



August 20, 2013 6:00 pm

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman Phil Boyum
3. Recognitions/Public Presentations
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 08-06-2013 Council Minutes
 - b) 08-06-0213 Executive Session Minutes
 - B) Notification of alcohol license application:
 - a) Licensee: Christopher Scott Springfield
DBA: South City Tavern
Location: 1830 Chandler Road
Type of Alcohol License: Pouring – Beer, Wine & Liquor
Type of Business: Sports Restaurant
 - C) Consideration of a Motion to approve “Vehicle for Hire”
 - a) D W Yellow Cab – Harold F Piet (Driver)
6. Consideration of a Motion to approve **Resolution 2013-27**: A Resolution to Close a Portion of the Alley between Donehoo Street and Granade Street.
7. Public Hearing and Consideration of a Motion to approve the following request:
 - a) **ORDINANCE 2013-14 with APPLICATION # AN 13-03-07**: George Terrell Beasley requests annexation by the 100 percent method of 57.5 acres of property located at Cawana Road into the City of Statesboro and for said property to be zoned CR (Commercial Retail) and PUD –Planned Unit Development for residential development. (Tax Parcel Number 107 000005 000).
 - b) **ORDINANCE 2013-15 with APPLICATION # AN 13-03-08**: Walter Ray Beasley requests annexation by the 100 percent method of 60.92 acres of property located at Josh Hagin Road into the City of Statesboro and for such property to be zoned R 8 and R 10 Single Family Residential (Tax Parcel Number 107 000009 000).

8. Consideration of a Motion to approve an Outdoor Event Permit:
 - a) Applicant's Name: Jennifer Kennedy
 - Date and Time of Event: September 6, 2013, 5:00 p.m.
 - Location of Event: 106 Savannah Avenue
 - Type of Event: First Friday, Taste of Statesboro
 - Products served: Beer
9. Consideration of a Motion to change one of the two custodial positions from part-time to full-time status.
10. Consideration of a motion to approve creation of the following positions in the IT Department: IT Systems Analyst at grade 16, GIS Technician at grade 14
11. Consideration of a motion to approve changing the IT Systems Specialist position from a grade 12 to a grade 14.
12. Consideration of a Motion to approve the purchase of Police Vehicles from State Contract #SWC90796-2 for an amount not to exceed the budgeted total of \$350,000. These funds are from SPLOST 2007 dollars.
13. Notification to Mayor and Council of an awarded grant from NTOA to the Police Department: One Taser X-2 system to include holster, cartridges, and power module (est. \$1,500 value). This grant was applied for by ERT Cpl. Jake Saxon.
14. Nomination and Consideration of Appointment to fill the vacant seat on the Statesboro Planning Commission.
15. Consideration of a Motion to approve **Resolution 2013-29**: A Resolution Accepting Right of Way of Aspen Heights Drive as a Public Street to be Owned and Maintained by the City of Statesboro, Georgia.
16. Consideration of a motion to approve the fire department to apply for the open SAFER grant for additional firefighters.
17. Consideration for a motion to approve the Mayor to enter into a contract between the Fire Department and OTC for the delivery of Firefighter Level 1 training.
18. Consideration of a Motion to enter into Executive Session to discuss "Potential Litigation" in accordance with **O.C.G.A. §50-14-3 (2012)**
19. Consideration of a Motion to approve **Resolution 2013-28**: A "Resolution regarding applications RZ 13-04-02, RZ 13-04-03, RZ 13-04-04 to amend the Zoning Map of the City of Statesboro.

20. Other Business from City Council

21. Public Comments (General)

A) Bill Thomas request to address Council

22. Consideration of a Motion to Adjourn



CITY OF STATESBORO CITY COUNCIL MINUTES

August 6, 2013

A regular meeting of the Statesboro City Council was held on August 06, 2013 at 9:00 am in the Council Chambers at City Hall Present were Mayor Joe R. Brannen, Council Members: Will Britt, Phil Boyum, John Riggs and Gary Lewis. Also present were City Manager Frank Parker, City Clerk Sue Starling, City Attorney Alvin Leaphart, City Engineer Robert Cheshire and Director of Community Development Mandi Cody. Councilman Travis Chance was absent.

The meeting was called to order by Mayor Joe Brannen
The Invocation and Pledge of Allegiance was led by Mayor Pro Tem Will Britt.

Recognitions/Public Presentations:

Conor Baker is being awarded the Statesboro Fire Department Medal of Achievement for his efforts in a National Firefighting Skills Competition in which he placed 12th overall

Fire Chief Tim Grams awarded Conor Baker with a Medal of Achievement for his efforts in a National Firefighting Skills Competition in which he placed 12th overall.

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

a) 07-16-2013 Council Minutes

B) Consideration of a Motion to approve Resolution 2013-26: A Resolution approving the Uncollectable Personal Property Tax Bill List for 2012.

C) Consideration of a Motion to approve “Vehicle for Hire” Spells Taxi Service – Deborah Cranfill (Driver)

D) Notification of alcohol license application:

Licensee: Lan Doan

DBA: Orchid’s Asian Restaurant

Location: 1525 Fair Road

Type of Alcohol License: Pouring – Beer & Wine

Type of Business: Restaurant

E) Licensee: Ramiro Melendez

DBA: El Jalapeno

Location: 711 South Main Street

Type of Alcohol: Pouring – Beer, Wine & Liquor

Type of Business: Restaurant

F) Consideration of a motion for the surplus and disposal of six (6) solid waste trailers in the Solid Waste Disposal Division:

- a) 2007 East refuse trailer (#9294)
- b) 2008 East refuse trailer (#2840)
- c) 2008 East refuse trailer (#2841)
- d) 2009 East refuse trailer (#3898)
- e) 2009 East refuse trailer (#3899)
- f) 2009 East refuse trailer (#3900)

G) Consideration of a Motion to call a Public Hearing for August 29, 2013 at 4:00 p.m. in the Council Chambers at City Hall on the proposed 2013 Calendar Year Ad Valorem (Property) Tax Millage Rate of 6.358 for the City of Statesboro

H) Consideration of a motion to approve the Police Department to dispose of city property through electronic means specifically:

- a) One Ford Crown Vic Police Cruiser 2FAFP71W1X125339
- b) Six Ford Crown Vic Police Cruisers to sell for scrap metal specifically:
 - 2FAFP71W84X124676
 - 2FAFP71W94X124671
 - 2FAFP71W06X138204
 - 2FAFP71W83X198266
 - 2FAFP71W04X124669
 - 2FAFP71WX6X138209

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Boyum to approve the consent agenda in its entirety. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

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

- A) APPLICATION # RZ 13-04-02: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property located at 104 Catherine Avenue (Tax Parcel Number S44000001 000).**
- B) APPLICATION # RZ 13-04-03: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property located at 300 Catherine Avenue (Tax Parcel Number S44000044 000).**
- C) APPLICATION # RZ 13-04-04: Greg Parker, Drayton Parker, LLC, requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R-15 (Single Family Residential) District to CR (Commercial Retail) District for property**

located at northeast corner of Herty Drive @ Fair Road (Tax Parcel Number S44000045 000).

Director of Community Development Mandi Cody presented the case files (A, B, C) as one motion. These items were tabled from the last Council meeting, giving the community and the developers a chance to compromise or come to an agreement. Councilman Riggs made a motion to table the item again until the next Council meeting. After discussing options with City Attorney Alvin Leaphart, the motion died due to the lack of a 2nd for the motion. Mr. Leaphart suggested the public hearing be held today but that Council should wait until the next Council meeting to render a decision. Laura Marsh of Franklin and Taulbee spoke on behalf of the owners and applicant of the request. Realtor Jeff Raines representing June Weaver of 302 Catherine Ave spoke in favor of the request. Richard Johnson spoke in favor of the request. Bob Marsh of 104 Herty Drive spoke against the request. He also presented a petition of other citizens opposing the request. Kathy Shriver of Woodlawn Drive, Marie Sneed of Herty Drive, Ray Frye of Wenwood Drive, Del Presley speaking for Richard Hein, Craig Kellogg of 113 Herty Drive also spoke against the request. Carl Blackburn, pastor of the Campus Methodist Center stated he was not against the request nor was he for the request. He stated his concern was for the students' safety. City Attorney Alvin Leaphart suggested a resolution of ruling be brought back for Council's consideration at the next Council meeting. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to postpone a decision until the next Council meeting. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

There was a pause in the meeting as some of the citizens were leaving the room .At that time; Ms. Bennie Herring stated how well the W. Main Street project looked after it was completed. Mayor Brannen thanked City Engineer Robert Cheshire for the work.

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

APPLICATION # SE 13-03-03: Venus Mack requests a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a hair salon in the R-20 (Single-Family Residential) District for property located at 316 Fletcher Drive (Tax Parcel Number S35000009 000).

Director of Community Development Mandi Cody presented the case file. This item was tabled from the last Council meeting, giving the community and the developers a chance to compromise or come to an agreement. Ms. Cody explained the applicant met with community members at the Neighborhood Association meeting and a list of requirements was made concerning the property. Leo Sable of 300 Fletcher Drive stated he was not speaking for or against the request but only to clarify the actions of the meeting. He stated there was no vote on the 6 items listed in the report; instead it was a list for everyone to give thought to and contact Phil with comments or concerns. He also stated there was no resolution at the Neighborhood Association meeting. Councilman Boyum stated he had a list of people who had contacted him concerning the request. Venus Mack spoke in favor of the request. Joy Patterson, who stated she was a new comer to the City of Statesboro, spoke in favor of the request. Councilman Boyum asked Ms. Patterson for her address and she stated 316 Fletcher Drive where the salon is supposed to go. Frank McGibony of 105 Christy Lane spoke against the request. Councilman Lewis spoke in favor of the request

stating the applicant should be given a chance to show that she can do business at the location. Councilman Lewis made a motion to approve the request. The motion died due to the lack of a 2nd to the motion. Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to deny the request for a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the operation of a hair salon in the R-20 (Single-Family Residential) District for property located at 316 Fletcher Drive (Tax Parcel Number S35000009 000). Councilman Britt, Boyum and Riggs voted in favor of the motion. Councilman Lewis voted against the motion. The motion carried by a 3-1 vote.

Consideration of a Motion to authorize the Mayor to execute a contract for Retail Strategies for purposes of retail research and recruitment and expansion data. Such contract to be for a 3 year term of engagement at \$36,000 for year 1 and \$18,000 each for years 2 and 3

Nick Propps spoke in favor of the request. He stated the company would only give data for the City's growth and not be real estate brokers. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Boyum to authorize the Mayor to execute a contract for Retail Strategies for purposes of retail research and recruitment and expansion data. Such contract will be for a 3 year term of engagement at \$36,000 for year 1 and \$18,000 each for years 2 and 3 with the condition to include a review by City Attorney Alvin Leaphart and City Manager Frank Parker. Councilman Britt, Boyum, Riggs, and Lewis voted in favor of the motion. The motion carried by a 4-0 vote.

Councilman Gary Lewis left the meeting and did not return.

Consideration of Motion to Approve Award of Contract to Preferred Site Construction (PSC), LLC in the amount of \$142,075.00 to construct a sidewalk on Gentilly Road between Fair Road and East Jones Avenue. The Gentilly Road Sidewalk Project is to be funded by 2007 SPLOST.

Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to approve award of contract to Preferred Site Construction (PSC), LLC in the amount of \$142,075.00 to construct a sidewalk on Gentilly Road between Fair Road and East Jones Avenue. The Gentilly Road Sidewalk Project is to be funded by 2007 SPLOST. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Consideration of a Motion to approve the Sole Source Vendor, Dell, in the amount of \$26,311.79 for the network storage server

Purchasing Agent Darren Prather stated the approval should be for Dell State Contract not Sole Source. Mayor Pro Tem Will Britt made a motion seconded by Councilman Riggs to approve the Sole Source Vendor, Dell, in the amount of \$26,311.79 for the network storage server. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Public Hearing and Consideration of a Motion to consider the abandonment of an unimproved City alley located between Donehoo Street and Granade Street

City Engineer Robert Cheshire asked Council to consider closing a portion of the alley to public access as it remains unimproved. The City would only maintain the utility easements on the property. Mayor Pro Tem Will Britt stated there were several other alleyways that may need to be looked at by the City that would also fit in this category. City Attorney Alvin Leaphart stated this alleyway was a liability to the City as the City was not receiving tax money. He also stated this public hearing was to show it was in the best interest of the general public's welfare. He stated City Engineer Robert Cheshire has showed proper evidence of that to be true. He suggested that a resolution be brought back for Council's approval showing those specific findings to close this alleyway or others that fit this description. These findings would justify giving the property owned by the City back to the adjacent land owners. No one from the public spoke for or against the request. Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to table this item until a resolution can be presented at the next Council meeting. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Consideration of a Motion to award a construction contract to Pearce Building Systems for phase I of the Fire Department's renovation project on West Grady Street in the amount of \$459,829.00.

Purchasing Agent Darren Prather stated this is a Public Works contract viewed by the State. The low bidder has complied with all requirements. Councilman Riggs made a motion, seconded by Mayor Pro Tem Will Britt to award a construction contract to Pearce Building Systems for phase I of the Fire Department's renovation project on West Grady Street in the amount of \$459,829.00. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Other Business from City Council

Mayor Pro Tem Will Britt recognized a guest from the audience and asked him to introduce himself. Life Scout Chandler Liggett of Troop 340 stated he was here today to complete some requirements for the "Citizenship Community" Merit Badge. He is sponsored by the First Baptist Church.

Councilman Phil Boyum stated he would like to look into the possibility of using half of the budgeted funds (approx. \$25,000.00) from the shower head rebate program to assist citizens with payment of their utility bills. The shower head rebate program has not progressed as was expected.

Councilman Boyum stated they were working on some changes to utility billing and would like to look into the option of changing some of the due dates or penalty dates for citizens. Mayor Brannen confirmed with City Attorney Alvin Leaphart that he was already working on some written policy and procedures.

City Manager Frank Parker stated there were some applications for the vacancies on the Tree Board and Beautification Committee. He asked Council if they would like to fill the vacancies at this time or bring the applications back at the next Council meeting. Councilman Boyum recommended filling the vacancies today. City Engineer Robert Cheshire stated there are presently 4 vacancies on the Tree Board and 3 applications have been received. The applicants are Jason Lanier, Lissa Legee and Virginia Ann Franklin Waters. Councilman Boyum made a motion, seconded by Mayor Pro Tem Will Britt to appoint Jason Lanier and Lissa Legee to the Tree Board and Virginia Ann Franklin Waters to the Beautification Committee. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Public Comments (General)

Mr. Bill Thomas request to address to Council

Bill Thomas was not present at the meeting

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

At 11:15 am, Councilman Boyum made a motion, seconded by Councilman Riggs to enter into Executive Session with a 5 minute break. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Present were Mayor Joe Brannen, Council Members: Will Britt, John Riggs and Phil Boyum. Also present were City Manager Frank Parker, City Clerk Sue Starling, and City Attorney Alvin Leaphart and Director of Human Resource Jeff Grant. Councilman Travis Chance and Councilman Gary Lewis were absent from the Executive Session.

Regular Session

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to come out of Executive Session at 12:55 pm. Councilman Britt, Boyum, and Riggs voted in favor of the motion. The motion carried by a 3-0 vote.

Mayor Brannen called the regular session back to order at 12:56 p.m. with no action taken.

Consideration of a Motion to Adjourn

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Riggs to adjourn. Councilman Britt, Boyum and Riggs voted in favor of the motion. The motion carried by a 3-0 vote. The meeting was adjourned at 12:57 pm.

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 8/3/13 NEW ☒ RENEWAL ☐

TYPE OF BUSINESS TO BE OPERATED:

<input type="checkbox"/>	RETAIL BEER & WINE PACKAGED ONLY	\$1,250.00
<input type="checkbox"/>	RETAIL BEER & WINE BY THE DRINK	\$1,250.00
<input checked="" type="checkbox"/>	BEER, WINE & LIQUOR BY DRINK	\$3,750.00
<input type="checkbox"/>	WHOLESALE LICENSE	\$1,000.00
<input checked="" type="checkbox"/>	APPLICATION FEE - PACKAGED SALES	\$ 150.00
<input checked="" type="checkbox"/>	APPLICATION FEE - POURING SALES	\$ 150.00

APPLICANTS FULL NAME Christopher Scott Springfield

OWNERS NAME Good Kung Fu LLC

DBA (BUSINESS NAME) South City Tavern

CHECK THE TYPE OF ALCOHOL LICENSE YOU ARE APPLYING FOR:
RESTAURANT ☐ SPORTS RESTAURANT ☒ PRIVATE CLUB ☐ PACKAGE ☐

BUSINESS ADDRESS 1830 Chandler Rd.

BUSINESS MAILING ADDRESS 1830 Chandler Rd. 30458

BUSINESS TELEPHONE # 706-714-7678

APPLICANTS HOME ADDRESS

APPLICANTS HOME PHONE

APPLICANTS AGE

ARE YOU A CITIZEN OF THE UNITED STATES? ☒ YES ☐ NO

HAVE YOU EVER BEEN ARRESTED FOR ANYTHING? ☐ YES ☒ NO

IF YES, WHEN AND WHY N/A

IS THE APPLICANT THE OWNER OF THE BUSINESS? ☒ YES ☐ NO

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

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

PLEASE LIST BELOW:

Dan Wagnon Dan Vincent

CITY OF STATESBORO
P O BOX 348
STATESBORO, GEORGIA 30459
(912) 764-5468
FAX (912) 764-4691

APPLICATION FOR VEHICLE FOR HIRE PERMIT - DRIVER

DATE 8-1-13

NAME OF BUSINESS DW Yellow Cab

OWNER OF BUSINESS W. Francis

BUSINESS ADDRESS 1 Greenwood ave

CITY, STATE & ZIP Statesboro GA

BUSINESS TELEPHONE 912 681 1143

NAME OF DRIVER Harold F. Piet

ALIASES _____

HAVE YOU EVER BEEN ARRESTED? YES _____ NO X

SIGNATURE [Signature]

DATE 8.1.13

Response Body

Registration ID:	GA1385816520571
Applicant Name:	HAROLD PIET
Applicant Address:	
Applicant Phone No.:	
Applicant email:	PIET.HAROLD@BULLOCH.NET
LS TCN:	9133Z12588
Response Type:	STATE RESPONSE
Response Time:	2013-08-06 21:46:07
FBI Number:	
GBI TCN:	32190062089991
SAN:	
RCode:	
RLiteral:	
IDent:	NO GEORGIA CRIMINAL HISTORY IS
Name:	PIET, HAROLD FRANK
OCA:	
SID:	NoRecord
ORI:	GA923004Z
Reason:	GA Check Only
Agency Name:	CITY OF STATESBORO
Agency Address:	50 East Main Street, Statesboro, GA, 30458
Agency Phone:	(912)764-0625
Response Body:	TYPE:mid LSTCN:9139107337 GBITCN:32190062089991 DATE/TIME:2013-08-07 01:01:38 NAME:PIET, HAROLD FRANK

SID:NoRecord

OTN:

OCA:

IDENT:NO GEORGIA CRIMINAL HISTORY IS AVAILABLE FOR
THIS REQUEST

Printed:

No

RESOLUTION 2013-27: A RESOLUTION TO CLOSE A PORTION OF THE ALLEY BETWEEN DONEHOO STREET AND GRANADE STREET

THAT WHEREAS, OCGA § 36-34-3 vests the Mayor and City Council of Statesboro authority to close public streets and alleys when it finds that a closure of a public street or alley to be in the interest of the public at large;

WHEREAS, the portion of the alley between Donehoo Street and Granade Street that is the subject of this resolution is identified on the Attached Exhibit A.

WHEREAS, a Public Hearing on this matter was held on August 6, 2013;

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

Section 1. The Mayor of City Council make the following findings of fact based on the evidence presented at the Public Hearing that was held on August 6, 2013. The portion of the alley that is the subject of this resolution is seldom, if ever, used by the general public, and is difficult to access. The cost of maintaining this portion of the alley creates unnecessary liability for the City of Statesboro and places a general burden on tax paying citizens without any tangible benefit to the general public.

Section 2. The Mayor and City Council should retain appropriate utility easements in the property, and grant utility easements to other utility providers prior to quitclaiming the City's interest in the property to the various adjoining landowners.

Section 3. Based on the above finding of fact the Mayor and City Council finds that the closing of the portion of the alley identified in Exhibit A is for the benefit of the public at large, and hereby authorize the Mayor to execute any documents necessary to retain utility easements in the property; grant appropriate easements in the property to other utility providers, determine the fair market value of any interest in land conveyed to an adjoining property owner, and to execute any documents necessary to sell or convey the City's interests in the property to the adjoining landowners.

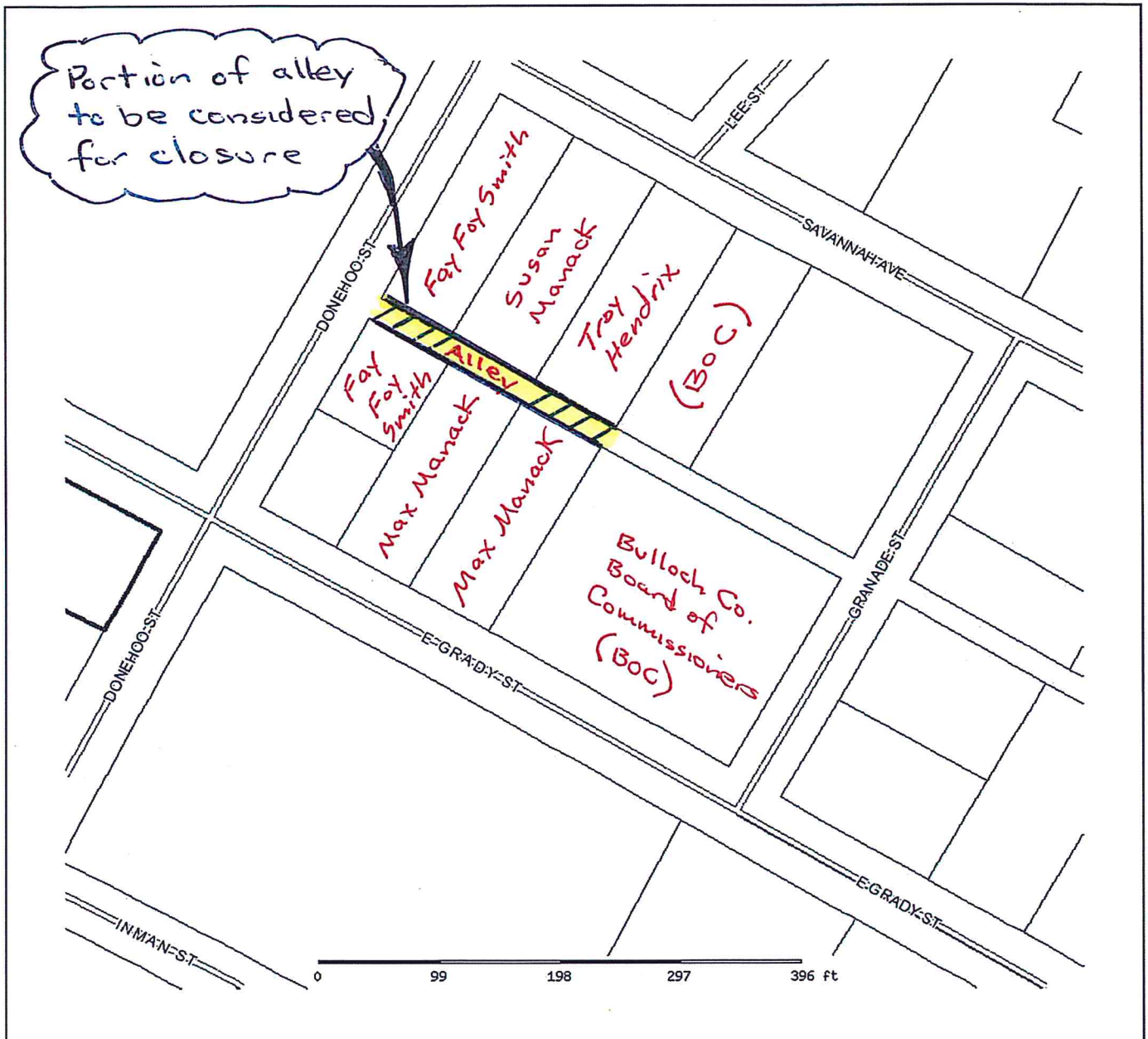
Section 3. That this Resolution shall be and remain effective from and after its date of adoption

Adopted this 20th day of August, 2013

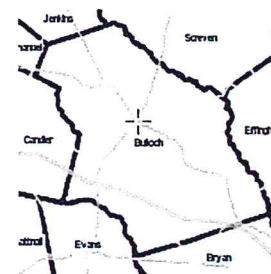
CITY OF STATESBORO, GEORGIA

By: Joe R. Brannen, Mayor

Attest: Sue Starling, City Clerk



Bulloch County Assessor			
Parcel: S41 000050 000 Acres: 0.34			
Name:	CREWS THOMAS M	Land Value	\$44,300.00
Site:	201 DONEHOO ST	Building Value	\$149,260.00
Sale:	\$0 on 02-2008 Reason=NM Qual=U	Misc Value	\$0.00
Mail:	P O BOX 932	Total Value:	\$193,560.00
	STATESBORO, GA 304590932		



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: 06/17/13 : 13:36:32

EXHIBIT

A

ORDINANCE # 2013- 14:
AN ORDINANCE TO ANNEX PROPERTY
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from the City of Statesboro, who is the owner of 100 percent of the property to be annexed; and

WHEREAS, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated, in order to annex property, to provide an effective date, and other provisions, the Mayor and City Council must approve an ordinance for annexation;

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

Section 1. All that certain tract or parcel of land, lying, situate and being in the 1209th G. M. District of Bulloch County, Georgia, containing 66.0 acres, as shown on that certain plat of survey prepared for George T. Beasley, Walter Ray Beasley and Paul C. Beasley by James M. Anderson, Georgia Registered Land Surveyor, dated August 18, 2009, recorded in Plat Book 64, Page 266, Bulloch County Records. Said tract is bound, according to said survey, now or formerly as follows: North by the right-of-way of Cawana Road and the right-of-way of County Road #341 a/k/a S & S Railroad Bed Road; East by lands of Walter Ray Beasley; South by lands of Bradford Place Subdivision and Bulloch County Board of Education; and West by the right-of-way of Cawana Road. The aforesaid plat and the description thereon are hereby incorporated for all purposes of this description.

LESS & EXCEPT: All that certain tract or parcel of land, lying, situate and being in the 1209th G. M. District of Bulloch County, Georgia, containing 13.60 acres, as shown on that certain plat of survey prepared for Connection Church by Donald W. Marsh, Georgia Registered Land Surveyor, dated February 21, 2011, recorded in Plat Book 64, Page 536, Bulloch County Records. Said tract is bound, according to said survey, now or formerly as follows: North and East by lands of George Terrell Beasley, Jr., Walter Ray Beasley and Paul C. Beasley; South by lands of Bulloch County Board of Education (Sallie Zetterower School); and West by the right-of-way of Cawana Road. The aforesaid plat and the description thereon are hereby incorporated for all purposes of this description.

Section 2. This ordinance shall become effective on September 1, 2013.

Section 3. The Director of Planning & Community Development of the City of Statesboro is instructed to send a report that includes certified copies of this ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to the Census maps during the next survey and stating that the survey map will be completed and returned to the United States Census Bureau, Georgia Department of Community Affairs, and to the governing authority of Bulloch County, Georgia within thirty (30) days after the effective date of the annexation as set forth in Section 2.

Section 4. On the effective date of the annexation, this property shall be placed in Council District Five (5) of the City of Statesboro.

Section 5. This property shall be zoned and located within the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council to be held on July 16, 2013, subsequent to a public hearing regarding the zoning of said property.

Passed and adopted on two separate readings:

First Reading: July 2, 2013
Second Reading: August 20, 2013

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

Joe R. Brannen, Mayor

Attest: Sue Starling, City Clerk



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

P.O. Box 348
Statesboro, Georgia 30458

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

AN 13-03-07 CAWANA ROAD ANNEXATION REQUEST

LOCATION: Cawana Road

REQUEST: Annexation by the 100% method and zoning change from R40 (Single Family Residential - Bulloch County) District to CR (Commercial Retail) and PUD - Residential (Planned Unit Development).

APPLICANT: George Terrell Beasley

OWNER(S): George Terrell Beasley

LAND AREA: 57.50 acres

PARCEL TAX MAP #s: 107 000005 000

COUNCIL DISTRICT: 5 (Chance) – (Projected)



PROPOSAL:

The applicant is requesting annexation and rezoning of the subject property from R40 (Single Family Residential – Bulloch County) to CR (Commercial Retail) and PUD – Residential (Planned Unit Development) in the City of Statesboro. The subject property is a vacant 57.50 acre site located on Cawana Road abutting the S&S Greenway Trail and is contiguous to the existing municipal limits. (See **Exhibit A – Location Map**) The applicant has no immediate plans to develop the property.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R40 & R25 (Single Family Residential – Bulloch County)	Undeveloped
SOUTH:	R40 (Single Family Residential – Bulloch County), R15 (Single Family Residential), R4 (High Density Residential)	Single Family Home and Undeveloped
EAST:	R40 & R25 (Single Family Residential – Bulloch County)	Undeveloped
WEST	R20 (Single Family Residential)	Bypass and Undeveloped

The subject parcel's property lines are split by Cawana Road and surrounded by property that is zoned for single family and commercial uses located in both Bulloch County and City of Statesboro. Actual uses range from single family homes to undeveloped with Sallie Zetterower elementary school located to the extreme southeast of the Cawana Road inside the municipal limits. The abutting properties to the east are being considered simultaneously to this request for annexation.

COMPREHENSIVE PLAN:

The subject site lies within the “Proposed Annexation” area as identified by the City of Statesboro Future Development Map.

The subject site lies within the “Developing” character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. The “Developing” character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development.

Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master-planned to include mixed-uses wherever appropriate.
- Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
- There should be strong connectivity and continuity between each subdivision.
- New Developments should provide recreational facilities and open space to meet the needs of their residents.
- Strong connectivity and continuity between each subdivision and within each; along with connectivity to the nearby trail, should be provided for.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

Additionally, the Plan identifies certain Issues and Opportunities as well as Quality Community Objectives that are applicable to this request, including:

- The provision of additional housing choices than those that are currently available in either the City or the County;
- The provision and dedication of open space in new developments to ensure access to green space for new residents;
- The provision of innovative approaches to new housing options.

Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

TRANSPORTATION:

The subject property currently takes access from Cawana Road which is considered an urban collector - a roadway which provides traffic circulation within residential neighborhoods, commercial, and industrial areas according to the Georgia Department of Transportation. There are no traffic counts for this area. Although a review of the *Bulloch County/Statesboro 2035 Long Range Transportation Plan (LRTP)* suggests no expected capacity deficiencies or roadway improvements on Cawana Road, staff is involved in long range transportation planning for this area. Each parcel along the Bypass, such as this one, is recommended to be interconnected as the parcels develop to mitigate extra traffic onto Cawana Road should access ever be granted from the Bypass – which is being requested from the Georgia Department of Transportation. The 52.5 acres of proposed residential zoning should be planned for interconnected and appropriate transportation infrastructure during the subdivision and development phases.

Finally, O.C.G.A 36-36-7(c) provides that a municipality annexing land assumes ownership and control of a County road right-of-way only where it annexes on both sides of the road – unless agreed otherwise by both jurisdictions. Unless City Council is otherwise inclined to negotiate with County officials, the segment of Cawana Road fronting the subject property will become the City of Statesboro’s jurisdiction given the split of the property by the Cawana Road right of way.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property does not currently have complete access to City of Statesboro utilities. Water services are currently available and sewer services are proposed to be extended to this area in the near future. Other services such as sanitation and public safety services will be extended upon approval of this request.

ENVIRONMENTAL:

The subject property does not appear to be located within wetlands areas or special flood areas. Any potential issues will be addressed during standard permitting processes and reviews.

ANALYSIS:

The applicant is requesting to annex a 57.50 acre contiguous undeveloped site lying on Cawana Road, the Veterans Memorial bypass, and S&S Greenway Trail. Section 2207 of the *Statesboro Zoning Ordinance* states that new areas being annexed into the City shall be considered to be in the R40 (Single Family Residential) district unless otherwise classified; thus, the applicant is requesting to zone the subject property CR (Commercial Retail) and PUD – Residential (Planned Unit Development) with single family attached; attached single family high density residential; and medium density family requested zoning. Applicant has requested that the 52.5 acres of property requested for residential development be zoned 20% for single family units; 30% for duplex development; and 50% for quads. Applicant has also requested that the five (5) acres of property adjacent to the Veterans Memorial Parkway be zoned for Commercial Retail (CR) usage.

Ultimately, the request to annex the subject property as well as consideration of the proposed CR (Commercial Retail) and PUD – Residential (Planned Unit Development) zoning designation should be considered in light of 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*. Both documents provide information that indicates that the applicant's request to annex and zone the subject property at CR (Commercial Retail) adjacent to the bypass and the residential along the S&S Railroad Bed is consistent with the vision and land use policies adopted by the City of Statesboro given that this area is a proposed annexation area located in the developing character area which encourages master planned development with strong connectivity between subdivisions.

Assuming approval of this annexation, staff will prepare the necessary updates to the City of Statesboro Comprehensive Plan; future land use map; and City boundary maps.

STAFF RECOMMENDATION:

Staff recommends **approval** of the requested annexation with CR (Commercial Retail) and PUD – Residential (Planned Unit Development) zoning designation requested by AN 13-03-07 with the following conditions:

1. The five (5) acres property adjacent to the Parkway shall be annexed and zoned Commercial Retail (CR).
2. The five (5) acres adjacent to the Parkway must provide interconnectivity with abutting CR zoned parcels at time of development.
3. The approximate fifty five acres (55) acres of property along Cawana Road and the S&S Railroad Bed Road shall be annexed into the City of Statesboro and zoned as follows:
 - a. Twenty (20%) of the property acreage (approximately 10.5 acres), specifically the acreage along the Cawana Road frontage shall be zoned R4 – High Density Residential with allowable uses for single family residential, medium density family, or attached high density single family residential development to include townhomes, row homes, apartments, or duplexes. This zoning district shall be developed in conformance with the developmental standards articulated in the R4 Zoning District for the City of Statesboro Zoning Ordinance.
 - b. Twenty percent (20%) of the property acreage (approximately 10.5 acres) shall be zoned R3 for medium density residential development, to include allowable uses of attached or detached single family or two family development including detached single family homes, attached single family or duplexes. This zoning designation shall be developed in conformance with the developmental standards articulated in the R3 Zoning District for the City of Statesboro Zoning Ordinance.
 - c. Fifty percent (50%) of the property (approximately 27.5 acres) shall be zoned R 10 – Single Family Detached Residential with 10,000 square feet minimum lot sizes with allowable uses restricted to detached single family residential uses. This zoning designation shall be along the boundary lines with the Board of Education and Bradford Place residential subdivision and shall be developed in conformance with the developmental standards articulated in the R10 Zoning District for the City of Statesboro Zoning Ordinance.
 - d. Two percent (2%) of the property (approximately 1 acre) shall be reserved for open green space and dedicated to shared community utilization, but shall be maintained by the developer.
4. Dedication of necessary easements and right of ways for utilities and the placement of a City of Statesboro sewer pump station prior to approval of subdivision plats.
5. Transportation infrastructure planning and development to City of Statesboro standards and to the satisfaction of the COS Engineer. Such planning shall be designed and approved at subdivision platting

stages and shall be based on approved City of Statesboro standards, specifications, and long range planning.

6. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 3-0 to recommend approval of the annexation and PUD – Residential (Planned Unit Development) zoning designation requested by application AN 13-03-07 with the following staff recommended conditions and an additional condition:

1. The five (5) acres of property adjacent to the Parkway shall be annexed and zoned Commercial Retail (CR).
2. The five (5) acres of property adjacent to the Parkway must provide interconnectivity with abutting CR zoned parcels at time of development.
3. The approximate fifty five acres (55) acres of property along Cawana Road and the S&S Railroad Bed Road shall be annexed into the City of Statesboro and zoned as follows:
 - a. Twenty (20%) of the property acreage (approximately 10.5 acres), specifically the acreage along the Cawana Road frontage shall be zoned R4 – High Density Residential with allowable uses for single family residential, medium density family, or attached high density single family residential development to include townhomes, row homes, apartments, or duplexes. This zoning district shall be developed in conformance with the developmental standards articulated in the R4 Zoning District for the City of Statesboro Zoning Ordinance.
 - b. Twenty percent (20%) of the property acreage (approximately 10.5 acres) shall be zoned R3 for medium density residential development, to include allowable uses of attached or detached single family or two family development including detached single family homes, attached single family or duplexes. This zoning designation shall be developed in conformance with the developmental standards articulated in the R3 Zoning District for the City of Statesboro Zoning Ordinance.
 - c. Fifty percent (50%) of the property (approximately 27.5 acres) shall be zoned R 10 – Single Family Detached Residential with 10,000 square feet minimum lot sizes with allowable uses restricted to detached single family residential uses. This zoning designation shall be along the boundary lines with the Board of Education and Bradford Place residential subdivision and shall be developed in conformance with the developmental standards articulated in the R10 Zoning District for the City of Statesboro Zoning Ordinance.
 - d. Two percent (2%) of the property (approximately 1 acre) shall be reserved for open green space and dedicated to shared community utilization, but shall be maintained by the developer.
4. Dedication of necessary easements and right of ways for utilities and the placement of a City of Statesboro sewer pump station prior to approval of subdivision plats.
5. Transportation infrastructure planning and development to City of Statesboro standards and to the satisfaction of the COS Engineer. Such planning shall be designed and approved at subdivision platting stages and shall be based on approved City of Statesboro standards, specifications, and long range planning.
6. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.
7. Dedication of necessary property as needed for right of way along Cawana Road.

EXHIBIT A: LOCATION MAP

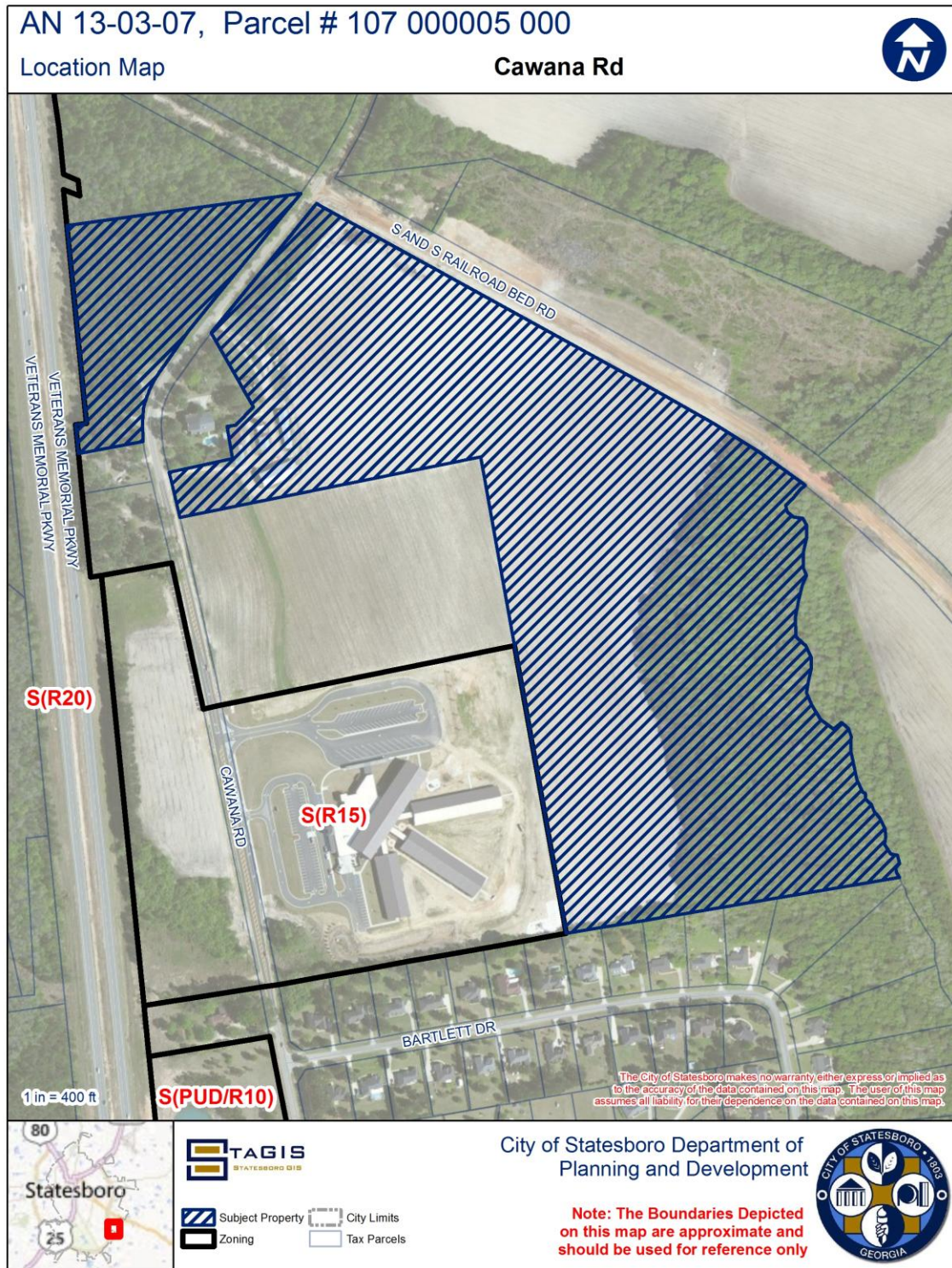


EXHIBIT B: ADJACENT BEASLEY PROPERTIES BEING CONSIDERED FOR ANNEXATION.



EXHIBIT C: PHOTOS OF THE SUBJECT SITE.



Figure 1: Subject Site along the S&S Greenway Trail.



Figure 2: Subject Site across Cawana Road (abutting the Bypass).

ORDINANCE # 2013- 15:
AN ORDINANCE TO ANNEX PROPERTY
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from the City of Statesboro, who is the owner of 100 percent of the property to be annexed; and

WHEREAS, pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated, in order to annex property, to provide an effective date, and other provisions, the Mayor and City Council must approve an ordinance for annexation;

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

Section 1. All that certain tract or parcel of land, lying, situate and being in the 1209th G. M. District of Bulloch County, Georgia, designated as Tract 12, containing 60.92 acres, as shown on that certain plat of survey prepared for the G. Terrell Beasley Estate by James M. Anderson, Georgia Registered Land Surveyor, dated December 14, 2005, recorded in Plat Book 63, Page 35, Bulloch County Records. Said tract is bound, according to said survey, now or formerly as follows: North and East by the right-of-way of County Road #341 a/k/a S & S Railroad Bed Road; South by Tract 10 of said survey; and West by lands of G. Terrell Beasley Estate, Bradford Place Subdivision and George Terrell Beasley, Jr. et al. The aforesaid plat and the description thereon are hereby incorporated for all purposes of this description.

Section 2. This ordinance shall become effective on August 1, 2013.

Section 3. The Director of Planning & Community Development of the City of Statesboro is instructed to send a report that includes certified copies of this ordinance, the name of the county in which the property being annexed is located and a letter from the City stating the intent to add the annexed area to the Census maps during the next survey and stating that the survey map will be completed and returned to the United States Census Bureau, Georgia Department of Community Affairs, and to the governing authority of Bulloch County, Georgia within thirty (30) days after the effective date of the annexation as set forth in Section 2.

Section 4. On the effective date of the annexation, this property shall be placed in Council District Five (5) of the City of Statesboro.

Section 5. This property shall be zoned and located within the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council to be held on July 16, 2013, subsequent to a public hearing regarding the zoning of said property.

Passed and adopted on two separate readings:

First Reading: July 2, 2013

Second Reading: August 20, 2013

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

Joe R. Brannen, Mayor

Attest: Sue Starling, City Clerk



City of Statesboro – Department of Community Development DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

AN 13-03-08 S&S RAILROAD BED ROAD / JOSH HAGIN ROAD ANNEXATION REQUEST

LOCATION: Josh Hagin Road

REQUEST: Annexation by the 100% method and zoning change from R40 (Single Family Residential - Bulloch County) District to R8 & R10 (Single Family Residential).

APPLICANT: Walter Ray Beasley

OWNER(S): Walter Ray Beasley

LAND AREA: 60.92 acres

PARCEL TAX MAP #s: 107 000009 000

COUNCIL DISTRICT: 5 (Chance) – (Projected)



PROPOSAL:

The applicant is requesting annexation and rezoning of the subject property from R40 (Single Family Residential – Bulloch County) to R8 & R10 (Single Family Residential) in the City of Statesboro. The subject property is an undeveloped 60.92 acre site located on Josh Hagin Road fronting the S&S Greenway Trail. This property is being considered for annexation and zoning along with contiguous properties – which would result with this property being contiguous to the existing City of Statesboro municipal limits. (See **Exhibit A – Location Map**)

The applicant has no immediate plans to develop the property.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R40 & R25 (Single Family Residential – Bulloch County)	Undeveloped
SOUTH:	R40 (Single Family Residential – Bulloch County)	Single Family Homes and Undeveloped
EAST:	R40 & R25 (Single Family Residential – Bulloch County)	Undeveloped
WEST	R20 (Single Family Residential)	Undeveloped (Being considered in AN 13-03-07 at CR and PUD – Residential district)

The subject parcel's property lines are surrounded by property that is zoned for single family uses located in both Bulloch County and City of Statesboro. Actual uses range from single family homes to undeveloped with Bradford Place (residential) Subdivision being located to the southwest located in Bulloch County. The abutting properties to the east and west are being considered simultaneously to this request for annexation.

COMPREHENSIVE PLAN:

The subject site lies within the “Proposed Annexation” area as identified by the City of Statesboro Future Development Map.

The subject site lies within the “Developing” character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. The “Developing” character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development.

Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master-planned to include mixed-uses wherever appropriate.
- Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
- There should be strong connectivity and continuity between each subdivision.
- New Developments should provide recreational facilities and open space to meet the needs of their residents.
- Strong connectivity and continuity between each subdivision and within each; along with connectivity to the nearby trail, should be provided for.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

Additionally, the Plan identifies certain Issues and Opportunities as well as Quality Community Objectives that are applicable to this request, including:

- The provision of additional housing choices than those that are currently available in either the City or the County;
- The provision and dedication of open space in new developments to ensure access to green space for new residents;
- The provision of innovative approaches to new housing options.

Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

TRANSPORTATION:

The subject site takes like access from the S&S Railroad Bed Road. Transportation networks to and within the site should be developed and designed prior to developmental approval of the site. Such networks should be designed for appropriate volumes, capacities, and uses and interconnected with the surrounding properties that are being considered for annexation along with this parcel.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property does not currently have complete access to City of Statesboro utilities. Both water and sewer main service lines are proposed to be extended to this area in the near future – with individual services and extensions to be provided by the developer. Other services such as sanitation and public safety services will be extended upon approval of this request.

ENVIRONMENTAL:

The subject property appears to be partially located within wetlands areas and special flood areas. No negative impact is expected by this request. Any potential issues will be addressed during standard permitting processes and reviews.

ANALYSIS:

The applicant is requesting to annex a 60.92 acre undeveloped site lying on S&S Greenway Trail. This property will be contiguous to the municipal limits pending approval of adjacent Beasley Property (Case AN 13-03-07). Section 2207 of the *Statesboro Zoning Ordinance* states that new areas being annexed into the City shall be considered to be in the R40 (Single Family Residential) district with 40,000 square foot minimum lot sizes unless otherwise classified; thus, the applicant is requesting to zone the subject property R8 & R10 (Single Family Residential) with 8,000 and 10,000 square foot minimum lot sizes. The applicant has no future development plans at this time.

Ultimately, the request to annex the subject property as well as consideration of the R8 and R10 (Single Family Residential) zoning designations should be considered in light of 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*. Both documents provide information that indicates that the applicant's request to annex and zone the subject property at R8 & R10 zoning designations is consistent with the vision and land use policies adopted with the recognition that this area is a proposed annexation area located in the developing character area which encourages master planned development and single family homes.

Assuming approval of this annexation, staff will prepare the necessary updates to the City of Statesboro Comprehensive Plan; future land use map; City boundary maps, and other necessary addendums.

STAFF RECOMMENDATION:

Staff recommends **approval** of the requested annexation with R8 & R10 (Single Family Residential) zoning designations requested by AN 13-03-08 with the following conditions:

1. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R10 – Single Family Residential – with 10,000 square feet minimum lot sizes.
2. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R 8 – Single Family Residential – with 8,000 square feet minimum lot sizes.
3. The R10 zone shall be designated along the property's border with the S&S Greenway Trail and the boundary with the adjacent Bradford Place residential subdivision.
4. Two percent (2%) of the property acreage (approximately 1.22 acres) shall be reserved for green open space for community use, but shall be privately maintained by the owner, developer, or appropriate association.
5. Transportation infrastructure planning and design for the property shall be designed and approved at subdivision platting stages and shall be based on approved City of Statesboro standards, specifications, and long range planning needs with approval from the City of Statesboro Engineer.
6. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 3-0 to recommend approval of annexation and R8 & R10 (Single Family Residential) zoning designations requested by AN 13-03-08 with the following conditions:

1. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R10 – Single Family Residential – with 10,000 square feet minimum lot sizes.
2. Forty nine percent (49%) of the property acreage (approximately 29.85 acres) shall be zoned R 8 – Single Family Residential – with 8,000 square feet minimum lot sizes.
3. The R10 zone shall be designated along the property's border with the S&S Greenway Trail and the boundary with the adjacent Bradford Place residential subdivision.
4. Two percent (2%) of the property acreage (approximately 29.85 acres) shall be reserved for green open space for community use, but shall be privately maintained by the owner, developer, or appropriate association.
5. Transportation infrastructure planning and development to City of Statesboro standards and to the satisfaction of the COS Engineer. Such planning shall be designed and approved at subdivision platting stages and shall be based on approved City of Statesboro standards, specifications, and long range planning.
6. Subdivision, design, and development of the property shall be in conformance specifically with the requirements of the Statesboro Subdivision Regulations and all other developmental standards of the City of Statesboro.

EXHIBIT A: LOCATION MAP

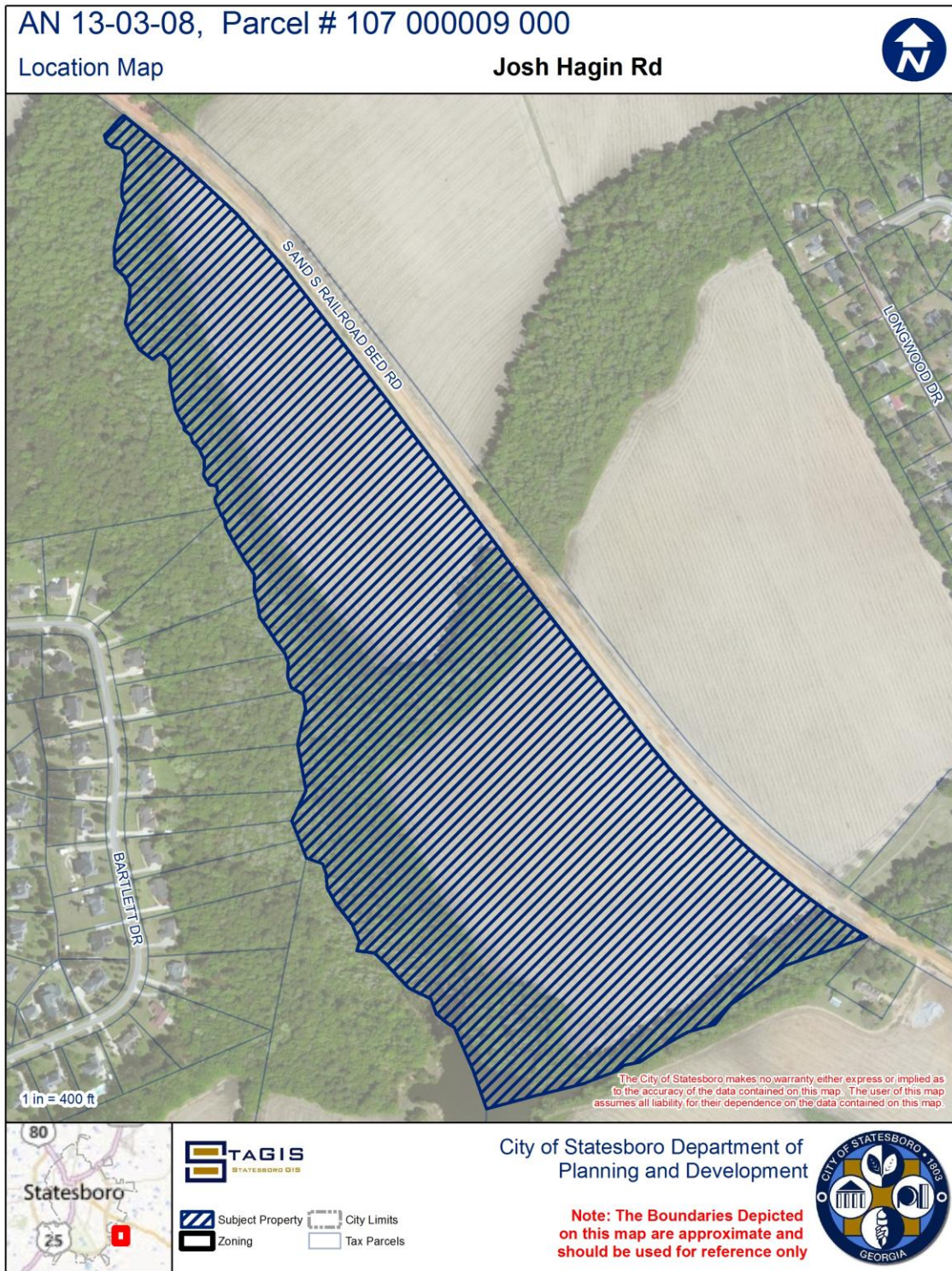


EXHIBIT B: ADJACENT BEASLEY PROPERTIES BEING CONSIDERED FOR ANNEXATION.



EXHIBIT C: PHOTOS OF THE SUBJECT SITE.



Figure 1: Subject Site along the S&S Greenway Trail.



Figure 2: Property across S&S Greenway Trail from Subject Site.

CITY OF STATESBORO
P O BOX 348
STATESBORO, GEORGIA 30459
Telephone (912) 764-5468 Fax (912) 764-4691

APPLICATION FOR AN OUTDOOR EVENT PERMIT
45 DAY NOTICE IS REQUIRED BEFORE THE EVENT

APPLICATION FEE (NONREFUNDABLE) - \$25.00
LICENSE FEE - \$5000.00

DATE OF APPLICATION 8/14/13

DATE OF EVENT 9-6-13

TIME OF EVENT 5 PM

LOCATION OF EVENT 106 Savannah Ave

TYPE OF EVENT (DETAILED DESCRIPTION) First Friday,
Taste of Statesboro

PRODUCTS TO BE SERVED: X BEER WINE LIQUOR

ARE FLYERS BEING DISTRIBUTED? YES X NO
IF YES ATTACH TO APPLICATION.

DESCRIPTION OF THE AREA, INCLUDING THE SIZE AND THE MAXIMUM
NUMBER OF PERSONS FOR SUCH AREA Parking lot in front
of Eagle Creek Brewing Co & Sugar Magnolia Bakery

DESCRIPTION OF THE METHOD AND STRUCTURES THAT WILL BE USED
TO SECURE AND SEPARATE SUCH AREA FROM OTHER PUBLIC AREAS
Downtown Development Authority will block
off parking lot & alcohol will be held to a
restricted area. For First Friday Event.

ATTACH AN 8 ½ x 11 INCH MAP IN ACCORDANCE WITH SEC. 6-56 (b)(4) OF THE CITY OF STATESBORO ALCOHOL ORDINANCE.

NAME OF APPLICANT Jennifer Kennedy, DBA Gaslight Events
APPLICANT'S ADDRESS 106 Sav. Ave Suite E, Statesboro
APPLICANT'S PHONE NUMBER 912 - 687 - 1452

PLEASE INITIAL EACH STATEMENT:
APPLICANT IS REQUIRED TO ATTEND THE COUNCIL MEETING.

JK

I HAVE RECEIVED A COPY OF THE ALCOHOL ORDINANCE.

JK

I WILL ABIDE BY THE CITY OF STATESBORO ALCOHOL ORDINANCE.

JK

I WILL PROVIDE, AT MY OWN EXPENSE, A SUFFICIENT NUMBER OF SECURITY PERSONNEL AT ANY OUTDOOR EVENT DETERMINED BY THE DIRECTOR OF PUBLIC SAFETY OR HIS DESIGNEE.

JK

I WILL PROVIDE TEMPORARY OUTDOOR TOILET FACILITIES DETERMINED BY THE DIRECTOR OF PUBLIC SAFETY OR HIS DESIGNEE.

JK

Jennifer Kennedy
SIGNATURE OF APPLICANT

8/14/13
DATE


OFFICE USE:

DATE OF COUNCIL MEETING _____

DATE APPROVED BY MAYOR AND CITY COUNCIL _____



MEMORANDUM

To: Frank Parker, City Manager
From: Robert Cheshire, P.E., City Engineer 
Re: Request to change of custodian position from part-time to full time
Date: August 12, 2013

As you are aware, upcoming changes in federal regulations are going to require that the City provide benefits for any employee who averages working more than 29 hours per week. We currently have two (2) part-time custodians in the Government Buildings Division that maintain 6 city buildings, including one facility that operates 24/7. One of the custodians works 29 hours per week, however, because of the work load, the other custodian typically must work 36-38 hours per week.

We basically have two (2) options to be in compliance with the new federal regulations. We can either reduce the number of hours the two custodians work to ensure they are both at, or below 29 hours per week, or we can offer the custodian that typically works 36-38 hours per week full time status with full benefits.

It is already very difficult to cover the upkeep of 6 buildings with only two part-time custodians, but as you can imagine, it becomes even more difficult to cover everything when one of the two is off for vacation or sick leave. During those times, I don't feel like the level of service we are able to provide is adequate.

So in order to meet the new federal regulations, but at the same time, continue to satisfy the custodial needs of the City, I respectfully request that we change one of the two custodial positions from part-time to full-time status.

Cc: Jeff Grant, Human Resources Director
Chip Godbee, Building Official



Scott P. Brunson
Police Major

Statesboro Police Department

25 West Grady Street
Statesboro, Georgia 30458
Phone: (912) 764-9911 / Fax: (912) 489-5050



Wendell Turner
Public Safety Director

To: Mayor and Council
City Manager

From: Wendell Turner

Date: 08/14/2013

Ref: Police Pursuit Vehicles

It is that time again that PD purchase new police vehicles for the department. This FY14 the PD has \$350,000 budgeted out of the 2007 SPLOST dollars. We are one of the few departments that have 07 SPLOST dollars still available. Over the last 4-5 year period we have begun to standardize our fleet to Dodge Chargers in an effort to lower maintenance costs and take full advantage of the low per unit cost offered from State Contract pricing. The City Shop was consulted on this some years ago as well and are in agreement that a standard fleet will help them with more consistent serviceability, better inventory procedures and costs associated with such (bulk orders equals better pricing normally), and interchangeable parts to mention a few. We are also in the process of building up a surplus of off-line vehicles that will serve as a parts inventory for maintenance of the fleet in the event of an accident or vehicle parts can be used when needed. This has proven to be a big cost savings to the City.

On this agenda I have asked for the approval to not exceed the budgeted \$350,000 for purchase and up fit of police vehicles. I am gathering prices for equipment and up fit so I do not have a hard number of vehicles to be purchased. I believe we should be at 8-9 Patrol Vehicles once all the cost estimates are obtained. This purchase will be off State Contract pricing # SWC90796 for the Dodge Charger Patrol Vehicle at a per unit price of \$22,860 (this price includes all up costs from State contract such as cutting the rear door lock off to be inoperable, vinyl flooring/seating). Should you have any questions please contact me by cell at 531-2815 or email at wendell.turner@statesboroga.gov.

Resolution 2013-29: A RESOLUTION ACCEPTING RIGHT OF WAY OF ASPEN HEIGHTS DRIVE
AS A PUBLIC STREET TO BE OWNED AND MAINTAINED BY THE CITY OF STATESBORO,
GEORGIA.

WHEREAS, Breckinridge Group Statesboro Georgia, LLC is the owner of one street segment known as Aspen Heights Drive, and wishes to convey said street to the City of Statesboro; and

WHEREAS, with the planned growth of the surrounding area, the City believes it is in the best interest of the public for those roads to be public streets, owned and maintained by the City;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Statesboro, Georgia, in regular session assembled this _____ day of _____, 2013, as follows:

Section 1. That Aspen Heights Drive is hereby formally accepted by dedication to the City of Statesboro as a public street and rights of way to be owned and maintained by the City of Statesboro.

Section 2. That this Resolution authorize and direct the Mayor of the City of Statesboro, Georgia to accept the dedication of the following described property by virtue of a right of way deed.

Section 3. All of that certain tract or parcel of land situate, lying and being in the 1209th G. M. District of Bulloch County, Georgia, and in the City of Statesboro, being that certain 80' right-of-way of Aspen Heights Drive, containing 2.059 acres, more or less, as more particularly shown on a plat prepared by Tom Lewis, Georgia Registered Land Surveyor, dated August 14, 2013, and recorded in Plat Book _____, Page _____, Bulloch County records.

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

Section 4. That this Resolution shall be and remain in full force and effect from and after its date of adoption.

Passed and adopted this _____ day of _____, 2013.

THE CITY OF STATESBORO, GEORGIA.

By: _____

Mr. Joe R. Brannen, Mayor

Attest: _____

Ms. Sue Starling, City Clerk

Request for Street Dedication

The undersigned owner(s)/developer(s)/authorized agent(s) to dedicate to the City of Statesboro the STREET described below:

Street Name: ASPEN HEIGHTS DRIVE

Starting at Point: GA HIGHWAY 67, STA 10+00, N 874053.90, E 781781.13

Ending at Point: STA 21+78.60, N 874478.76, E 782866.84

Length (in feet): 1,178.60'

Width of Right-of-Way (in feet): 80'

Name of Subdivision: ASPEN HEIGHTS

Plate Book Number and Page Number (for final subdivision plat):

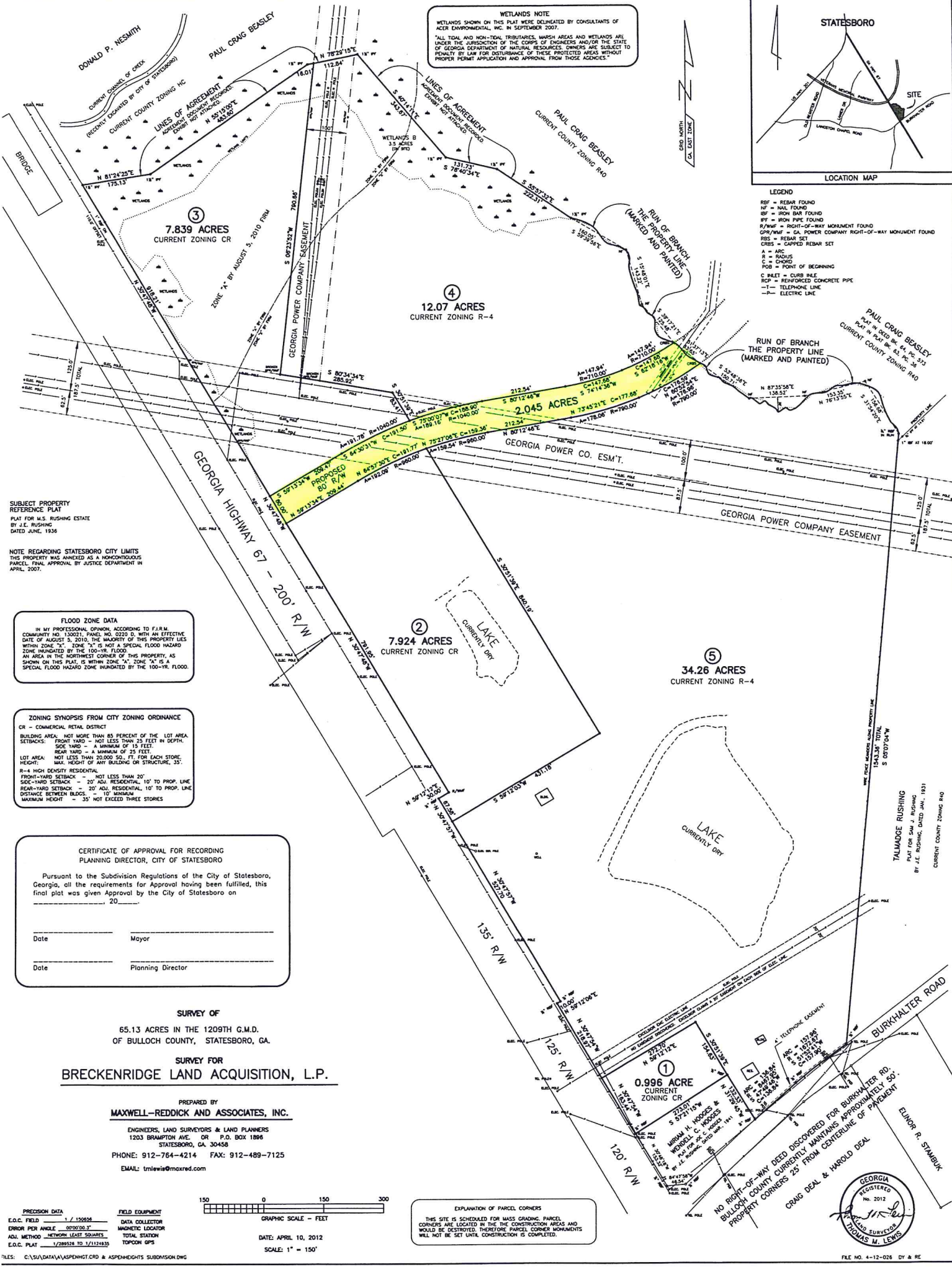
I fully understand and agree that the street described above becomes a City maintained street only after the City approves my dedication request and declares to accept it as part of the City street system.

Thomas C O'Bar

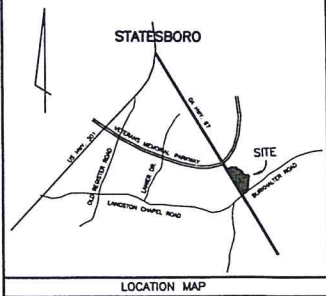
Owner/Developer/Authorized Agent

8/13/2013

Date



WETLANDS NOTE
WETLANDS SHOWN ON THIS PLAT WERE DELINEATED BY CONSULTANTS OF ACER ENVIRONMENTAL, INC. IN SEPTEMBER 2007.
"ALL TIDAL AND NON-TIDAL TRIBUTARIES, MARSH AREAS AND WETLANDS ARE UNDER THE JURISDICTION OF THE CORPS OF ENGINEERS AND/OR THE STATE OF GEORGIA DEPARTMENT OF NATURAL RESOURCES. OWNERS ARE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE OF THESE PROTECTED AREAS WITHOUT PROPER PERMIT APPLICATION AND APPROVAL FROM THOSE AGENCIES."



LEGEND
RFB = REBAR FOUND
IF = IRON FOUND
RFB = IRON PIPE FOUND
R/W = RIGHT-OF-WAY MONUMENT FOUND
GPR/W = GA. POWER COMPANY RIGHT-OF-WAY MONUMENT FOUND
RFB = REBAR SET
CRBS = CAPPED REBAR SET
A = ARC
R = RADIIUS
C = CHORD
P = POINT OF BEGINNING
C INLET = CURB INLET
RCP = REINFORCED CONCRETE PIPE
T = TELEPHONE LINE
E = ELECTRIC LINE

SUBJECT PROPERTY
REFERENCE PLAT
PLAT FOR M.S. RUSHING ESTATE
BY J.E. RUSHING
DATED JUNE, 1936

NOTE REGARDING STATESBORO CITY LIMITS
THIS PROPERTY WAS ANNEXED AS A NONCONTIGUOUS PARCEL, FINAL APPROVAL BY JUSTICE DEPARTMENT IN APRIL, 2007.

FLOOD ZONE DATA
IN MY PROFESSIONAL OPINION, ACCORDING TO F.R.W. COMMUNITY NO. 130021, PANEL NO. 0222 D, WITH AN EFFECTIVE DATE OF AUGUST 5, 2010, THE MAJORITY OF THIS PROPERTY LIES WITHIN ZONE "X". ZONE "X" IS NOT A SPECIAL FLOOD HAZARD ZONE INUNDATED BY THE 100-YR. FLOOD.
AN AREA IN THE NORTHWEST CORNER OF THIS PROPERTY, AS SHOWN ON THIS PLAT, IS WITHIN ZONE "A". ZONE "A" IS A SPECIAL FLOOD HAZARD ZONE INUNDATED BY THE 100-YR. FLOOD.

ZONING SYNOPSIS FROM CITY ZONING ORDINANCE
CR - COMMERCIAL, RETAIL DISTRICT
BUILDING AREA - NOT MORE THAN 85 PERCENT OF THE LOT AREA.
SETBACKS:
FRONT YARD - NOT LESS THAN 25 FEET IN DEPTH.
SIDE YARD - A MINIMUM OF 15 FEET.
REAR YARD - A MINIMUM OF 25 FEET.
LOT AREA - NOT LESS THAN 20,000 SQ. FT. FOR EACH STORE.
HEIGHT - MAX. HEIGHT OF ANY BUILDING OR STRUCTURE, 35'.
R-4 HIGH DENSITY RESIDENTIAL
FRONT-YARD SETBACK - NOT LESS THAN 20'.
SIDE-YARD SETBACK - 20' ADJ. RESIDENTIAL, 10' TO PROP. LINE.
REAR-YARD SETBACK - 20' ADJ. RESIDENTIAL, 10' TO PROP. LINE.
DISTANCE BETWEEN BUILDINGS - 10' MINIMUM.
MAXIMUM HEIGHT - 35' NOT EXCEED THREE STORIES.

CERTIFICATE OF APPROVAL FOR RECORDING
PLANNING DIRECTOR, CITY OF STATESBORO
Pursuant to the Subdivision Regulations of the City of Statesboro, Georgia, all the requirements for Approval having been fulfilled, this final plat was given Approval by the City of Statesboro on _____ 20____.
Date _____ Mayor _____
Date _____ Planning Director _____

SURVEY OF
65.13 ACRES IN THE 1209TH G.M.D.
OF BULLOCH COUNTY, STATESBORO, GA.
SURVEY FOR
BRECKENRIDGE LAND ACQUISITION, L.P.

PREPARED BY
MAXWELL-REDDICK AND ASSOCIATES, INC.
ENGINEERS, LAND SURVEYORS & LAND PLANNERS
1203 BRAMPTON AVE. OR P.O. BOX 1096
STATESBORO, GA. 30458
PHONE: 912-764-4214 FAX: 912-489-7125
EMAIL: trmlaw@maxred.com

PRECISION DATA
E.O.C. FIELD 1 / 150638
ERROR PER ANGLE 0.000003"
ADJ. METHOD - NETWORK LEAST SQUARES
E.O.C. PLAT 1/289528 TO 1/112433

FIELD EQUIPMENT
DATA COLLECTOR
MAGNETIC LOCATOR
TOTAL STATION
TOPCON GPS

GRAPHIC SCALE - FEET
DATE: APRIL 10, 2012
SCALE: 1" = 150'

EXPLANATION OF PARCEL CORNERS
THIS SITE IS SCHEDULED FOR MASS GRADING. PARCEL CORNERS ARE LOCATED IN THE CONSTRUCTION AREAS AND WOULD BE DESTROYED. THEREFORE, PARCEL CORNER MONUMENTS WILL NOT BE SET UNTIL CONSTRUCTION IS COMPLETED.

NO RIGHT-OF-WAY DEED DISCOVERED FOR BURKHOLDER RD.
BULLOCH COUNTY CURRENTLY MAINTAINS APPROXIMATELY 50' PROPERTY CORNERS 25' FROM CENTERLINE OF PAVEMENT
CRAG DEAL & HAROLD DEAL
ELNOR R. STANBOK
GEORGIA REGISTERED No. 1012
LAND SURVEYOR
THOMAS M. LEWIS

RESOLUTION 2013-28: Regarding Applications RZ 13-04-02, RZ 13-04-03, RZ 13-04-04 to Amend the Zoning Map of the City of Statesboro.

THAT WHEREAS, Section 2000 et. seq. of the Code of Ordinances of the City of Statesboro outline the procedure for amending the Zoning Map of the City of Statesboro;

WHEREAS, the above applications were made to rezone parcels of property located at 104 Catherine Avenue, 300 Catherine Avenue, and Herty Drive from R-15 (Single Family Residential) to CR (Commercial Retail);

WHEREAS, a public hearing was held on this matter on July 16, 2013 and August 6, 2013 during the regular meeting of the Mayor and City Council;

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

Section 1: Section 2007 of the Code of Ordinances of the City of Statesboro provides the standards by which we determine whether to amend the Zoning Map. Taking each of these criteria, we find for each application as follows:

I. The existing uses and zoning of nearby property is overwhelming R-15 Residential.

Each parcel is surrounded by similarly zoned single family residences and Georgia Southern University. This area is a contiguous single-family residential zone which extends to the bypass. All parcels abutting Fair Road opposite the University from Gentilly Road until Pitt Moore Road are zoned R-15. All parcels abutting Herty Drive are zoned R-15. Every parcel of property within the triangle comprised of Gentilly Road, Pitt Moore Road, and Fair Road is zoned R-15. Rezoning the subject parcels to commercial retail would single out a few adjoined parcels for a use and classification totally different from the surrounding area.

The Wesley Foundation is adjacent to the property and operates as a church which is a permitted use in R-15. Pittman Park United Methodist Church is in the same zoning posture.

II. The property values are not significantly diminished by the particular zoning restrictions.

While there is almost always an economic loss in comparing a property's value zoned residential to its value if zoned commercial, in comparing each parcel to other similarly situated properties that are zoned identically we do not find that the value of these parcels are significantly diminished. As shown on attached Exhibit A multiple similarly situated parcels in the neighborhood have recently sold for over \$100,000.00

Further, these parcels are in a residential neighborhood in direct proximity to a major university. A substantial number of homes in the neighborhood are held as investment properties to rent to students attending Georgia Southern University, and a substantial number of homes are owner occupied single family residential homes. The current zoning restriction allows the owners of each of these parcels to enjoy the benefits of a well-established neighborhood and a

robust student housing market. As such, the value of each parcel is not significantly diminished by the current zoning.

- III. The destruction of property values of the owners of each parcel promotes the health, safety, morals or general welfare of the public;

Each parcel would be more valuable as commercial property than as residential. That is almost always the case. The question here is whether the reduced value of each parcel promotes the health, safety, morals and general welfare of the public. We find that the reduced value does significantly promote the health, safety, morals and general welfare of the public.

The protection of the integrity of single-family residential neighborhoods within the City of Statesboro is a vital public interest. These parcels are in a neighborhood that has been zoned and/or utilized as a residential neighborhood for over 50 years. South of Pittman Park is a string of multiple, interconnected residential neighborhoods that form one of the single-family residential backbones of this City.

Because the Pittman Park area is near a “fringe area” as defined by the Georgia Supreme Court, we find that if the rezone of any or all of these parcels is allowed a domino effect is likely to occur and the integrity of all of the neighborhoods from Pittman Park to the by-pass will be affected. This domino effect is not mere speculation. Council for the applicants has indicated other nearby parcels are entering sales contracts where the sale of the property is conditioned on this body rezoning the contracted property from R-15 residential to commercial retail.

Moreover, notwithstanding the strong potential for a “domino effect”, we find that the incursion of commercial retail zoning into a residential neighborhood on the “fringe” of a commercial area by itself would damage the integrity of the Pittman Park neighborhood. This incursion into Pittman Park alone supports the ordinance. The proposed rezoning to commercial would inevitably result in the destruction of residences and the abandonment of a city street. Thus, this incursion would result in a new beachhead of commercialism into a “fringe” neighborhood and would unacceptably alter the character and integrity of the Pittman Park neighborhood.

To further illustrate how rezoning any or all of these parcels would harm the general welfare we also look to the Statesboro Comprehensive Plan. Rezoning any or all of these parcels to Commercial Retail would promote development that substantially deviates from the Statesboro Comprehensive Plan in ways that include, but are not limited to, the following:

- A. Allowing the rezone of these parcels fails to protect existing neighborhoods.

In regard to protecting existing neighborhoods the Comprehensive Plan states in relevant part:

Commercial encroachment into residential neighborhoods seems to be less of a current concern, but as Statesboro continues to grow, the potential for this conflict increases. Commercial, retail, and office uses can co-exist compatibly in

residential areas *if the design of the establishment is properly considered. The conversion of former homes to professional offices along Zettrower(sic) provides a model for how to accommodate nonresidential uses* as streets begin to carry more traffic and residential uses become less desirable. Whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character. [Emphasis Added] *Statesboro Comprehensive Plan, Community Agenda, Page 7*

Council finds that allowing these three parcels to be rezoned Commercial Retail will inevitably lead to the tearing down of residential homes within Pittman Park for the construction of commercial retail establishments. Tearing down homes in an established neighborhood for the construction of a commercial retail establishment stands in stark opposition to the model of the conversion of former homes to professional offices and the preservation of existing structures to protect the neighborhood and overall community character. Rezoning these three parcels promotes development that undermines both the commitment to and methods of protecting established neighborhoods outlined in the Statesboro Comprehensive Plan.

- B. Allowing the rezone of these parcels fails to protect the established character of the neighborhood.

These parcels lie within the “Established” character area as identified by the City of Statesboro Future Development Map within the City of Statesboro Comprehensive Plan. In regard to “Established” character areas, the Comprehensive Plan provides as follows:

Neighborhood redevelopment should promote a tight grid of small lot single family development which utilizes more efficient lot and block layouts. New structures should respect the existing architectural fabric of the neighborhood.
Statesboro Comprehensive Plan, Community Agenda, Page 14

Allowing these three parcels to rezone as Commercial Retail will promote development that is likely to create a large odd shaped lot from several small single family developments. This contradicts the policy of promoting a tight grid of small lot single family development in Established character areas. Further, it is impossible to see how the inevitable destruction of residential homes currently located on these parcels for the construction of a commercial retail establishment can respect the existing architectural fabric of a neighborhood of single family residential homes.

- C. Allowing the rezone of these parcels fails to protect the character of the Urban Corridor.

This property also lies adjacent to a section of Fair Road in the “Urban Corridor” area as identified by the City of Statesboro Future Development Map within the City of Statesboro Comprehensive Plan. In regard to “Urban Corridor” areas the Comprehensive Plan provides, in relevant part:

Infill and redevelopment along these corridors should occur according to a master plan that allows for mixed uses, transportation choices and urban design that mitigates the appearance of auto-dependence (such as screening parking lots or locating parking areas primarily to the sides and rear of buildings). *Statesboro Comprehensive Plan, Community Agenda, Page 25*

Encourage infill, new, and redevelopment to build close to the street. Build-to lines are typically more appropriate than setback lines. *Statesboro Comprehensive Plan, Community Agenda, Page 25*

Council finds that allowing these three parcels to be rezoned commercial retail will inevitably lead to heavier traffic flow into and out of the three parcels onto Fair Road thus aggravating the appearance of auto-dependence along this urban corridor. If, on the other hand, a commercial retail establishment is built close to the street with hidden parking to the side, the parking area would invade and further disrupt the residential integrity and nature of the neighborhood. The presence of a commercial retail establishment on these parcels is at odds with the appropriate development of an urban corridor.

For the above stated reasons, maintaining the current R-15 zoning promotes the general welfare by the protection of the integrity of existing and established neighborhoods as well as maintaining zoning which promotes development in conformance with the City of Statesboro Comprehensive Plan.

IV. The relative gain to the public outweighs the hardship imposed upon the individual property owner.

The relative gain to the public is the protection of the integrity of existing and established neighborhoods as well as maintaining zoning that promotes development in conformance with the City of Statesboro Comprehensive Plan.

Since the current zoning of these parcels allows the owners of the property to enjoy the benefits of a well-established neighborhood and a robust student housing market, the current zoning of these parcels does not place a substantial hardship on the owners unjustified by the substantial benefits enjoyed by the public by the current zoning.

V. The subject property is suitable for the zoned purposes;

Each and every one of these parcels is suitable for single-family residential development. The parcels are surrounded by similarly zoned single family residences and Georgia Southern University. This area is a contiguous single-family residential zone which extends to the bypass. All parcels abutting Fair Road opposite the University from Gentilly Road until Pitt Moore Road are zoned R-15. All parcels abutting Herty Drive are zoned R-15. Every parcel of property within the triangle comprised of Gentilly Road, Pitt Moore Road, and Fair Road is zoned R-15.

VI. Considered in the context of land development in the area in the vicinity of the property, the length of time any property has been vacant as zoned is not significant.

Each parcel is in a residential neighborhood in direct proximity to a major university. A substantial number of homes in the neighborhood are held as investment properties to rent to students attending Georgia Southern University, and a substantial number of homes are owner occupied single family residential homes. The current zoning restriction allows the owners of each parcel to enjoy the benefits of an established residential neighborhood as well as a robust student housing market.

If any of these properties are vacant for any substantial period we find that the cause of this is the owner's failure to maintain the property in a manner sufficiently appealing to college students in need of housing, or in the case of the undeveloped property, the owner's failure to develop the property in a manner consistent with the R-15 zoning, and not as a result of the R-15 zoning.

VII. The proposed change would significantly and negatively impact the living conditions in the area, traffic patterns and congestion, and be in derogation of current and future land use patterns.

Based on the common experience of traffic along Fair Road including the danger experienced by each member of this governing body of entering and crossing a five lane highway from the commercial developments along Fair Road between Pitt Moore Road and South Zetterower Avenue, we find that rezoning any or all of these parcels will add further traffic onto this road creating a harm to the general public in the form of additional traffic accidents and resulting injuries.

The governing body is well aware that these parcels that abut Highway 67 are adjacent to a crosswalk frequented by students attending Georgia Southern University. The Council finds that the commercial use of these parcels and resulting increased traffic would create an unnecessary and unacceptable risk to these pedestrians.

Also, we find that commercial development on these three parcels would create significant lighting to the disruption of the property surrounding these three parcels. The applicant did argue that the lighting that was intended for use in the anticipated convenience store on the parcels would use the latest technology to minimize the disruptions to the neighboring property. Due to the absence of commercial lighting in this residential neighborhood, we find that lighting sufficient for the operation of a commercial retail establishment on these parcels will, more likely than not, promote development that disrupts adjoining landowners quiet enjoyment of their property.

Further, we find that rezoning these parcels to commercial retail will promote development that, will more likely than not, further contribute to noise pollution suffered by the Pittman Park neighborhood through increased activity and traffic.

Other reasons for this conclusion are stated above in Paragraphs I, III, IV, and V and are adopted here as if fully stated here.

VIII. The proposed change is inconsistent with other governmental land use, transportation and development plans for the community.

Paragraph III above outlines how this proposed change is not consistent with other governmental land use, transportation and development plans for the community.

IIIX. Conclusion

We find that significant public interests are protected by maintaining the current R-15 zoning, and the owners of these parcels do not suffer a significant harm which is not substantially related to the public health, safety, morality and welfare because the current R-15 zoning continues to allow the owners the benefits of a robust student housing market while maintaining the character, integrity and property values of a well-established residential neighborhood. As such, the requests to amend the zoning map contained in Applications RZ 13-04-02, RZ 13-04-03, and RZ-13-04-04 are hereby DENIED.

Section 2: That this Resolution shall be and remain effective from and after its date of adoption.

Adopted this ____th day of ____, 2013

CITY OF STATESBORO, GEORGIA

By: Joe R. Brannen, Mayor

Attest: Sue Starling, City Clerk