and public common areas are a primary consideration in programming new uses in the DDA
- Safe and efficient modes of pedestrian and bicycling circulation (including the potential for transit) are a critical component for evaluating the implementation of new projects within the DDA
- Developing elements that support local and regional destinations with respect to downtown Statesboro is a key redevelopment initiative



Locational / Zone Implementation

EXHIBIT G: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE

Locational / Zone Implementation Table – continued







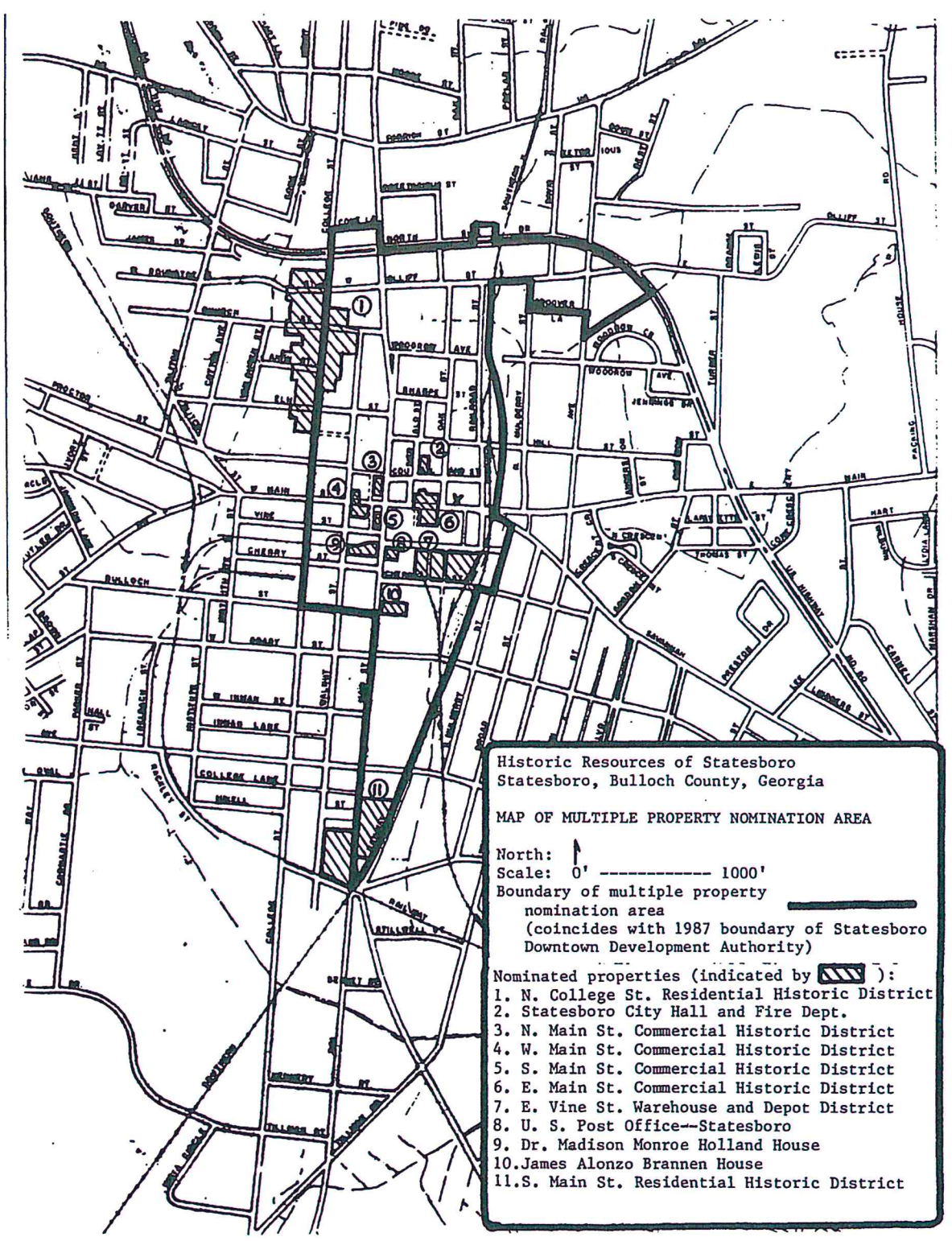
Zones	Targeted Use/Enhancement	Importance Level	Discussion
 <p>4</p>	Mixed Use (incl. loft housing), Parks and Attractions	Primary, this zone represents the downtown core and is one of the primary redevelopment and infill zones in the master plan	<ul style="list-style-type: none"> Emphasis on catalyst and specialty projects as well as supportive streetscape enhancements (i.e., Vine Street Retail) In terms of timing, this area should be targeted in the initial phases of implementation of the master plan
 <p>5</p>	Residential, Mixed Use, Parks and Commercial	Secondary, this zone represents the transitional redevelopment zone between downtown core and those identified as a primary targeted redevelopment areas for new residential mixed use and commercial projects	<ul style="list-style-type: none"> A transitional zone that is an extension of the downtown core and the adjacent zone to the south Unless opportunities for acquisition, property assemblage or partnership become available, this area be focused upon secondarily in terms of timing or phasing
 <p>6</p>	Residential, Mixed Use and Commercial	Secondary, this area is viewed as a business/commercial zone and redevelopment should be focused on support or uses related to the University	<ul style="list-style-type: none"> Potential areas to be targeted may include the closure or redesign of Brannen Street to support contiguous assemblage of parcels Emphasize reduction of pedestrian/vehicular conflicts Improve connectivity with Memorial Park and enhance amenities
 <p>7</p>	Commercial and Mixed Use	Primary, as an extension of the downtown core, this area is important to the master plan based on existing/planned projects and the potential for redevelopment opportunities	<ul style="list-style-type: none"> This area is deemed primary due to opportunities available and the potential of assemblage of larger development tracts In the short term exhaust redevelopment opportunities in this areas as appropriate
 <p>8</p>	Commercial and Mixed Use (incl. loft housing)	Primary, the frontage along South Main is a critical part of the master plan. The creation of a mixed use, pedestrian-oriented corridor should be the primary focus in this area	<ul style="list-style-type: none"> The frontage on the west side of South Main Street is an important supporting element to University and local traffic enhancements Potential redevelopment should foster pedestrian-scaled neighborhood and community commercial uses Commercial, office, residential utilization is appropriate for this area
 <p>9</p>	Residential	Secondary, deemed a supporting element to the master plan, the improvements in this area should be market driven and a product of activities occurring in areas deemed as primary importance level	<ul style="list-style-type: none"> Assemblage of redevelopment parcels could be challenging in this area The creation of appropriately scaled residential uses is the focus in this zone Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock



EXHIBIT H: HISTORIC RESOURCES OF STATESBORO MAP




Historic Resources of Statesboro
 Statesboro, Bulloch County, Georgia

MAP OF MULTIPLE PROPERTY NOMINATION AREA

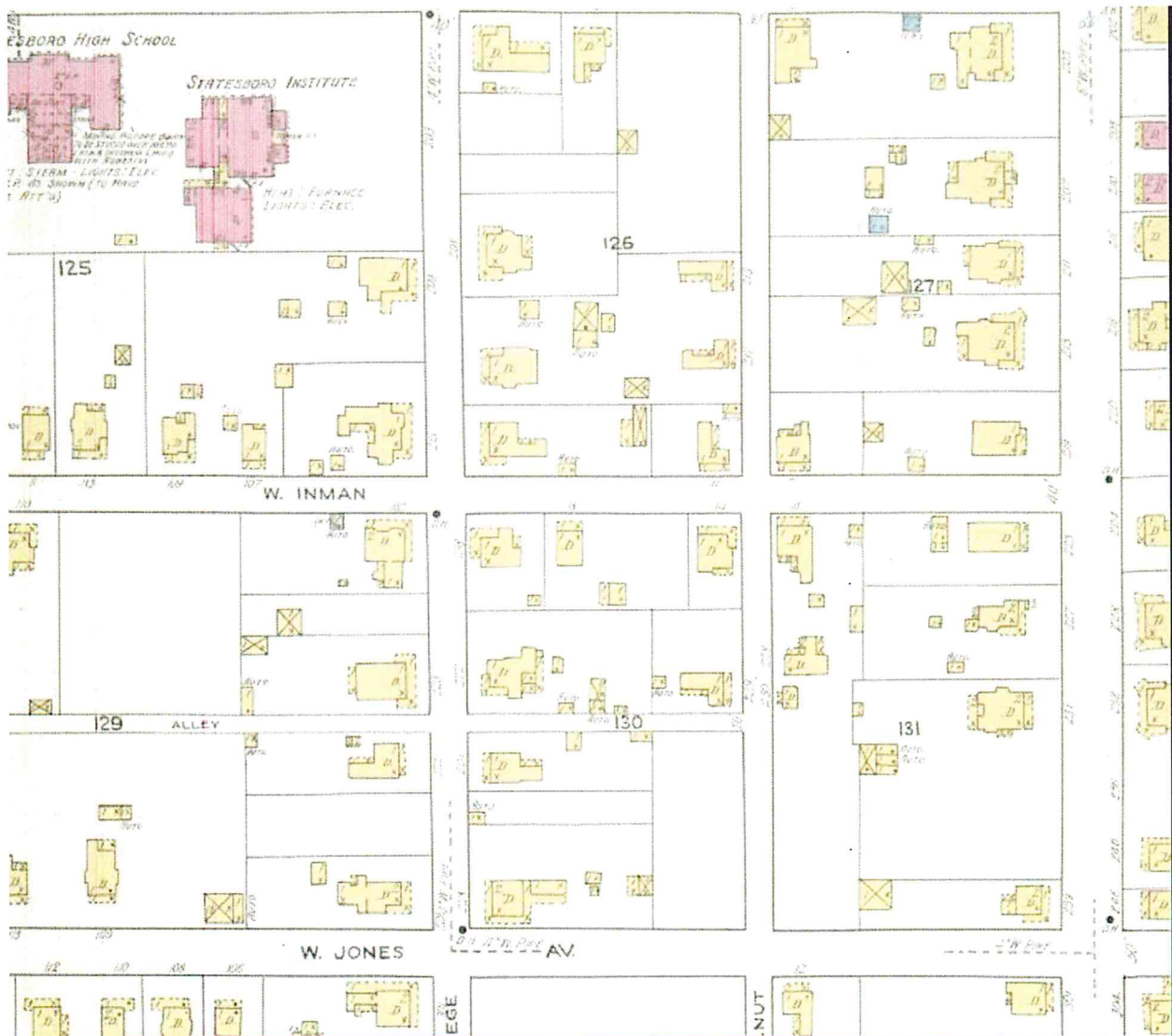
North: ↑
 Scale: 0' ----- 1000'

Boundary of multiple property nomination area
 (coincides with 1987 boundary of Statesboro Downtown Development Authority)

Nominated properties (indicated by ):

1. N. College St. Residential Historic District
2. Statesboro City Hall and Fire Dept.
3. N. Main St. Commercial Historic District
4. W. Main St. Commercial Historic District
5. S. Main St. Commercial Historic District
6. E. Main St. Commercial Historic District
7. E. Vine St. Warehouse and Depot District
8. U. S. Post Office—Statesboro
9. Dr. Madison Monroe Holland House
10. James Alonzo Brannen House
11. S. Main St. Residential Historic District

EXHIBIT I: SANBORN FIRE INSURANCE MAP, STATESBORO, GA., MAY 1922





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)*

**DSDA DEMO-002
 215 South Walnut Street**

LOCATION: 215 South Walnut Street

REQUEST: Request for a finding of necessity for the demolition of two structures located within the Downtown Statesboro Development Authority Design Standards District.

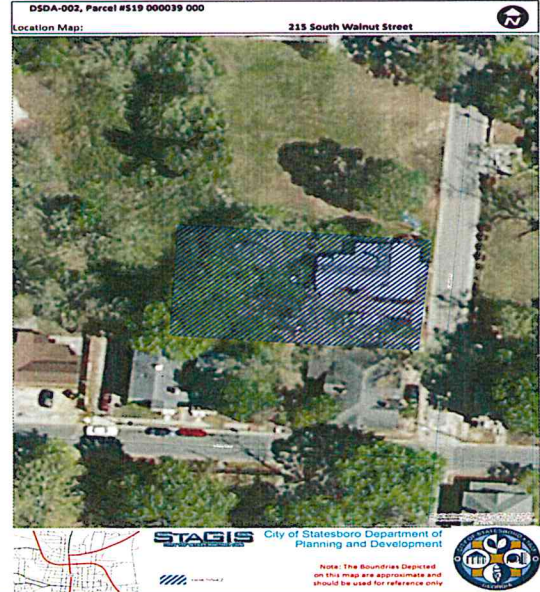
APPLICANT: John Ray Hendley

OWNER(S): John Ray Hendley (Hendley Properties)

ACRES: .3 Acres

PARCEL TAX MAP #: S19 000039 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a finding of necessity for the demolition of two structures located at 215 South Walnut Street (Tax Parcel # S19 000039 000), which lie within the boundaries of the Downtown Statesboro Development Authority district and are therefore governed by the recently adopted Design Standards, which restricts the demolition of potentially historic structures. (See **Exhibit A-** Location Map)

BACKGROUND:

The subject site is currently zoned R3 (Medium Density Multiple Family Residential) district. The property lies within the boundaries of the Downtown Statesboro Development Authority, and in September 2015, Statesboro City Council adopted Article XXX: Design Standards: Downtown District of the *Statesboro Zoning Ordinance*, which requires a finding of necessity by Statesboro City Council for proposed demolitions where the structure does not meet ordinance criteria for staff approval of a demolition permit.

SURROUNDING ZONING/LAND USES:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential)	Apartment houses
SOUTH:	R4 (High Density Residential)	Single-family detached dwellings
EAST:	HOC (Highway Oriented Commercial)	Automotive services; personal services facilities; food services facilities
WEST	R4 (High Density Residential)	Apartment houses

The subject site is located one (1) block west of the South Main Street corridor—affectionately known as the “Blue Mile”—a concentrated area of redevelopment. Properties to the north, south and west are predominantly residential, while properties to the east include personal, food and automotive services facilities, including the Meineke Car Care Center, Southern Palace Chinese restaurant and the Statesboro Regional Visitor Information Center. The subject site is adjacent to Tax Parcel # S19 000039 000, which the applicant was granted a zoning map amendment from O

(Office) to R4 (High Density Residential) district for lots 4, 5, 6 & B. The applicant does not have any immediate plans for the site. (See **Exhibit B**—Photos of the Subject Site and **EXHIBIT C**—Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" 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:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Suggested Development & Implementation Strategies

- Historic structures should be preserved or adaptively reused wherever possible.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.

The plan also calls for the protection of "historic buildings from demolition or inappropriate restoration" while encouraging the introduction of multi-family residential construction in the area.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers" to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The plan does not set forth specific suggestions to this subject site. The parcel has a tax value of \$16,397 and is listed in the TAD under Appendix B (page 42) (See **Exhibit E**—List of Parcels Included in the TAD).

STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Redevelopment Initiatives Locational Guidance land use map places the parcels in Zone 9- a Residential with the focus of creating appropriately scaled residential uses and hosting redevelopment efforts which are supportive of commercial, mixed-use and streetscape zones. Additionally, the Plan encourages infill and medium-density housing in the area and the preservation of historic resources within the District.

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 environmental issues associated with the proper demolition of the structures and/or removal and disposal of debris are the responsibility of the applicant.

ANALYSIS:

Application DSDA-002: Article XXX Section 3003 (Tax Parcel # S19 000039 000)

Tax parcel number S19 000039 000, located at 215 South Walnut Street, contains two (2) vacant structures (one of which is a shed) that the applicant would like to demolish. Given that Bulloch County Tax Records indicate that the structures are greater than fifty (50) years in age, staff is not authorized to administratively approve a demolition permit. Rather, council must determine whether the structures are considered to be a "Historical Building" as defined by Article XXX of the *Statesboro Zoning Ordinance*, and if so, may authorize a demolition only upon a showing of necessity. In order to designate the structure as a "Historical Building" meriting preservation, Council must find the building to be greater than fifty years in age and that at least one of the following criteria or the criteria of the National Register of Historic Places are met.

Ordinance considerations, and relevant known factors, are as follows:

The 1,382 square-foot structure is at least ninety-three (93) years of age (See **Exhibit G**—Sanborn Map Company, Statesboro, Ga., May 1922). The second structure on the lot—a small shed—can't be dated.

1) The structure is an outstanding example representative of its era:

- a. The 1,382 square-foot residential structure is most likely a Georgian White Clapboard home, which was common in the rural south during the first half of the 19th century and is still being built today. While this was a common style of house in Georgia, this building, in its current state, is likely not an "outstanding" example of a structure representative of its era (See **Exhibit B**—Pictures 1 through 4).
- b. The second structure—a small shed—is likely not an "outstanding example" of a structure representative of its era (See **Exhibit B**—Picture 5).

2) The structure is one of few remaining examples of a past architectural style;

No indication that either structure is one of few remaining examples of a past architectural style.

3) The property or structure is associated with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, the State of Georgia, or the region;

No evidence of association with an event or person of historic or cultural significance to the City of Statesboro, Bulloch County, Georgia or the region was found.

4) The property or structure is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City of Statesboro, Bulloch County, the State of Georgia, or the region;

The subject property is not a site of natural or aesthetic interest that contributes to the cultural or historical development of the City of Statesboro.

5) The property or structure is within an existing historic district or is listed with the National Register of Historic Places; or

The parcel does not lie within, or adjacent to, the boundaries of a NRHP district. However; the property lies roughly four (4) blocks northwest of the South Main Street Residential Historic District (registered in 1989); as recognized by the NRHP (See **Exhibit F**—Historic Resources of Statesboro). Consequently, it's possible this site, and others along the South College Street corridor, was previously a portion of the South Main Street Residential Historic District made discontinuous due to demolitions and redevelopment (structures in the vicinity appear to be contemporary).

Generally, the Department of Interior evaluates the following criteria in consideration of whether a structure is historical in significance and therefore deemed worthy of preservation:

1) Age

Despite the Tax Assessor's estimated age of 85 years, the 1,382 square-foot structure is likely older. The Sanborn Fire Insurance Map, Statesboro, Ga., May 1922 indicates the structure existed at the time of the 1922 survey.

2) Integrity

An inspection performed on October 5, 2015 by the City of Statesboro building inspector revealed the structural integrity of the single-family structure remains intact, with less than 35 percent structural damage. Structural damage is assessed by evaluating the building's walls, floors, roof, windows and external

structure and structural members. In addition, it is unlikely the single-family building has undergone extensive renovations that changed the building's original design or floor plan, which demonstrates design integrity, one of the NRHP's requirements.

STAFF RECOMMENDATION:

Although both structures on the site are greater than fifty (50) years in age, and therefore warranted a review for historical significance, no evidence was found in the staff review that would support a finding of historical significance pursuant to Article XXX of the *Statesboro Zoning Ordinance* requiring preservation of the property. Therefore, staff recommends approval of the requested demolition permits.

PLANNING COMMISSION RECOMMENDATION:

At its regular scheduled meeting, Tuesday, January 5, 2016, the Planning Commission voted, 5 to 0, to approve DSDA-002, as recommended by the staff recommendation.

EXHIBIT A: LOCATION MAP

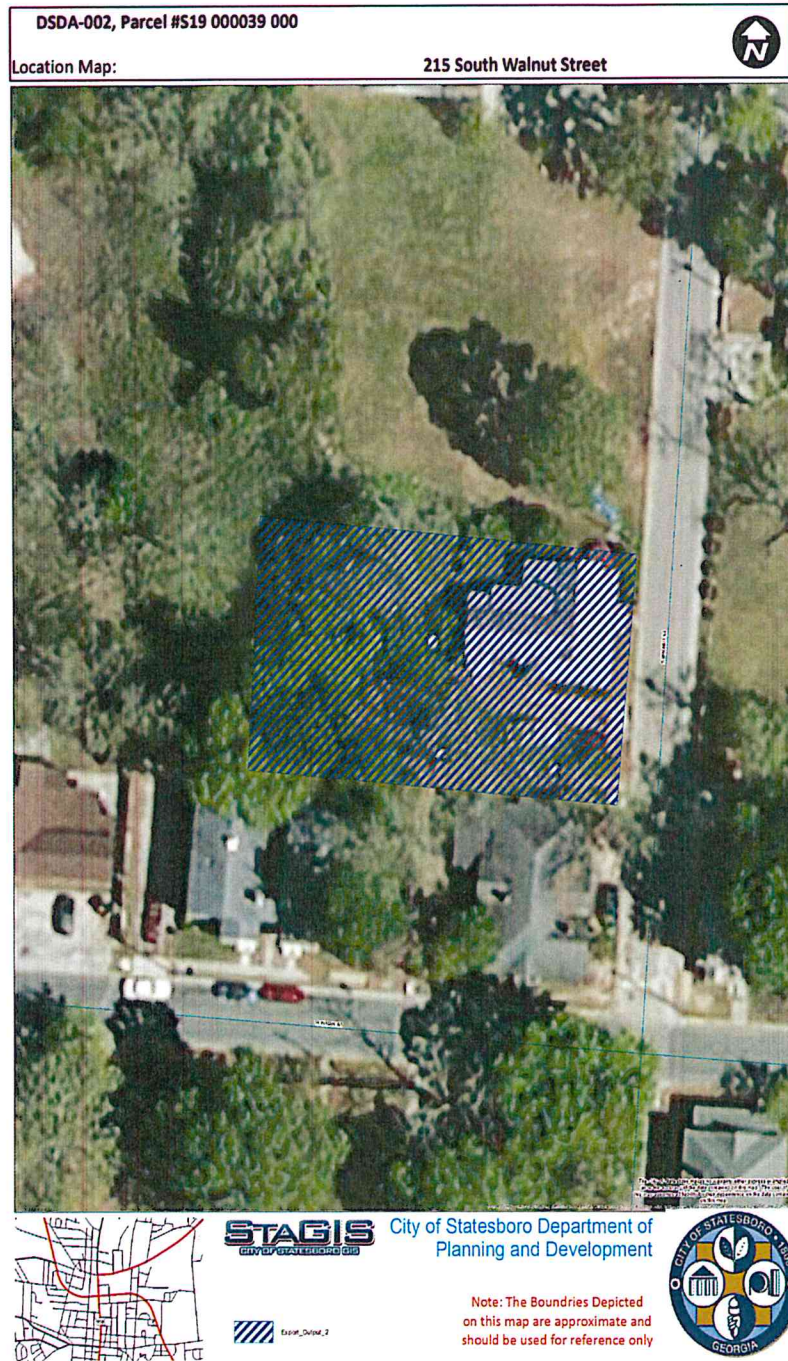


EXHIBIT B: PHOTOS OF THE SUBJECT SITE



Picture 1 Subject site facing southwest.



Picture 2 Subject site facing west

EXHIBIT B: PHOTOS OF THE SUBJECT SITE CONTINUED

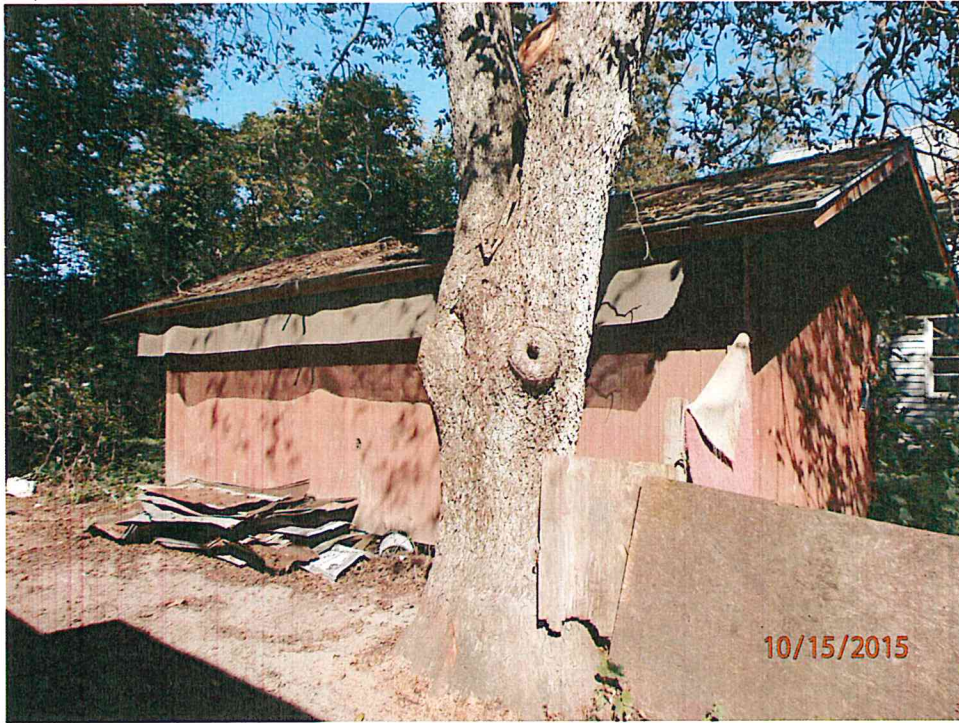


Picture 3 Subject site facing northwest (left side of structure)



Picture 4 Subject site facing northwest depicting secondary structure on site (left side of photo)

EXHIBIT B: PHOTOS OF THE SUBJECT SITE CONTINUED



Picture 5 Secondary structure located on the lot

EXHIBIT C: SURROUNDING PROPERTIES



Picture 6 Adjacent single-family structure facing southwest



Picture 7 Surrounding property facing southeast

EXHIBIT C: SURROUNDING PROPERTIES



Picture 8 Adjacent property facing northwest

EXHIBIT D: City of Statesboro 2014 Future Development Map

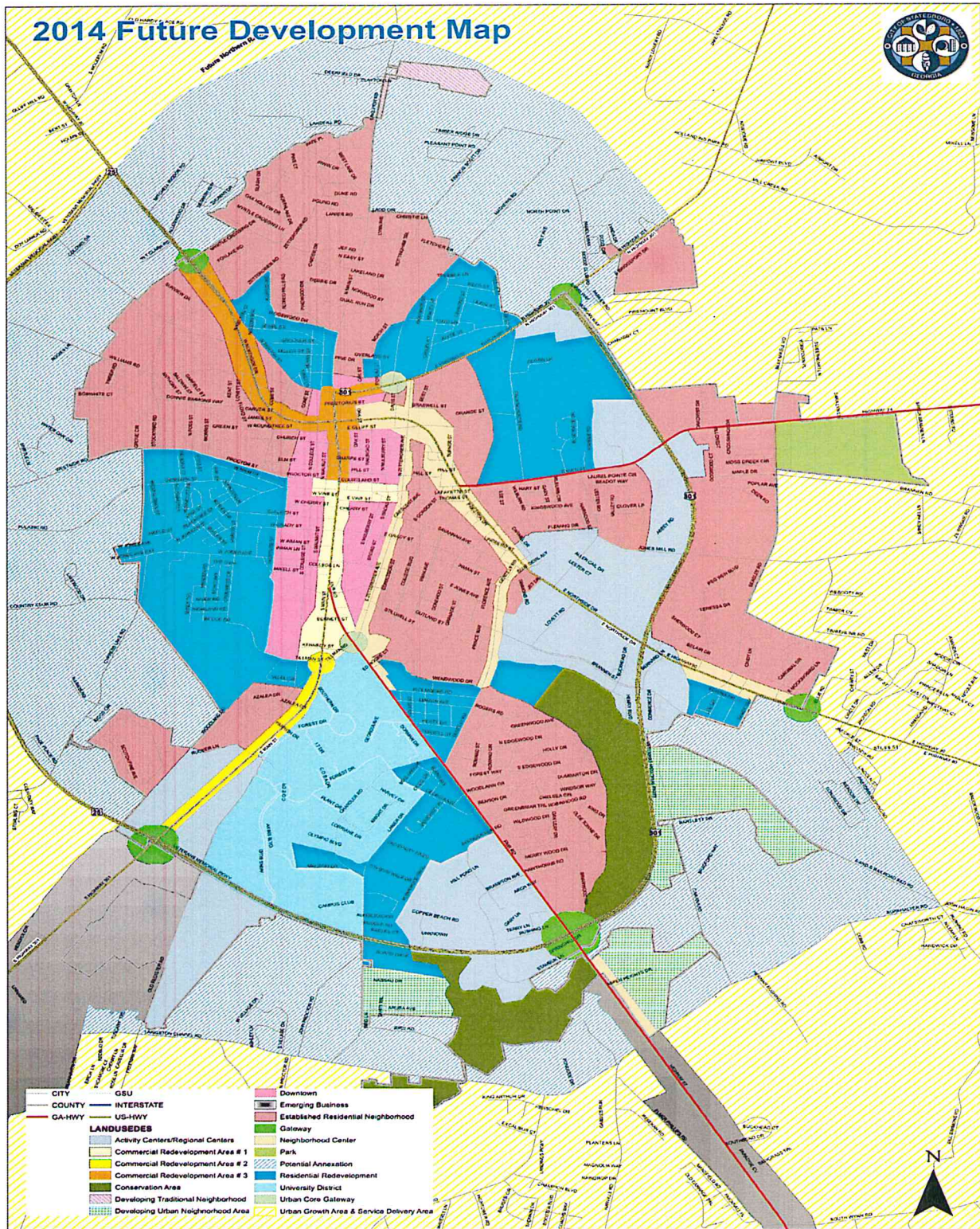


EXHIBIT E: LIST OF PROPERTIES INCLUDING IN THE TAD

City of Statesboro Tax Allocation District #1: South Main Redevelopment Plan

2014

GEOPIN	PARCEL_NO	Legal Description	DIG CLASS	TAXD ISTRIC	Appraised Vaue	Assessed Value	Tax Value
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Appendices

42

EXHIBIT F: HISTORIC RESOURCES OF STATESBORO MAP

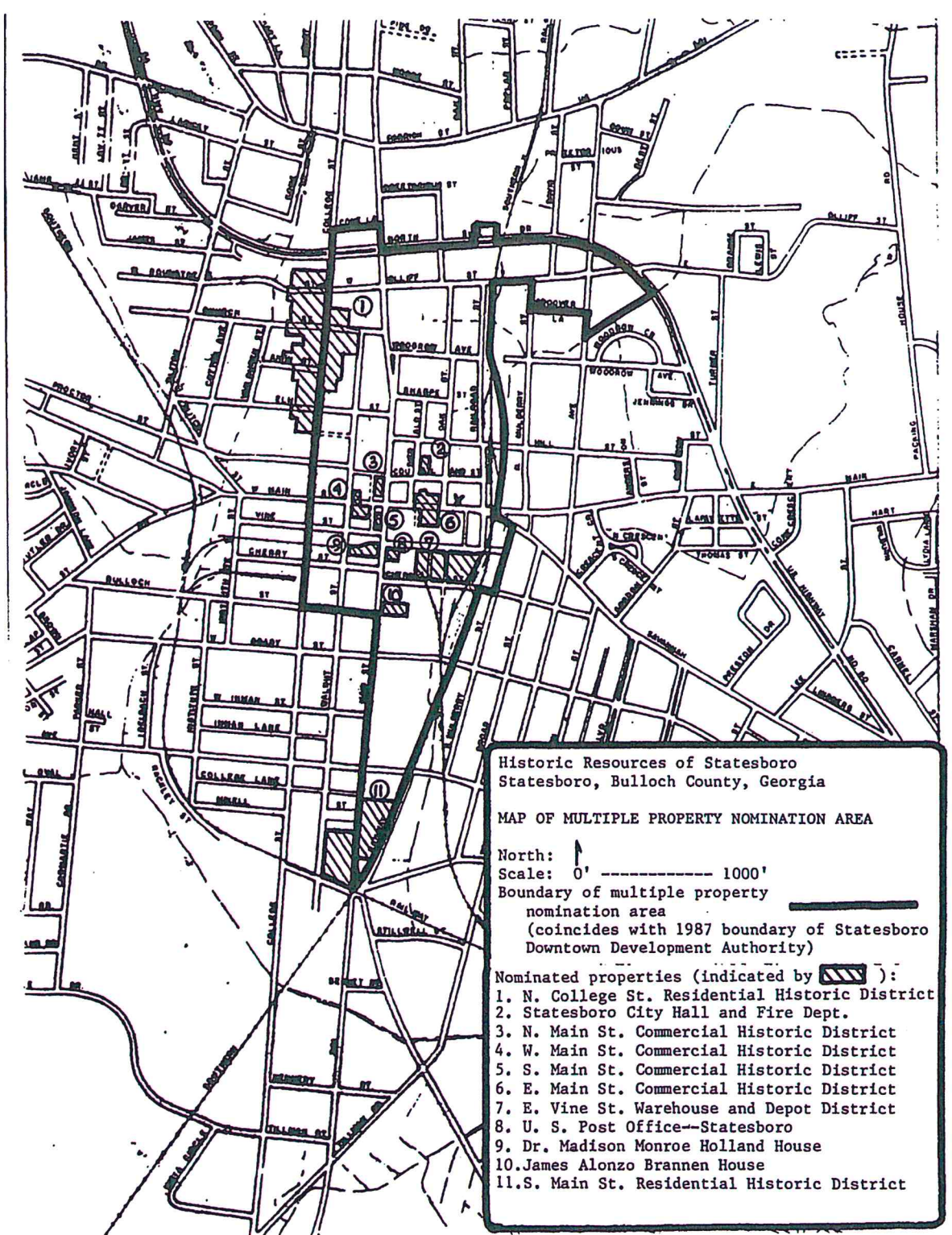
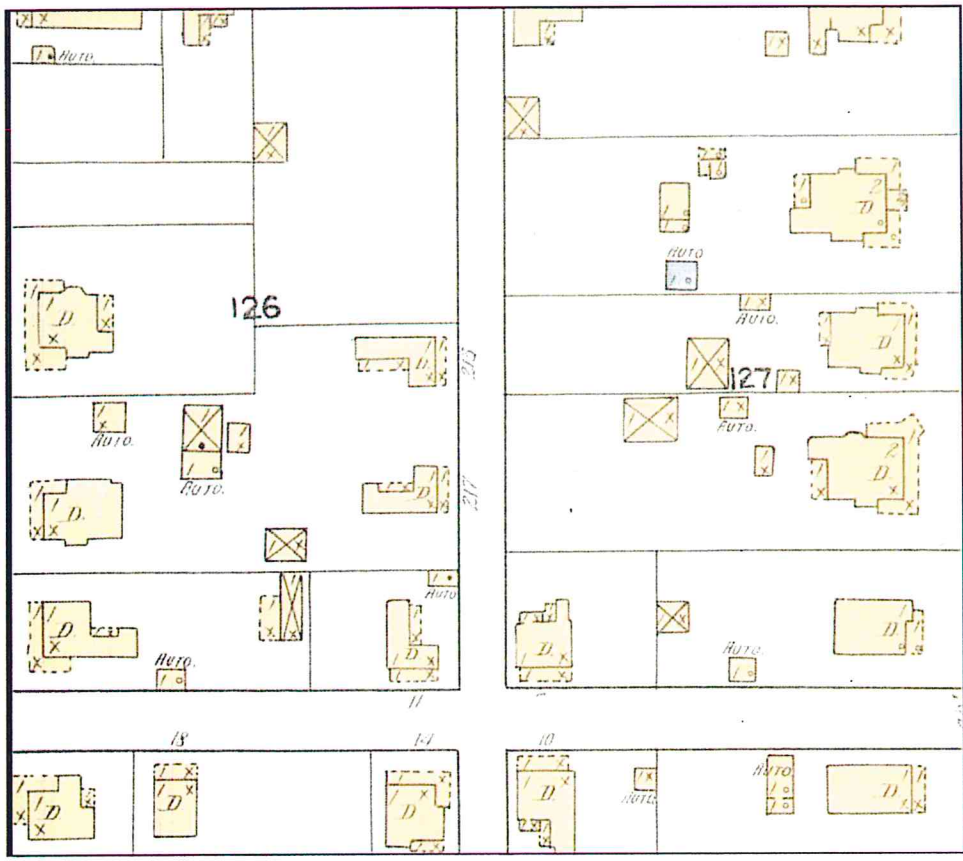


EXHIBIT G: SANBORN FIRE INSURANCE MAP, STATESBORO, GA., MAY 1922



EXHIBIT G: SANBORN FIRE INSURANCE MAP, STATESBORO, GA., MAY 1922 CONTINUED





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 15-12-02, RZ 15-12-03 & RZ 15-12-04
ZONING MAP AMENDMENT REQUESTS
12, 14 and 18 Bulloch Street

LOCATION: 12, 14 and 18 Bulloch Street

REQUEST: Request to rezone three parcels from R3 (Medium Density Multiple Family Residential District) to R4 (High Density Residential District).

APPLICANT: Hendley Properties

OWNER(S): John Ray Hendley (Hendley Properties)

ACRES: .6 Acres Combined

PARCEL TAX MAP #: S19 000032 000, S19 000031 000 and S19 000030 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a zoning map amendment for the roughly .2 acre parcel located at 12 Bulloch Street (Tax parcel S19 000032 000) to be rezoned from the R3 (Medium Density Multiple Family Residential) district to R4 (High Density Residential); a zoning map amendment for the roughly .2 acre parcel located at 14 Bulloch Street (S19 000031 000) to be rezoned from R3 (Medium Density Multiple Family Residential) to R4 (High Density Residential); and a zoning map amendment for the .2 acre parcel located at 18 Bulloch Street (S19 000030 000) to be rezoned from R3 (Medium Density Multiple Family Residential) district to R4 (High Density Residential).

The applicant has immediate plans to combine the lots, retain two (2) structures present on tax parcels S19 000032 000 and S19 000030 000 and construct four (4) individual one bedroom brick cottages. (See **Exhibit A** – Location Map, **Exhibit B** – Proposed Concept Plan)

BACKGROUND:

Currently, the subject site contains a single family residential structure with three (3) bedrooms and ad one two family unit with a total of five bedrooms.

SURROUNDING ZONING/LAND USES:

	ZONING:	LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Church, single-family residence
SOUTH:	R3 (Medium Density Multiple Family Residential)	Single-family residences
EAST:	HOC (Highway Oriented Commercial)	Food service facilities
WEST	CR (Commercial Retail)	Municipal use, single-family residences

Properties to the north are residential and include the Statesboro First United Methodist Church, while properties to the south include single-family residences. There are several food service facilities to the east, including the Beaver House. Properties to the west include the Statesboro Police Department, Municipal Court and single-family residences (See **Exhibit C**—Photos of the Subject Site and **EXHIBIT D**—Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the “Urban Core/Downtown” character area as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit E**—Future Development Map) within the *City of Statesboro Updated 2014 Comprehensive Plan*.

Vision:

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

Appropriate Land Uses:

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

Suggested Development & Implementation Strategies:

- Maintain/enhance integrity of interconnected grid and pedestrian circulation interconnectivity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.
- Create local historic districts.
- Economic development strategies should continue to nurture thriving commercial activity.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

TAX ALLOCATION DISTRICT REDEVELOPMENT PLAN:

The 2014 Tax Allocation District Redevelopment Plan (TAD) seeks to “encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed-use centers” to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and the 2009 and 2014 Comprehensive Plans. The Plan does not set forth specific suggestions to these subject sites. Each parcel in this request is listed in the TAD under Appendix B (page 42). Tax parcel S19 000030 000 (18 Bulloch Street) has a tax value of \$12,474; tax parcel S19 000031 000 (14 Bulloch Street), a tax value of \$4,196 and tax parcel S19 000032 000 (12 Bulloch Street) a tax value of \$27,893 (See **Exhibit F**—List of Parcels Included in the TAD).

STATESBORO DOWNTOWN MASTER PLAN:

The 2011 Statesboro Downtown Master Plan Locational Guidance land use map promotes residential use of the area surrounding the subject sites and the Plan encourages the creation of appropriately scaled residential uses, strategies to improve and maintain the quality of the housing stock in the area, and redevelopment efforts that are supportive of downtown commercial areas. (page 73) (See **Exhibit G**—Locational Guidance/Zone Implementation Table).

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:

I. Applications RZ 15-12-02, RZ 15-12-03 & RZ 15-12-04: Zoning Map Amendments

The request to rezone the subject properties from the R3 (Medium Density Multiple Family Residential) zoning district to the R4 (High Density Residential) 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 land use policies and criteria including the 2009 and 2014 Statesboro Comprehensive Plans, the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan, the 2015 Tax Allocation District Redevelopment Plan, the 2011 Statesboro Downtown Master Plan; and the potential for the property to develop and be utilized in conformance with the requirements of the proposed R4 (High Density Residential) zoning district and the recently adopted Article XXX: Downtown Design Standards as set forth in the *Statesboro Zoning Ordinance*.

Current Zoning Compared to Requested Zoning

R3 – Medium Density Multiple Family Residential are restricted to single-family detached dwellings, two-family twins and two-family duplexes and accessory uses. This zone also limits development to one structure per parcel, thereby prohibiting the development of residential communities with single entity ownership and operation.

R4 – High Density Residential District zone is the only residential zoning district allowing for multiple structures to occupy a single parcel and operate as a single operation or housing development.

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 in “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;

- a. Adjacent property to the north, and east of each parcel is zoned HOC (Highway Oriented Commercial). Adjacent properties to the south of each parcel is zoned R3 (Medium Density Multiple Family Residential) and adjacent property to the west is zoned CR (Commercial Retail).

(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.

- a. The proposed land use could be developed in conformance with the dimensional standards of the R4 (High Density Residential District) district. However, at a projected nine (9) beds and a combined lot size of .6 acres, the density shown on the attached concept plan exceeds the maximum of seven (7) beds that are allowed by right in the R4 district.
- b. Due to the subject sites location within the Downtown district, the recently adopted Design Standards found in Article XXX of the *Statesboro Zoning Ordinance* would apply to the project at permitting as follows:
 - i. Section 3003 of Article XXX requires that any new construction be significantly similar in “massing, size, scale and architectural features” when work is located on historic property. The structures located at 12 and 18 Bulloch Street are more than 50 years of age, built in 1932 and 1948, respectively, according to the Bulloch County Tax Assessor, and therefore

could potentially be historically significant. Therefore, the proposed cottage additions to the site should respect this provision of Article XXX.

- ii. Given the proposed lot size equates to only .06 acres, it is unlikely that the project, as proposed, could comply with sections of Article XXX regarding landscaping, buffers, and parking lots.
 - iii. Section 3013 of Article XXX requires new development projects to install buffering and screening materials when the project is significantly different in density or intensity. The adjacent properties to the west and south are single-family residences and the applicant is proposing a project that significantly increases the density of three adjacent parcels. Based on the size of the combined parcels, the proposed intensity of the use, and the applicant's submitted concept plan, it is unlikely that this provision of Article XXX can be met.
- (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. Two of the three parcels are developed. The third parcel, small in size and situated between the other two, is not large enough for independent development.
- (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**
- a. The applicant is proposing the construction of four (4), individual one bedroom brick cottages. The existing structures on the site contain a combined total of eight (8) bedrooms, bringing the total number of beds to twelve (12) – an increase of four (4) bedrooms for population and traffic considerations.
 - b. The proposed use is not expected to have a negative impact on community facilities, living conditions, traffic patterns, congestion or property values in adjacent areas.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**
- a. Appropriate infill within established areas of the City is supported by the Comprehensive Plan. However, the plan also supports that the placement and scale of infill compliment surrounding uses and zones and requires it to occur in a manner which protects established residential areas.
 - b. The subject sites lie one (1) block west of the South Main Street corridor—affectionately known as the “Blue Mile”—a concentrated area of redevelopment.
 - c. The subject site is located within the Tax Allocation District area- which supports redevelopment within the district.
 - d. Implementation strategies of the Downtown Statesboro Master Plan are supportive of this request.

STAFF RECOMMENDATION:

Staff recommends that Council also consider and determine the following in its evaluations of the standards in Section 2007:

- a. Staff concerns of the property's ability to develop in conformance with the requirements of the recently adopted Downtown Design Standards in Article XXX. Council should determine whether the rezone would be approved pursuant to the concept submitted by the applicant or whether strict adherence to Article XXX would be required; and
- b. That the proposed density at the site exceeds that allowed by right in the R4 district and determine whether the rezone would be approved pursuant to the concept submitted by the applicant or if density would be capped at standard R4 levels.

Should council approve the zoning map amendments requested by applications RZ 15-12-02, RZ 15-12-03 & RZ 15-12-04 staff recommends the following conditions be applied:

1. Developer must provide site ingress at Bulloch Street and egress at South Walnut Street. The curb cut at Bulloch Street must be constructed at least 20 feet wide to facilitate fire department access to the site.

PLANNING COMMISSION RECOMMENDATION:

At its regular scheduled meeting, Tuesday, January 5, 2016, the Planning Commission voted, 5 to 0, to recommend approval of RZ 15-12-02, RZ 15-12-03 and RZ 15-12-04, with approval being based upon the submitted concept plan (See Exhibit B) and to include condition number one (1) as recommended by the staff recommendation.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PROPOSED CONCEPT PLAN

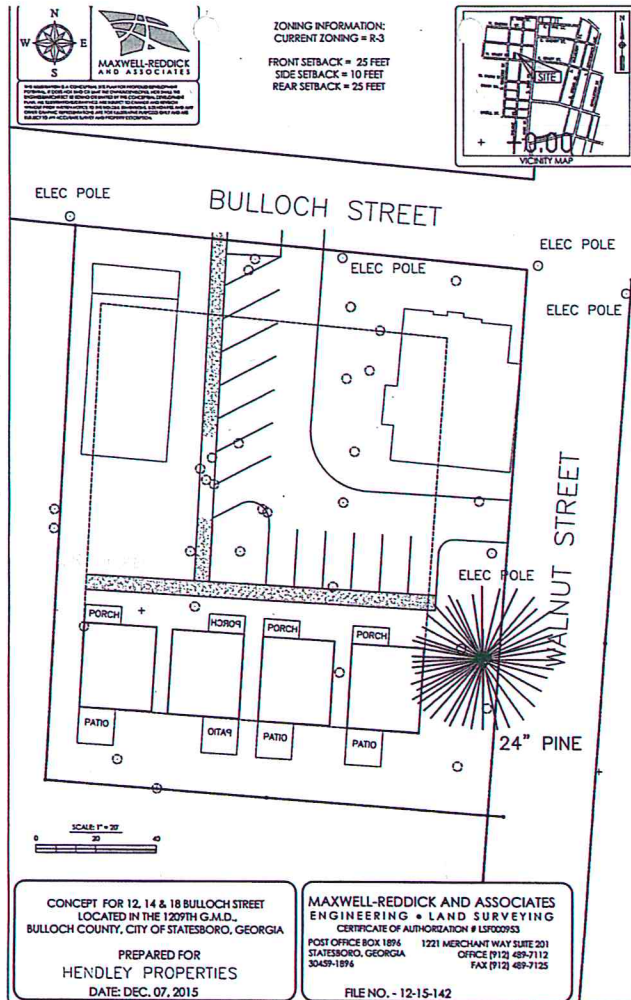


EXHIBIT C: PHOTOS OF SUBJECT SITE



Picture 1 Tax Parcel S19 000032 000 (12 Bulloch Street) Facing Southeast (5 bedrooms)



Picture 2 Tax Parcel S19 000030 000 Facing Southeast (3 bedrooms 2 bathrooms)

EXHIBIT D: PHOTOS OF SUBJECT SITE CONTINUED



Picture 3 Side Yard Tax Parcel S19 000030 000 Facing Southeast (3 bedrooms 2 bathrooms)



Picture 4 Side Yard Tax Parcel S19 000032 000 (12 Bulloch Street) Facing Southeast (5 bedrooms)

EXHIBIT D: PHOTOS OF SUBJECT SITE CONTINUED



Picture 5 Tax Parcel S19 000031 000 (14 Bulloch Street) Side Yard of 12 Bulloch / Vacant Lot That Will Provide Entry to Parking Lot



Picture 6 Tax Parcel S19 000031 000 (14 Bulloch Street) Vacant Lot That Will Provide Entry to Parking Lot

EXHIBIT D: PHOTOS OF SUBJECT SITE CONTINUED



Picture 7 Tax Parcel S19 000030 000 (18 Bulloch Street) Left Side Yard / Portion of Vacant Lot at the Back of the Parcel

EXHIBIT D: SURROUNDING PROPERTIES



Picture 8 Single-Family Residence South of Subject Sites



Picture 9 Statesboro First United Methodist Church Property North of Subject Sites

EXHIBIT E: City of Statesboro 2014 Future Development Map

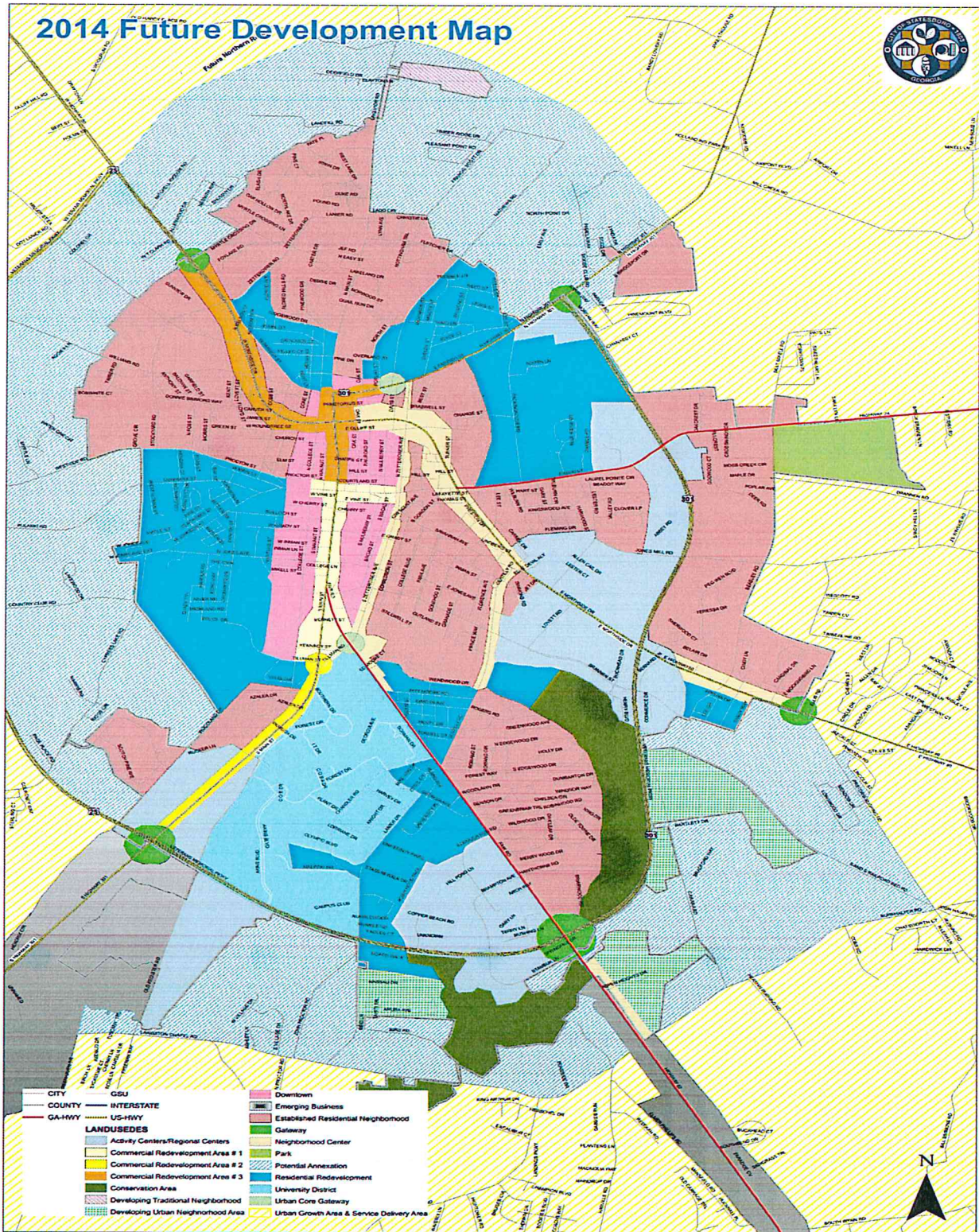


EXHIBIT F: LIST OF PROPERTIES INCLUDED IN THE TAD

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7878-46-2664	S21 000036 000	415 FAIR RD	C	1	76,313	30,525	30,525
7878-46-3209	S31 000004 000	423 FAIR RD	R	1	208,800	83,520	83,520
7878-46-3290	S31 000005 000	425 FAIR RD/HAGAN	R	1	125,867	50,347	50,347

Appendices

42

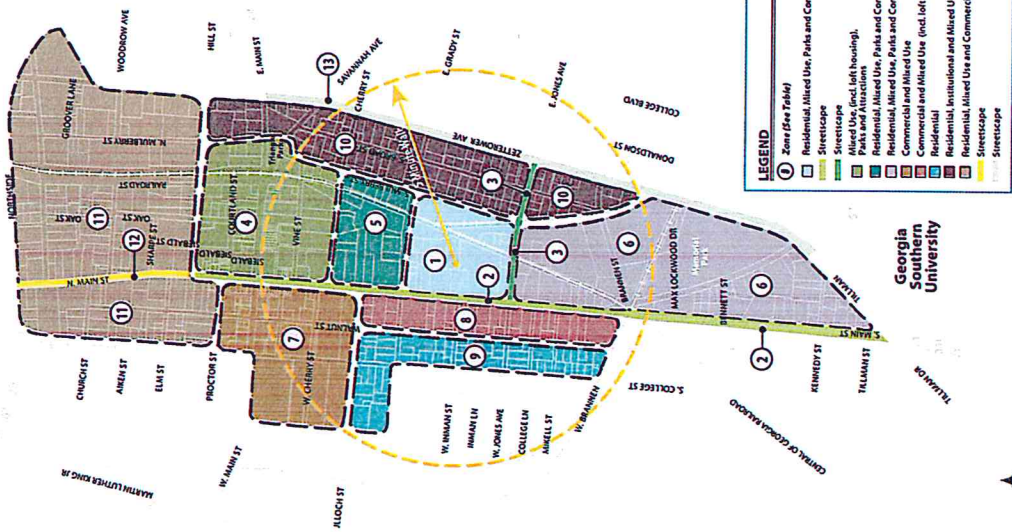
Locational Guidance for Redevelopment Initiatives

The primary purpose of this section is to provide a locational framework for implementing redevelopment initiatives as part of the master plan. This framework is intended to offer guidance and basic parameters related to the general location of redevelopment opportunities and enhancement projects within the DDA. Leveraging the existing assets of Statesboro's downtown and the community in an efficient, market-sensitive and contextual manner that will support a variety of redevelopment projects and initiatives are outlined below. Community assets include:

- Georgia Southern University
- The public and private realms of the downtown core
- Properties owned or controlled by the City of Statesboro and the DSDA
- Programmatic and Funding Elements (example: municipal events and functions, public funding strategies, existing initiatives and public/private partnerships, etc.)
- Vehicular and Pedestrian thoroughfares
- Property acquisition opportunities (i.e., vacant land, underdeveloped, unoccupied or substandard structures)

Based on the process utilized to create this master plan, a number of redevelopment opportunities are evident. These elements provide the basis for the locational framework and guidance identified herein.

- Georgia Southern University students and faculty are an important factor in shaping redevelopment opportunities downtown
- Parks, open space and public common areas are a primary consideration in programming new uses in the DDA
- Safe and efficient modes of pedestrian and bicycling circulation (including the potential for transit) are a critical component for evaluating the implementation of new projects within the DDA
- Developing elements that support local and regional destinations with respect to downtown Statesboro is a key redevelopment initiative





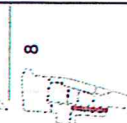



Locational / Zone Implementation



EXHIBIT G: LOCATIONAL GUIDANCE/ZONE IMPLEMENTATION TABLE

Locational / Zone Implementation Table – continued

Zones	Targeted Use/Enhancement	Importance Level	Discussion
 <p>4</p>	Mixed Use (incl. loft housing), Parks and Attractions	Primary, this zone represents the downtown core and is one of the primary redevelopment and infill zones in the master plan	<ul style="list-style-type: none"> Emphasis on catalyst and specialty projects as well as supportive streetscape enhancements (i.e., Vine Street Retail) In terms of timing, this area should be targeted in the initial phases of implementation of the master plan
 <p>5</p>	Residential, Mixed Use, Parks and Commercial	Secondary, this zone represents the transitional redevelopment zone between downtown core and those identified as a primary targeted redevelopment areas for new residential mixed use and commercial projects	<ul style="list-style-type: none"> A transitional zone that is an extension of the downtown core and the adjacent zone to the south Unless opportunities for acquisition, property assemblage or partnership become available, this area be focused upon secondarily in terms of timing or phasing
 <p>6</p>	Residential, Mixed Use and Commercial	Secondary, this area is viewed as a business/commercial zone and redevelopment should be focused on support or uses related to the University	<ul style="list-style-type: none"> Potential areas to be targeted may include the closure or redesign of Brannen Street to support contiguous assemblage of parcels Emphasize reduction of pedestrian/ vehicular conflicts Improve connectivity with Memorial Park and enhance amenities
 <p>7</p>	Commercial and Mixed Use	Primary, as an extension of the downtown core, this area is important to the master plan based on existing/planned projects and the potential for redevelopment opportunities	<ul style="list-style-type: none"> This area is deemed primary due to opportunities available and the potential of assemblage of larger development tracts In the short term exhaust redevelopment opportunities in this areas as appropriate
 <p>8</p>	Commercial and Mixed Use (incl. loft housing)	Primary, the frontage along South Main is a critical part of the master plan. The creation of a mixed use, pedestrian-oriented corridor should be the primary focus in this area	<ul style="list-style-type: none"> The frontage on the west side of South Main Street is an important supporting element to University and local traffic enhancements Potential redevelopment should foster pedestrian-scaled neighborhood and community commercial uses Commercial, office, residential utilization is appropriate for this area
 <p>9</p>	Residential	Secondary, deemed a supporting element to the master plan, the improvements in this area should be market driven and a product of activities occurring in areas deemed as primary importance level	<ul style="list-style-type: none"> Assemblage of redevelopment parcels could be challenging in this area The creation of appropriately scaled residential uses is the focus in this zone Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock



Memorandum of Understanding

WHEREAS, the Averitt Center for the Arts, The Downtown Statesboro Development Authority, and the City of Statesboro (“the Partners”) have come together to collaborate and to make an application for the America’s Best Communities Competition and award funding; and

WHEREAS, the Partners have agreed to enter into a collaborative agreement in which the Averitt Center for the Arts will be the lead agency named applicant and the City of Statesboro will be the primary partner and beneficiary of this application; and

WHEREAS, the partners submitted an application on behalf of the City of Statesboro and were named as quarter finalist winners in the America’s Best Communities competition; and

WHEREAS, as the America’s Best Communities competition issued \$50,000 in quarter prize award winnings to the Averitt Center for the Arts as lead agency named on the application; and

WHEREAS, the Downtown Statesboro Development Authority contributed \$15,000 of local matching funds as required by the America’s Best Communities competition; and

WHEREAS, additional award funding and prize monies may be awarded to the Partners in the America’s Best Communities Competition; and

WHEREAS, the City of Statesboro, Downtown Statesboro Development Authority, and the Averitt Center for the Arts have a very positive, pro-partnership relationship and have worked together with other private partners to continue in the America’s Best Communities competition for possible additional award funding; and

WHEREAS, the collaborative has determined that the highest and best use of the award funds are in support of the “BLUE MILE” effort, also known as the South Main Street revitalization effort; and have submitted application in support thereof to the America’s Best Communities Competition; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding setting forth the administration and expenditure of the award funding and services to be provided by the collaborative; and

WHEREAS, the term of this MOU will continue until the final completion of the award project and all financial obligations have been met.

NOW THEREFORE, the Partners hereby agree as follows:

Roles and Responsibilities

1. The total funding amount awarded by the America’s Best Communities Competition and any local matches provided by the Downtown Statesboro Development Authority for this competition’s purposes made to the Averitt Center for the Arts will be accounted for, administered, and maintained by the City of Statesboro in accordance with the rules of the competition and the financial policies and requirements of the City of Statesboro.
2. The total funding amount awarded by the America’s Best Communities Competition and any local matches will be transferred to the City of Statesboro for purposes represented in the competition application.

3. All parties acknowledge that an amount of award funds have been expended to date by the Averitt Center for the Arts in support of the America's Best Communities competition. An accounting of these funds, a net available amount, and a transfer of said amount will be made available to the City of Statesboro upon execution of this agreement.
4. The Averitt Center for the Arts shall transfer any additional award winnings from the America's Best Communities competition to the City of Statesboro immediately upon receipt.
5. The City of Statesboro will execute the projects represented in the competition materials and will provide the Averitt Center for the Arts with all materials needed for reporting to the America's Best Communities competition from the date of transfer forward.
6. The City of Statesboro will provide an annual accounting of the award funds received and expended, and the nature and amount of said expenditures, to the Averitt Center for the Arts on an annual basis until the expenditure of all award funds is complete.
7. The parties further agree that at the transfer of any award amounts, any duty of the Averitt Center for the Arts to the other parties to this Memorandum of Understanding shall be discharged. The City of Statesboro agrees that it will be solely responsible for the remainder of the grant funds upon receipt and that it shall warrant that its use of the funds will fully comply with the requirements of the competition and shall hold harmless the Averitt Center for the Arts, its officers and board member, from any and all claims for any loss or damage related to the America's Best Communities competition and award funding and matching funds and shall make itself available for any reference or assistance in case any concern or question shall arise in regard to any award or matched funds.

By: Averitt Center for the Arts

By: City of Statesboro

Tim Chapman
Executive Director

Mayor Jan J. Moore

Jenny Foss
Chairman of the Board

Attest: Sue Starling, City Clerk

By: Downtown Statesboro Development Authority

Allen Muldrew
Executive Director

Bob Mikell
Chairman of the Board



**EMC ENGINEERING
SERVICES, INC.**

10 Chatham Ctr S, #100 (31405)
P.O. Box 8101
Savannah, Georgia 31412

Phone (912) 232-6533
Fax (912) 233-4580
E-mail - dan_fischer@emc-eng.com

- Environmental
- Marine
- Civil

December 18, 2015

Mandy Cody
Director of Planning and Development
CITY OF STATESBORO
P.O. Box 348
Statesboro, GA 30459

**RE: LETTER AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES FOR
"BLUE MILE" STREETScape PROJECT, STATESBORO, GA**

Dear Ms. Cody:

EMC Engineering Services, Inc. (EMC) appreciates the opportunity to present this *Proposal/Agreement* for providing professional engineering services in connection with the referenced *Project*. The *Project* consists of streetscape and road improvement design for the South Main Street corridor associated with the "Blue Mile" Master Redevelopment Plan.

Our *Basic Services* will include surveying and planning phase services as further described below.

1. SURVEYING:

- Preparation of Right-of-Way plans for the project corridor as necessary to prepare design plans.

2. PLANNING SERVICES:

- Preparation of a color-rendered masterplan for the project corridor to include the following:
 - ◆ *Location and typical design of streetscape elements such as sidewalks and crosswalks, handicap ramps, street trees and landscaping, ornamental street lights, curb and gutter, pavement, and street furniture.*
 - ◆ *Gateway entrance at Tillman Street with street arch design.*
 - ◆ *Location and concepts for pocket parks.*
 - ◆ *Alternative configuration for South Main/Hwy 67 intersection.*

- ◆ “Statesboro Stars” walk monument design and proposed locations.
- Planning meetings and coordination with City staff, stakeholders, and utility companies.
- Preliminary construction cost estimate
- Presentation images: Prepare (3) 3D color renderings – gateway, Little Lots creek crossing, and typical section
- Grant assistance: provide image updates and formatting, display/presentation materials, and submission assistance for ABC competition, Tiger Grant , and others as requested.

Payment for our *Basic Services* will be a lump sum fee of \$ 46,500 . In addition to the lump sum price listed, we recommend that you budget \$ 5,000.00 for our Grant Assistance services.

COST ESTIMATE BREAKDOWN FOR EACH PHASE OF WORK:

➤ <i>R/W Survey</i>	\$ 7,500
➤ <i>Masterplan</i>	\$20,000
➤ <i>Meetings and Coordination</i>	\$ 8,000
➤ <i>Cost Estimate</i>	\$ 2,800
➤ <i>3D Renderings</i>	\$ 8,200
➤ <i>Grant Assistance</i>	\$ 5,000 (hourly estimate)

We will also furnish such *additional services* as you may request. *Additional services* will be documented by EMC and authorized by the *Client*. *Additional services* will be charged on an hourly rate basis in accordance with the attached *Hourly Rate Schedule*.

ADDITIONAL SERVICES WILL INCLUDE THE FOLLOWING:

- *Boundary/Easement plats*
- *Traffic Study*
- *Additional Presentation Images*
- *Topographic & Utility Surveys*
- *Construction Plans & Permitting*

The above financial arrangements are on the basis of prompt payment of our bills and the orderly and continuous progress of the *Project*.

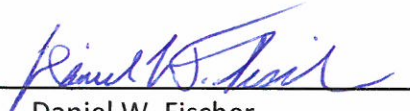
Invoices for our services will be submitted monthly and payable within 30 days after date of invoice. Invoices for Basic Services performed under lump sum agreements will be on a percentage completion basis. Past Due invoices are subject to a service charge of 1½% per month. Unless EMC is notified in writing of any disputed charge within thirty (30) days of the invoice date, the *Client* agrees that the invoice is final and not subject to adjustment. Failure to

make payments of any invoices over sixty (60) days past due will result in an immediate "Stop Work" action until the account is brought current, or special arrangements are made in writing. Past due accounts are also subject to further collection procedures, including the filing of a mechanics lien against the property.

We are prepared to begin our services promptly after receipt of your acceptance of this Proposal/Agreement and to complete our services in accordance with a mutually agreed upon schedule.

This Proposal, attached General Provisions and Hourly Rate Schedule represent the entire understanding between you and us in respect of the Project and may only be modified in writing signed by both of us. If this satisfactorily sets forth your understanding of our agreement, we would appreciate your signing this letter in the space provided below and returning it to us, keeping a copy for your files.

Sincerely,
EMC ENGINEERING SERVICES, INC.

By: 
Daniel W. Fischer
Associate

ACCEPTED this _____ day of _____, 2015

CITY OF STATESBORO

By: _____
Mandy Cody
Director of Planning and Development

EMC ENGINEERING SERVICES, INC.

GENERAL PROVISIONS

EMC Engineering Services, Inc. (EMC) will provide services in accordance with the scope of services and the following General Provisions:

- 1) EMC agrees to furnish professional engineering and surveying services for the project described in this Agreement (Proposal) and the attachments thereto. Acceptance of this Agreement or proposal constitutes agreement to utilize our services at the rates and charges indicated.
 - 2) This agreement envisions that all of the services described herein will be performed by EMC and that there will be no material changes in the work. Should the scope of the project be changed materially, compensation to EMC for professional services shall be subject to renegotiation.
 - 3) Compensation to EMC for services provided shall conform to the prevailing hourly rate schedule in effect at the time the services are performed.
 - 4) Invoices for our services will be submitted monthly and payable within 30 days after date of invoice. Invoices for Basic Services performed under lump sum agreements will be on a percentage completion basis. Past Due invoices are subject to a service charge of 1½% per month. Unless EMC is notified in writing of any disputed charge within thirty (30) days of the invoice date, the client agrees that the invoice is final and not subject to adjustment. Failure to make payments of any invoices over sixty (60) days past due will result in an immediate "Stop Work" action until the account is brought current, or special arrangements are made in writing. Past due accounts are also subject to further collection procedures, including the filing of a mechanics lien against the property.
 - 5) The standard of care for all professional engineering and related services performed or furnished by EMC under this agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. EMC makes no warranties, express or implied, under this Agreement or otherwise, in connection with EMC's services. EMC and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers.
 - 6) All design documents prepared or furnished by EMC are instruments of service, and EMC retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed. These documents are not to be used on other projects or extensions of this project except by written agreement and with appropriate compensation to EMC. Any reuse of documents without specific written verification or adaptation by EMC will be at the client's sole risk and without liability or legal exposure to EMC, and the client agrees to indemnify and hold harmless EMC, its officers, principals, employees and sub-consultants against all claims, damages, losses, and expenses, including attorney's fees, arising out of or resulting from such reuse.
 - 7) This agreement may not be transferred or assigned without the written consent of EMC.
 - 8) EMC shall not be responsible for any act or omission of any architect, other consultant, contractor, or subcontractors or the agents or employees of any of them nor the acts or omissions of other persons performing any of the work of the project.
 - 9) To the fullest extent permitted by law, the Owner and EMC (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that EMC's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by EMC, whichever is greater.
 - 10) If EMC and Client become involved in any adverse legal proceedings (whether in a court of law, arbitration, binding mediation or other similar proceeding) for any purposes, then EMC shall be entitled to recover from Client, in addition to all principal and interest amounts due to EMC from Client, all attorneys' fees and expenses, all expert fees, and all other fees and expenses incurred by EMC.
 - 11) For projects involving construction phase engineering services, it is agreed that the professional services of EMC are limited to review and observation of the work of the contractor(s) to ascertain that such work substantially conforms to the design intent and the Contract Documents. It is further agreed that the Client will defend, indemnify and hold harmless EMC against any claim or suit whatsoever, including but not limited to all payments, expenses, or costs incurred, arising from or alleged to have arisen from any error or omission in the plans, specifications or Contract Documents. EMC agrees to be responsible for its own or its employee's negligent acts, errors or omissions in the performance of professional services provided by EMC on the project.
- EMC shall not at any time supervise, direct, or have control over any contractor's work, nor shall EMC have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor any failure of any contractor to comply with laws and regulations applicable to contractor's work.
- EMC neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between the Owner and such contractor.



10 Chatham Center South Dr.
 Suite 100
 Savannah, GA 31405
 Phone: (912) 232-6533
 Fax: (912) 233-4580
 www.emc-eng.com



2015 Hourly Rate Schedule

ENGINEERING

Senior Principal Engineer	\$170.00/HR
Principal Engineer	\$150.00/HR
Senior Project Manager	\$140.00/HR
Project Manager	\$125.00/HR
Junior Project Manager	\$120.00/HR
Professional Engineer	\$110.00/HR
Senior Design Engineer	\$100.00/HR
Design Engineer	\$90.00/HR
Junior Design Engineer	\$80.00/HR
Senior Engineer Tech	\$80.00/HR
Engineer Tech	\$75.00/HR
Junior Engineer Tech	\$70.00/HR
Senior Landscape Architect (RLA)	\$130.00/HR
Landscape Architect	\$90.00/HR
Geotechnical Engineer	\$105.00/HR

SURVEYING

Senior Registered Land Surveyor	\$125.00/HR
Registered Land Surveyor	\$105.00/HR
Land Surveyor	\$90.00/HR
1-Man RLS Surveyor (Field)	\$125.00/HR
1-Man Surveyor (Field)	\$100.00/HR
2-Man Survey Crew	\$115.00/HR
3-Man Survey Crew	\$155.00/HR
Senior Survey Tech	\$80.00/HR
Survey Tech	\$70.00/HR
Junior Survey Tech	\$60.00/HR

CONSTRUCTION PHASE SERVICES

Construction Manager	\$100.00/HR
Senior Construction Inspector	\$75.00/HR
Construction Inspector	\$65.00/HR
Senior CMT Field Representative	\$55.00/HR
CMT Field Representative Specialty	\$75.00/HR
CMT Field Representative	\$47.00/HR
Junior CMT Field Representative	\$35.00/HR

ADMINISTRATIVE

Administrative Assistance	\$ 55.00/HR
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RESOLUTION 2016-03: A RESOLUTION

THAT WHEREAS, Section 1-2 of the Charter of the City of Statesboro provides that the Mayor and City Council can receive, possess, and retain to themselves and their successors in office, for the use and benefit of the City of Statesboro, in perpetuity or for any term of years, any estate or estates, real or personal, of every kind and nature, inside or outside the corporate limits for corporate purposes;

WHEREAS, Anne Sognier Murray and Jessica Sognier Osborne, individually and as duly qualified Executors of the Last Will and Testament of Josephine Kennedy Osborne a/k/a Josephine K. Sognier Osborne desire to convey and dedicate as a gift two parcels of certain real property to the Mayor and City Council of Statesboro;

WHEREAS, the Mayor and City Council desire to accept as a gift this conveyance and dedication of two parcels of certain real property from Anne Sognier Murray and Jessica Sognier Osborne, individually and as duly qualified Executors of the Last Will and Testament of Josephine Kennedy Osborne a/k/a Josephine K. Sognier Osborne;

WHEREAS, the Bulloch County Board of Tax Assessors values one of these two parcels at SIXTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$62,500.00) for the 2015 Tax Year, and the other of these two parcels at NINETY TWO THOUSAND EIGHT HUNDRED DOLLARS (\$92,800) for the 2015 Tax Year;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Statesboro, Georgia as follows:

Section 1. That Mayor and City Council hereby accepts as a gift the conveyance and dedication of the two parcels of real property more particularly described in the Deed of Gift attached as Exhibit A to this resolution.

Section 2: The Mayor and City Clerk are hereby authorized to execute appropriate legal instruments accepting the conveyance of title to this property to the Mayor and City Council of Statesboro.

Section 3. That this Resolution shall be and remain effective from and after its date of adoption

Adopted this ____st day of ____, 2016

CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk

Exhibit A

After recording, return to:
Wright & Edwards, P.C.
P.O. Box 446
Statesboro, Georgia 30459

STATE OF GEORGIA

COUNTY OF BULLOCH

DEED OF GIFT

THIS INDENTURE, made this ____ day of _____, Two Thousand Fifteen, between ANNE SOGNIER MURRAY and JESSICA SOGNIER OSBORNE, individually and as the duly qualified Executors of the Last Will and Testament of JOSEPHINE KENNEDY OSBORNE a/k/a JOSEPHINE K. SOGNIER OSBORNE, deceased, of the County of Chatham, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and THE MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO, GEORGIA, as party or parties of the second part, hereinafter called Grantee (the words “Grantor” and “Grantee” to include their respective heirs, successors and assigns where the context requires or permits.)

WITNESSETH that: Grantor, for and in consideration of natural love and affection has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property, to-wit:

PARCEL “A”: All that certain parcel of land lying and being in the 1209th G.M.D., Bulloch County, City of Statesboro, Georgia containing 3.92 acres and being more particularly described according to a plat prepared by Maxwell-Reddick & Associates, Inc., dated February 20, 2007, recorded in Plat Book _____, Page _____, Bulloch County records, which reads as follows:

COMMENCING at a point at the intersection of the eastern right-of-way of Zetterower Avenue and the southern right-of-way of U.S. Highway No. 301, THENCE northeasterly along the right-of-way of U.S. Highway No. 301 a distance of 352' to a one inch iron pipe found (1" IPF); THENCE along the right-of-way of U.S. Highway No. 301 counterclockwise on the arc of a curve (Radius 5695.179') which subtends a chord of North 64°18'19" East a distance of 100.16' to a three quarter inch iron pipe found (3/4" IPF); THENCE along the right-of-way North 62°25'33" East a distance of 200.19' to a one and one-half inch iron pipe found (1 1/2" IPF); THENCE along the right-of-way North 60°20'17" East a distance of 299.79' to a three quarter inch iron pipe found (3/4" IPF); THENCE along the right-of-way North 59°55'46" East a distance of 200.02' to a one and one-half inch iron pipe found (1 1/2" IPF) which is the POINT OF BEGINNING.

BEGINNING at said one and one-half inch iron pipe found (1 1/2" IPF), THENCE along the right-of-way of U.S. Highway No. 301 North 60°03'21" East a distance of 429.05' to a axle found; THENCE South 03°01'50" East a distance of 205.86' to a rebar found (RBF); THENCE South 03°02'11" East a distance of 562.51' to a one and one-half inch iron pipe found (1 1/2" IPF); THENCE North 66°21'45" West a distance of 140.21' to a three quarter inch iron pipe found (3/4" IPF); THENCE North 29°45'00" West a distance of 572.35' to a one and one-half inch iron pipe found (1 1/2" IPF) which is the POINT OF BEGINNING.

Said parcel bound as follows: NORTH by the southern right-of-way of U.S. Highway No. 301; EAST by lands of Harold & Doris Best and lands of Jimmy E. Hendrix; SOUTH by lands of the City of Statesboro; and WEST by lands of Penn E. Myrick, Inc.

The above referenced plat and the description thereon is incorporated herein for all purposes of this description.

PARCEL "B": All that certain parcel of land lying and being in the 1209th G.M.D., Bulloch County, City of Statesboro, Georgia containing 1.26 acres and being more particularly described according to a plat prepared by Maxwell-Reddick & Associates, Inc., dated February 20, 2007, recorded in Plat Book _____, Page _____, Bulloch County records, which reads as follows:

COMMENCING at a point at the intersection of the eastern right-of-way of Zetterower Avenue and the southern right-of-way of U.S. Highway No. 301, THENCE northeasterly along the right-of-way of U.S. Highway No. 301 a distance of 352' to a one inch iron pipe found (1" IPF) which is the POINT OF BEGINNING.

BEGINNING at said one inch iron pipe found (1" IPF), THENCE along the right-of-way of U.S. Highway No. 301 counterclockwise on the arc of a curve (Radius 5695.179') North 64°18'19" East a chord distance of 100.16' to a three quarter inch iron pipe found (3/4" IPF); THENCE South 29°10'33" East a distance of 193.26' to a one-half inch iron pipe found (1/2" IPF) on the right-of-way of Best Street;

THENCE along the right-of-way of Best Street, South 21°11'42" West a distance of 365.71' to a one inch iron pipe found (1" IPF); THENCE North 78°19'20" West a distance of 24.89' to a three quarter inch iron pipe found (3/4" IPF); THENCE North 03°26'40" West a distance of 159.66' to a one inch iron pipe found (1" IPS); THENCE North 03°27'55" West a distance of 302.44' to a one inch iron pipe found (1" IPF) which is the POINT OF BEGINNING.

Said parcel bound as follows: NORTH by the southern right-of-way of U.S. Highway No. 301; EAST by lands of Carrie L. Finch and the eastern right-of-way of Best Street; SOUTH by lands of Brenda Gail Lucree and the western right-of-way of Best Street; and WEST by lands of Ruby Bland and Brenda Gail Lucree.

The above referenced plat and the description thereon is incorporated herein for all purposes of this description.

This deed was prepared at the direction of Grantor without the benefit of a title examination. No certification is made by Wright & Edwards, P.C. as to the title of the aforesaid property.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 said Grantee forever in **FEE SIMPLE**.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, Sealed and Delivered
in the Presence of:

Unofficial Witness

Notary Public

(Seal)
ANNE SOGNIER MURRAY, individually
and as the duly qualified Executor of the Last
Will and Testament of JOSEPHINE
KENNEDY OSBORNE a/k/a JOSEPHINE
K. SOGNIER OSBORNE

Signatures Continued on Next Page

Signed, Sealed and Delivered
in the Presence of:

Unofficial Witness

Notary Public

_____(Seal)
JESSICA SOGNIER OSBORNE, individually
and as the duly qualified Executor of the Last
Will and Testament of JOSEPHINE
KENNEDY OSBORNE a/k/a JOSEPHINE
K. SOGNIER OSBORNE

ACCEPTED BY GRANTEE: MAYOR AND CITY OF COUNCIL OF THE CITY OF
STATESBORO, GEORGIA

Unofficial Witness

By: _____ (Seal)
Jan J. Moore, Mayor

Notary Public

Attest: _____ (Seal)
Sue Starling, City Clerk

Resolution 2016-04: A RESOLUTION REQUESTING APPROVAL TO DEVELOP DOCUMENTS FOR CONSIDERATION OF SUBMITTAL FOR A 2016 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

THAT WHEREAS, the Georgia Department of Community Affairs has announced the availability of 2016 Community Development Block Grant funding, commonly known as CDBG funds, which may be utilized for infrastructure improvements benefiting low to moderate income residents of the City of Statesboro; and

WHEREAS, City staff has identified the following areas as being need of storm-water and other possible infrastructure improvements: Kent Street, Lovett Street, Bryant Street, Floyd Street, and James Street; and

WHEREAS, certain expenditures, staff efforts, public notices, hearings, and resident surveys are required in the preparation and analysis of an application for a Community Development Block Grant;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Statesboro, Georgia in regular session assembled this 19th day of January 2016, as the governing body for the City of Statesboro, Georgia, that the preparation of application materials for a 2016 Community Development Block Grant application, is hereby approved; and

BE IT FURTHER RESOLVED that prior to the submission of the final 2016 Community Development Block Application City staff shall submit an additional resolution for approval of Mayor and Council authorizing the submission of the application and identifying City of Statesboro commitments being made in said application, including matching and leveraged fund amounts and in kind contributions.

Adopted this January 19, 2016.

CITY OF STATESBORO, GEORGIA

By: Jan J. Moore, Mayor

Attest: Sue Starling, City Clerk



City of Statesboro
Department of Community Development Memorandum

50 East Main Street P.O. Box 348 » (912) 764-0630
Statesboro, Georgia 30458 Statesboro, Georgia 30459 » (912) 764-0664 (Fax)

TO: Mr. Robert Cheshire, Acting City Manager

FR: Mandi Cody

Date: January 14, 2016

SUBJECT: **Renewal DSDA Incentive Plan**

Attached please find the 2016 Resolution to adopt the Incentive Program for the Downtown Statesboro area. As you know, the previous program(s) expired on November 1, 2015. This Resolution is intended to re-establish the program, effective upon adoption of Council, for a three (3) year period. This Resolution has been vetted by the DSDA and City permitting staff and is designed to be read independently of the previous adoptions.

The Incentive program has remain unchanged with the following exceptions:

1. Clarity was added that the program applied to both sides of each street named within the boundaries.
2. A cap was placed on combined tap fee incentives at \$25,000.
3. Single Family residential projects were expressly included in the program.
4. The abatement for alcohol license fees for the second year of business was removed from the program.

Resolution 2016-05: Resolution Calling for the Re-Establishment of the Downtown Statesboro Incentives Program.

WHEREAS, the Downtown Statesboro Development Authority demonstrated to the Mayor and City Council of Statesboro that the growth and development of Downtown Statesboro suffered significantly during the recent period of economic recession; and

WHEREAS, the Downtown Statesboro Development Authority proposed that development incentives be enacted by the City of Statesboro to encourage growth, revitalization, housing, business development, and revitalization within the jurisdiction of the Downtown Statesboro Development Authority; and

WHEREAS, the City of Statesboro adopted the recommended incentive program on October 19, 2010; and renewed and amended said program on July 9, 2011 and July 3, 2012; and

WHEREAS, the Downtown Statesboro Development Authority finds that the incentive program adopted on said dates contributed significantly toward new growth, development, and revitalization in both residential and commercial sectors of the economy within the Downtown Statesboro Development Authority's jurisdictional boundaries; and

WHEREAS, the term of the Downtown Statesboro Incentive Program expired on November 1, 2015; and

WHEREAS, the Downtown Development Authority finds that sufficient need for growth and revitalization still exists in the downtown area; and

WHEREAS, the Downtown Development Authority finds that the previously enacted Downtown Incentive Program contributed significantly to the growth, development, and revitalization of the Downtown jurisdiction while effective;

WHEREAS, the Downtown Development Authority finds that that the re-establishment of the Downtown Incentive Program is essential to continued growth and development of the downtown area;

NOW THEREFORE, the City of Statesboro adopts the findings of the Downtown Statesboro Development Authority; and

IT IS HEREBY RESOLVED, by the Mayor and Council of the City of Statesboro that a Downtown Statesboro Incentives Program be re-established to continue encouragement of development of additional business and housing opportunities within the Downtown Statesboro Development Authority; and adopts the following Downtown Incentive Program:

1. The boundaries of the Downtown Statesboro Incentives Program are the jurisdictional boundaries of the Downtown Statesboro Development Authority, which are described as follows: starting at the intersection of Tillman Road and South College Street, then heading Northeast on Tillman Street to Zetterower Avenue, then heading north on Zetterower Avenue to Cherry Street, then east on Cherry Street to Donaldson Street to Savannah Avenue, west on

Savannah Avenue to Crescent Avenue, then north on Crescent Avenue to Zetterower Avenue, then traveling north on Zetterower Avenue to Northside Drive / US Highway 80, then west on Northside Drive / US Highway 80 to North College Street, then South on North College Street to West main Street, then west on West Main Street,, then South on Martin Luther King, Jr. Boulevard to West Grady Street, then East on West Grady Street to South College Street, then South on South College Street and ending at Tillman Street.

Incentive application shall apply to both sides of the roads named within this boundary description.

2. Applicable fees, taxes, and other cost that are not expressly waived or reduced herein shall be applied as directed within the latest Schedule of Fees as adopted by the City of Statesboro Mayor and Council.
3. The Downtown Incentives Program shall expire three (3) years from the date of adoption of this Resolution.
4. The following fees and taxes shall be waived for the initial start up year of any newly formed business locating and establishing itself within the boundaries of the Downtown Incentive Program:
 - a. Occupational Taxes and Administrative Fees;
 - b. Building Permit Fees for renovation and construction up to \$1,000 in fees;
 - c. Natural Gas Connection fees;
 - d. Initial tap fees, including but not limited to water, sewer, fire and irrigation taps, up to \$25,000; and
 - e. Alcohol license fees for the initial year of operation.
 - f. Waiver of fees shall not include fees associated with Land Disturbance Activity Permit Application (also known as a grading permit) fees, or Aid to Construction fees.
5. The following fees shall be waived for the construction, renovation, or rehabilitation of commercial and residential structures within the Downtown Incentive Program boundaries:
 - a. Demolition Permit Fees;
 - b. Building Permit Fees up to \$1,000;
 - c. Initial connection of Natural Gas services;
 - d. Sewer and Water Tap Fees up to \$1,000;
 - e. Initial tap fees, including but not limited to water, sewer, fire and irrigation taps, up to \$25,000; and
 - f. Waiver of fees shall not include fees associated with Land Disturbance Activity Permit Application (also known as a grading permit) fees, or Aid to Construction fees.

6. To further aid in the economic recovery, redevelopment, and sustainability of the Downtown Statesboro Incentive Program, projects meeting the objectives, visions, and goals of the 2011 Downtown Statesboro Master Plan and the 2014 City of Statesboro Comprehensive Plan, may be considered for additional incentives by the Mayor and City Council for the City of Statesboro. A request for the waiver of additional fees, and the justification for the additional waiver, shall be submitted on a per project basis to the Downtown Statesboro Development Authority and the City of Statesboro Director of Planning & Development or review and presentment of recommendation to the Mayor and City Council of Statesboro.

So Adopted this 19th day of January, 2016.

Jan J. Moore, Mayor

Attest:

Sue Starling, Clerk

Memorandum

To: Robert Cheshire, PE, Deputy Director

CC: Sue Starling, City Clerk
Darren Prather, Purchasing Director

From: Van H. Collins, Interim Director *VHC*

Date: 1/12/2016

Re: Consideration of a Motion to award a "Sole Source Purchase" to Xylem Water Solutions USA, Inc. in the amount of \$34,291.80 for (4) MultiTrode MultiSmart Pump Controllers with spare replacement parts. This equipment is budgeted as CIP#WWD-150 in the amount of \$130,000.00 of ATC funds.

This purchase is part of a project to upgrade all of the Sewage Collection System's Pump Stations to be compatible with the newer Pump Stations. The upgrade will allow all of our MultiSmart Units to be interchangeable and give us much needed data to troubleshoot our Pump Stations by viewing the available information such as inflow, pump capacity, and runtimes from the Wastewater Treatment Plant SCADA System. The ultimate goal is to have the data from the MultiSmart Units be added to a Database that will give us the ability to evaluate the Collection System and be able to determine where the sewer system is experiencing the most infiltration and inflow from deteriorating sewer mains. With this information we can better prioritize the areas of the system that need to be replaced or upgraded to help reduce or eliminate the inflow and infiltration of groundwater.

As always, I appreciate any consideration given to my request.

**CITY OF STATESBORO, GEORGIA
REQUISITION FORM**

P.O. Number: _____

Vendor Name: **Xylem Water Solutions USA, Inc.**
 Vendor Address: **128 A Airport Drive**
Garden City, GA 31408

Date: **12/15/2015**

Department: **WWTP**

Account #	Account Balance	Quantity	Item Description	Unit Price	Total Price
WWD-150		4	MultiTrode MultiSmart 3 Pmp Controller PN: 84-80 00 84 (786 74 00)	\$ 5,102.10	\$ 20,408.40
		4	RTU Enabled MT-Enable ModBus PN: 14-69 97 61B	\$ 445.50	\$ 1,782.00
		4	Flow Calculations MT-Enable +Flow PN: 14-69 97 61D	\$ 504.90	\$ 2,019.60
		3	I/O Expansion Unit MultiSmart PN: 14-60 30 54	\$ 3,360.60	\$ 10,081.80
505.11.7655			Total		\$ 34,291.80
505.11.111101					\$ 34,291.80
<505.11.611001>					\$ (34,291.80)
			Note: Units will be used to upgrade to MultiSmart Gen II @ Lift Stations & Serve as Backup Equipment.		
TOTAL					\$ 34,291.80

Possible Vendors and Quotes:

- 1 **Xylem Water Solutions USA, Inc**
- 2 _____
- 3 _____

Requested By: **Gary Mosley** *Gary O. Mosley* Date: **15-Dec-15**

I HEREBY CERTIFY THAT THE ITEMS REQUESTED ARE NECESSARY TO PROPERLY CONDUCT THE ACTIVITIES OF THIS DEPARTMENT.

Department Head Signature: _____ Date: _____

I HEREBY CERTIFY THAT THERE ARE SUFFICIENT FUNDS WITHIN THIS ACCOUNT TO AUTHORIZE THIS PURCHASE, AND THAT IT IS AN APPROPRIATE EXPENDITURE FROM THIS ACCOUNT.

Finance Director OR Designee: _____ Date: _____



**Xylem Water Solutions USA, Inc.
Flygt Products**

December 9, 2015

CITY OF STATESBORO WASTEWATER
WASTEWATER TREATMENT PLANT
PO BOX 348
STATESBORO GA 30459

128 A Airport Park Drive
Garden City, GA 31408
Tel (912) 966-1577
Fax (912) 966-1579

Quote # 2015-SAV-0387

Re: City of Statesboro

Multi Smart Price

Qty	Part Number	Description	Unit Price
1	84-80 00 84	# CONTROLLER, MULTISMART II+ 3 PUMP, W/MTR PROT R/B 7867400	\$ 5,102.10
1	14-60 30 54	UNIT,EXPANSION,MULTISMART + IPSM,TWO 3PC BOARDS	\$ 3,360.60
1	14-69 97 61D	MT-ENABLE + FLOW CALCULATIONS FUNCTION	\$ 504.90
1	14-69 97 61B	MT-ENABLE MODBUS + RTU OPTION ONLY	\$ 445.50
Total Project Price			\$ 9,413.10
Freight Charge			\$ 288.00
Total Project Price			\$ 9,701.10

Incoterm: 1 FCA - Free Carrier **Named Placed:** 02 - US WH/ Factory
 Incoterms 2010 clarify responsibility for costs, risks, & tasks associated with the shipment of goods to the named place.
Taxes: State, local and other applicable taxes are not included in this quotation.
Terms & Conditions: Order is subject to credit approval. Net 30 days after date of invoice or 100% payable before start up of equipment, whichever comes first. A charge of 1.5% per month will be added to all balances unpaid 30 days after invoice date. Pricing is firm based on our receiving complete approval and release for production four (4) weeks after drawings have been submitted by Xylem Water Solutions USA, Inc. Partial billing will be made on any partial shipments. Equipment returns are subject to approval and possible re-stocking fees. Special order items (i.e. Control Panels, hatch covers) will not be accepted for return.

Customer Acceptance: A signed facsimile copy of this quote is acceptable as a binding contract.

Signature: _____ Company/Utility: _____
 Name : _____ Address: _____
 (PLEASE PRINT)
 Email: _____
 Date: _____ Phone _____
 PO#: _____ Fax _____

Sincerely,

Chris Heyel
Branch Manager
Phone: 912-344-9925
Cell: 912-313-3111
chris.heyel@xylem.com

