



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

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Statesboro, Georgia 30458

Statesboro, Georgia 30459

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Statesboro Planning Commission
October 8, 2013
5:00 P.M.
City Hall Council Chamber

Meeting Agenda

- I. Call to Order**
- II. Motion to Approve Order of the Meeting Agenda**
- III. Approval of Minutes**
 - a. September 10, 2013 Meeting
- IV. New Business**
 - a. **APPLICATION # V 13-09-01**: Hendley Properties requests a variance from Article VII of the Statesboro Zoning Ordinance to increase the height and density regulations to develop an apartment house on the vacant lot located at the corner of East Grady Street and South Mulberry Street (Tax Parcel Number MS29000009000).
 - b. **APPLICATION # RZ 13-09-02**: TLM & B ENTERPRISES, LLC requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from the currently zoned O (Office) District to the CR (Commercial Retail) District for the property located at 226 South Zetterower Avenue (Tax Parcel Number S30000074000).
- V. Announcements**
- VI. Adjourn**

STATESBORO PLANNING COMMISSION

September 10, 2013

5:00 P.M.

City Hall Council Chambers

Meeting Minutes

Present: Planning Commission Members: Rick Barr, R. Jeremy Ragan, Holmes Ramsey, Jim Benton, Reverend Charles Lee, and Nick Propps. City of Statesboro Staff: Director of Planning and Development Mandi Cody and Development Project Manager Cindy Steinmann.

Absent: Planning Commission Member April Stafford

1. Call to Order

Commissioner Propps called meeting to order.

2. Welcome New Planning Commission Member, Rev. E. Charles Lee

Commissioner Propps introduced and welcomed Reverend E. Charles Lee to the Statesboro Planning Commission.

3. Approval of Meeting Agenda

Motion made by Commissioner Barr; second by Commissioner Ramsey to approve order of meeting agenda. Motion carried 5 to 0.

4. Approval of Meeting Minutes

- a. July 9, 2013 Meeting
- b. August 13, 2013 Meeting

Motion made by Commissioner Barr; second by Commissioner Ramsey to approve minutes for the July 9th and August 13th meetings. Motion carried 5 to 0.

Note: Jim Benton arrived at 5:14 making 6 total Commissioners present.

5. New Business

- I. **Application # V 12-08-01: Whitfield Holdings, LLC requests a variance from Article X of the Statesboro Zoning Ordinance to reduce the side yard setback for property located at 41 Bernard Lane. (Tax Parcel Number MS84000102016)**

Mandi Cody presented the staff report and clarified that staff recommends approval of the variance with the removal of the condition listed in the staff report to require a concrete dumpster pad with the addition of a condition prohibiting outside storage. The staff recommended conditions were as follows:

1. All accessory buildings must be removed and will be prohibited from the site.
2. Outside storage is prohibited from the site.

Applicant Michael Whitfield answered questions from the Commissioners. John Dotson with Maxwell Reddick and Associates was present to answer any questions from the Commissioners.

Commissioner Ragan made a motion to approve the requested variance with staff recommended conditions; seconded by Commissioner Ramsey. Motion carried 6-0. Commissioner Propps clarified the approval to include the condition of prohibited outside storage. Motion carried 6-0.

6. Announcements

Ms. Cody reminded the Planning Commission that they may receive emails from the Planning and Development email address. She also briefed the Commission on administrative changes within the Planning & Development Department. Ms. Cody notified the Commission that a contract has been entered with Retail Strategies and explained the benefits of completing a survey that will be sent via email.

Commissioner Rev. Lee thanked everyone for the opportunity to serve on the Planning Commission.

7. Adjourn

Motion was made to adjourn the meeting by Commissioner Propps; second by Commissioner Ramsey. Motion carried 6-0. Meeting adjourned.

Chair – Nick Propps

Secretary – Mandi Cody
Director of Planning and Development



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

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**V 13-09-01
 VARIANCE REQUEST
 East Grady Street**

LOCATION: East Grady Street

REQUEST: Variance from Article VII, of the Statesboro Zoning Ordinance to increase the height and density regulations.

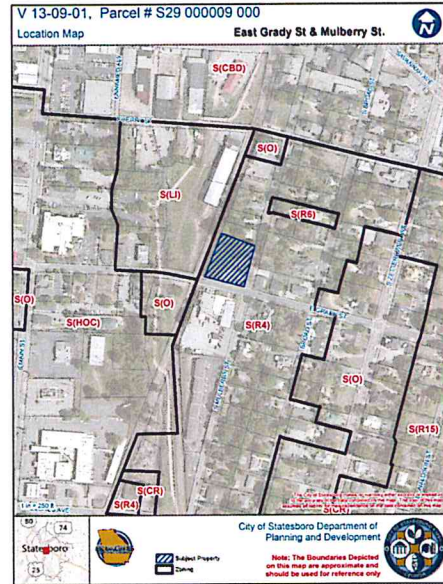
APPLICANT: Hendley Properties/Ray Hendley

OWNER(S): Albert Buie Green Jr.
 C/O John Ray Hendley

LAND AREA: .79 acres

PARCEL TAX MAP #s: S29000009000

COUNCIL DISTRICT: District 2 (Lewis)



PROPOSAL:

The applicant is requesting a variance from Article VII, Sections 702 & 703 of the *Statesboro Zoning Ordinance* to increase the maximum height from the required 35' to 45' and increase the max density to allow 12 dwelling units on a .79 acre lot zoned R4 (High Density Residential District) in order to develop the vacant lot located at the corner of East Grady Street and South Mulberry Street. (See **Exhibit A** – Location Map, **Exhibit B** – Sketch Plan)

BACKGROUND:

The subject site is currently zoned R4 (High Density Residential District) and fronts East Grady Street and South Mulberry Street.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	R4 (High Density Residential)	Single family houses and apartment houses
SOUTH:	R4 (High Density Residential)	Apartments and telephone service provider
EAST:	R4 (High Density Residential)	Apartment houses
WEST	LI (Light Industrial)	Vacant, railroad and trail

The subject property is located in a high density residential area surrounded by apartments, single family dwellings and the Frontier Communications telephone service provider.

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core" character area identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The "Urban Core" character area is identified as the downtown core of the city and should remain the activity and cultural hub of the region. The long-term vision for the Urban Core area is that the existing central business district may extend beyond its current boundaries to accommodate more commercial and high density residential development.

Appropriate land uses for the established character area are: Neighborhood-scale retail and commercial destinations, civic uses, neighborhood services, loft, mixed use, urban residential, multistory buildings. The requested development of this site is compatible with the appropriate land uses identified by the comprehensive plan and actively support the vision for this character area.

The *Statesboro Comprehensive Plan* also lists strategies that should be considered throughout all of the character areas of the city. One of those strategies is to encourage infill, new, and redevelopment opportunities close to the streets and sidewalks, and to maintain a diverse balance of office, commercial, and residential development as a key factor in future growth of the city. Another strategy of the Comprehensive Plan is to provide for a variety of residential types and densities with the most compact development in or near the urban core. Growth strategies should continue to provide resources that support revitalization of neighborhoods and encourage harmonious mixture of housing types and uses (*Statesboro Comprehensive Plan*, pages 71-72). Allowing an increase in height and density for this unique development would assist the city with the revitalization of a once blighted area while promoting a compact neighborhood.

As illustrated in the *Comprehensive Plan*, mixed use including high density residential development are one of the many key factors for continued success of the urban core area making it favorable and compatible to permit the requested variances to allow development that will continue to encourage growth of the urban core which is the main downtown central core. Other factors of the plan are reflected in the analysis of this report.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site has access to city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. Any potential environmental issues will be resolved during the permitting phase.

ANALYSIS:

The subject site, currently zoned R4 (High Density Residential District), consists of vacant .79 acre lot located at the corner of East Grady Street and South Mulberry Street. The applicant intends to develop the lot with an apartment house consisting of 12 one-bedroom units. Article VII, Section 702 of the Statesboro Zoning Ordinance restricts building height to 35' or three stories. The applicant proposes to develop a three story building with a height of 45'; thus necessitating this request. In addition, Section 703 limits density to 12 dwelling units per acre for high density developments. At just under an acre, this subject site would only be allowed 9 units. It is important to note that the ordinance does not contemplate or regulate the number of bedrooms per unit. At the allowed 9 units, the applicant could construct 36 bedrooms on the subject site by right. The applicant wishes to construct 12 one-bedroom units for a total of 12 bedrooms, making a much lesser impact while meeting the intentions of the ordinance.

The Land Use Strategy of the DSDA Master Plan identifies the subject site as an area for infill and medium-density housing. Medium-density housing would comprise buildings which are two to three-stories in height with a density of 6 to 10 units per acre to allow improvements in the medium-density residential housing stock and neighborhood conditions (DSDA Master Plan, pg 41). Although the DSDA Master Plan has never been adopted as formal land use policy by the City of Statesboro, it is utilized for guidance purposes and stresses the importance of bringing different uses together so downtown can evolve into a vibrant mixed-use center, offering opportunities to work, live, shop and play.

In addition, Section 1801 of the *Statesboro Zoning Ordinance* lists the following four (4) factors that the Mayor and Council [could] consider to be true in its consideration of a variance request:

- (1) There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
 - o Although the subject site is not irregularly shaped, it is smaller than an acre.
- (2) The special conditions and circumstances do not result from the actions of the applicant;
 - o The small size is the result of the interception of the railroad right of way onto subject property.
- (3) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
- (4) Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.
 - o This request, if granted, would not cause substantial detriment to the public good.
 - o Permitting this variance promotes a residential environment of increased desirability and stability enhancing the area.

- The number of bedrooms allowed by this variance would not exceed the number of bedrooms intended to be allowed by the ordinance.
- Granting of the request is complimentary to the visions and goals of the DSDA Master Plan and the City of Statesboro Master Plan.

STAFF RECOMMENDATION:

Based on the factors of consideration for a variance given in Section 1801, *the Comprehensive Plan* and the USDA Master Plan, approval of the requested variance is recommended with the following conditions:

- Sidewalks be constructed on the street frontages.

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

EXHIBIT A: LOCATION MAP

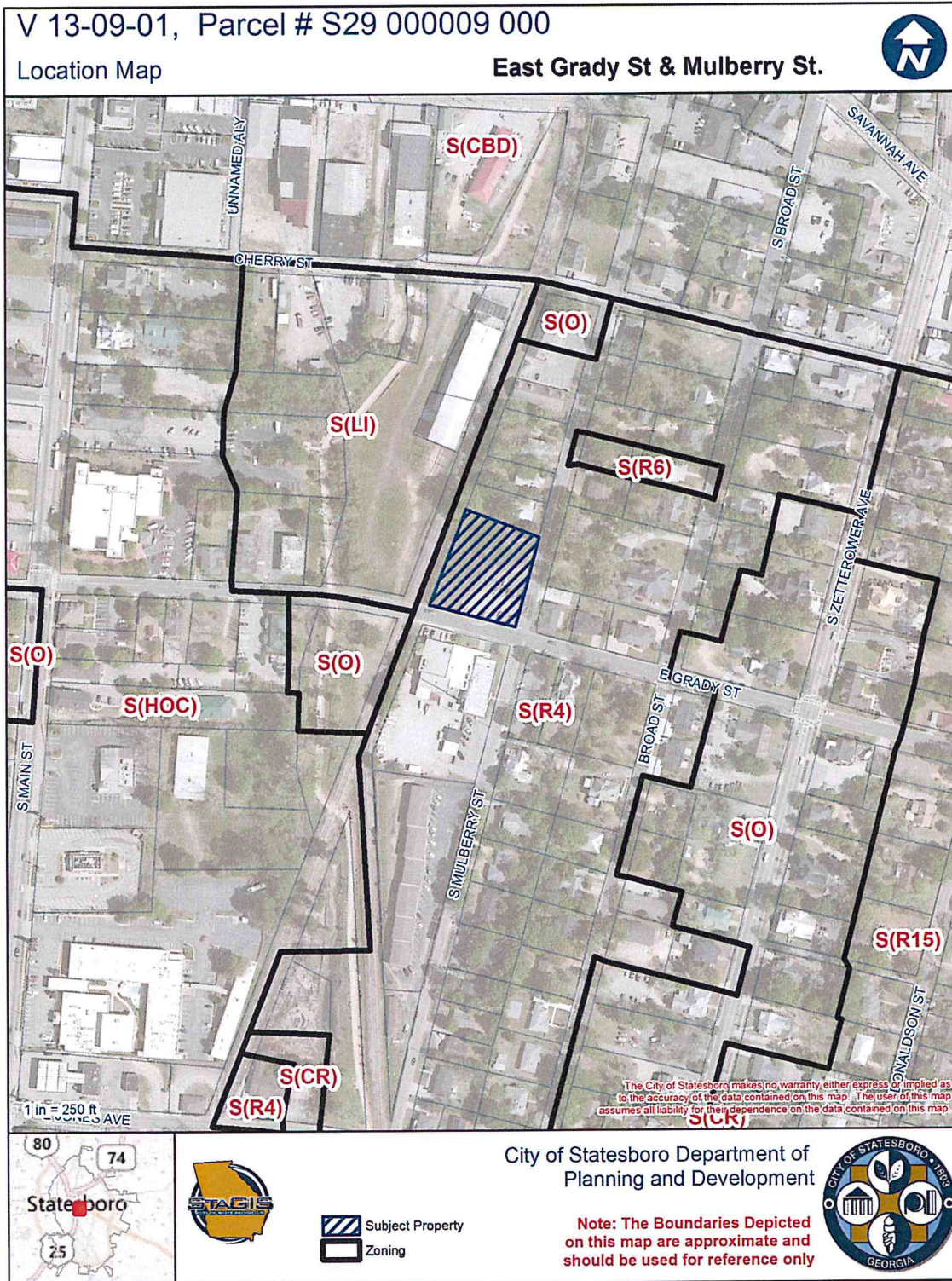


EXHIBIT B: SKETCH PLAN

RECEIVED SEP 05 2013

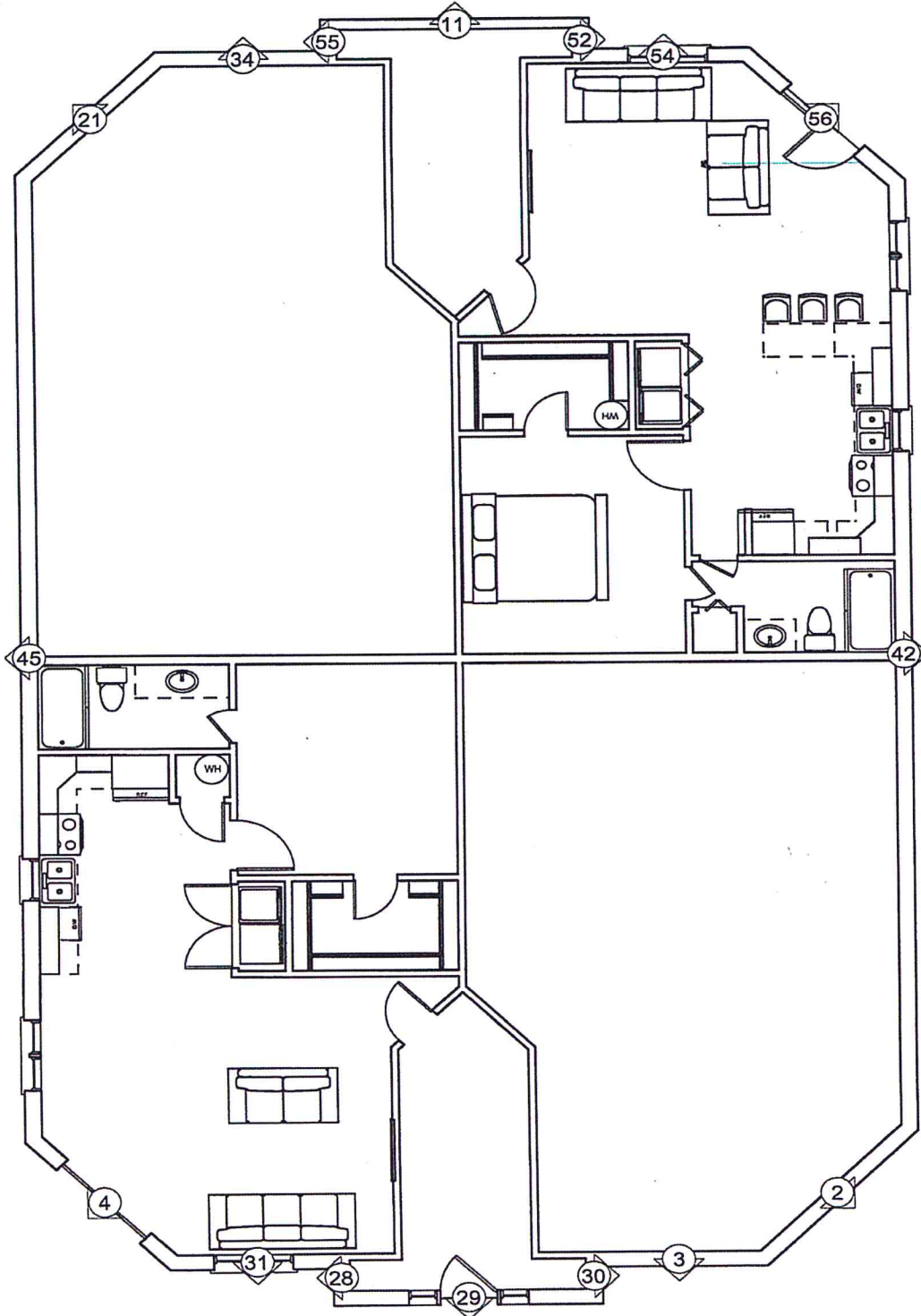


EXHIBIT B: SKETCH PLAN

RECEIVED SEP 05 2013

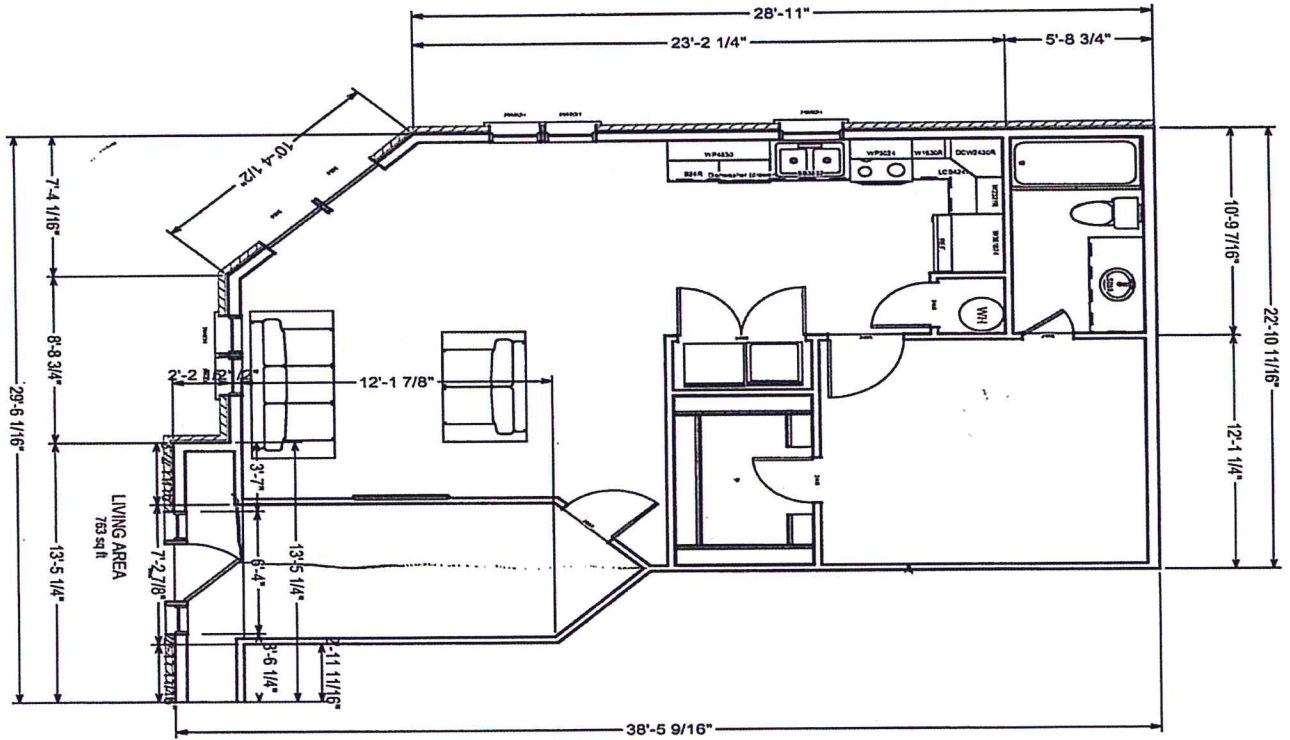
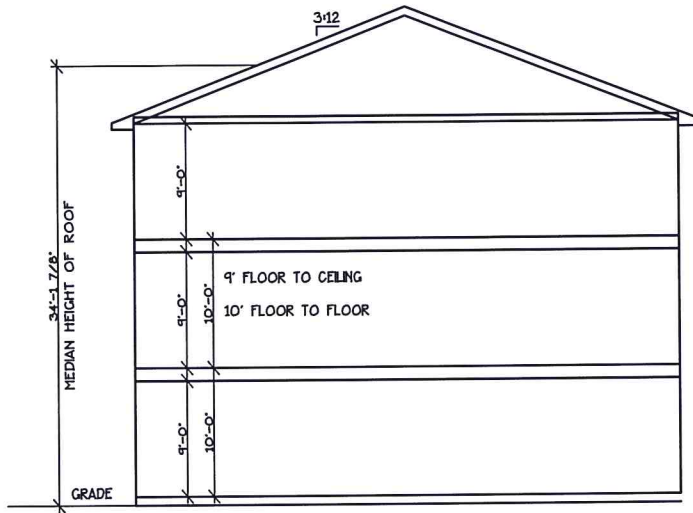


EXHIBIT B: SKETCH PLAN



ZONING IS R-4
35' HEIGHT LIMIT

HEIGHT OF BUILDING.
A BUILDING'S VERTICAL MEASUREMENT FROM THE MEAN LEVEL OF THE GROUND SURROUNDING THE BUILDING TO A POINT MIDWAY BETWEEN THE HIGHEST AND LOWEST POINTS ON THE ROOF.

DWELLING UNITS PER ACRE.
THERE SHALL BE NO MORE THAN 12 DWELLING UNITS PER DEVELOPABLE ACRE.

3 THREE STORY
A1 SCALE: 1/8" = 1'-0"

EXHIBIT B: SKETCH PLAN



EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY



Figure 1: Subject Site. .79 Vacant Lot



Figure 2: Subject Site From S Mulberry Street

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

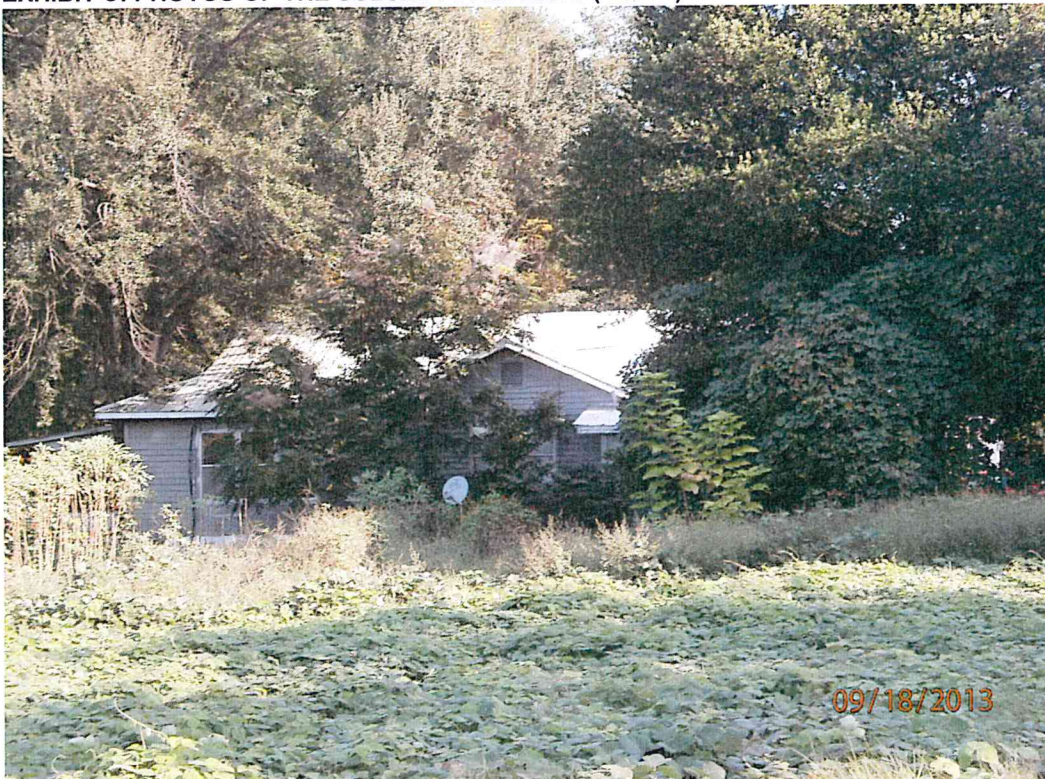


Figure 3: Northern view, connects to single family residence.



Figure 4: Southern view, fronts E. Grady Street, facing FRONTIER COMMUNICATIONS.

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



Figure 5: Eastern view from site fronting S. Mulberry Street.



Figure 6: Western view from site, railroad and another vacant wooden lot.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

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RZ 13-09-02
ZONING MAP AMENDMENT
226 SOUTH ZETTEROWER AVENUE

LOCATION: 226 South Zetterower Avenue

REQUEST: Rezone from O (Office) to CR (Commercial Retail)

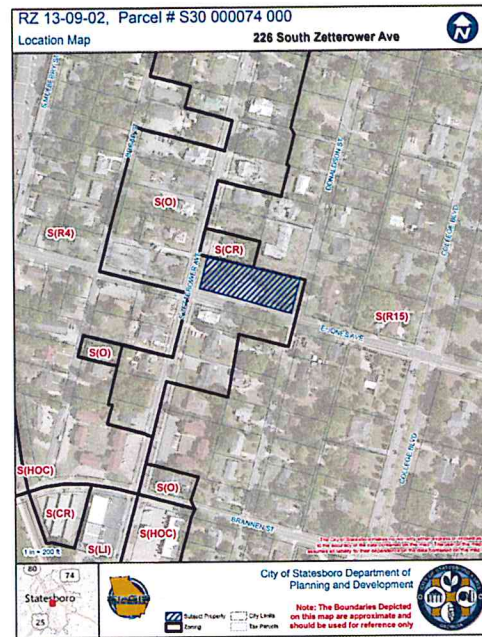
APPLICANT: TLM & B Enterprises. LLC

OWNER(S): TLM & B Enterprises. LLC

LAND AREA: .74 acres

PARCEL TAX MAP #s: S30000074000

COUNCIL DISTRICT: District 1 (Boyum)



PROPOSAL:

The applicant is requesting rezoning of approximately .74 acres of property located at 226 South Zetterower Avenue from O (Office) District to CR (Commercial Retail) District. (See **Exhibit A** – Location Map)

BACKGROUND:

The subject site of this request was rezoned from R15 (Single Family Residential) to O (Office) in 2002. The applicant wishes to rezone the site from O (Office) to CR (Commercial Retail) in order to broaden the scope of permissible uses by right to this location.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R15 (Single Family Residential)	Single Family Residences & Neighborhood Scale Commercial Retail
SOUTH:	O (Office) & R4 (High Density Residential)	Offices & Apartment Houses
EAST:	O (Office) & R15 (Single Family Residential)	Offices & Single Family Residences
WEST	CR (Commercial Retail) & O (Office)	Commercial Retail & Offices

The properties north of the subject site are zoned R15 (Single Family Residential) and contains single-family homes and neighborhood scale commercial retail. The parcels to the south are zoned O (Office) and R4 (High Density Residential) and contain personal services, offices and apartments. Parcels to the east are an office and personal services and several single-family residences. The western parcels contain Commercial Retail and offices.

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core" character area as identified by the City of Statesboro Future Development Map within the City of Statesboro Comprehensive Plan. The "Urban Core" character area is identified as the activity and cultural hub of the region and supports a wide range of acceptable uses. As a major gateway into downtown, traditional development patterns of buildings along the sidewalk and a lively streetscape are respected and promoted.

Appropriate land uses for properties within the Urban Core character area are neighborhood-scaled retail and commercial, arts and entertainment venues, civic centers, office, neighborhood services, lofts and urban residential, mixed use, multi-story buildings with retail on the street and office/residential above. Some suggested development and implementation strategies for the area include economic strategies that continue to nurture the thriving commercial activity, encourage mixed-use infill and redevelopment (Statesboro Comprehensive Plan, pages 12-13).

As illustrated in the Comprehensive Plan, it is desirable to encourage mixed-use infill and development while incorporating commercial activity. Permitting the subject site to be rezoned is compatible with the comprehensive plan and actively supports the urban core character area while allowing the applicant a wider range of use for the currently vacant site.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently serviced by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does contain wetlands and is not located in a special flood hazard area. Any potential issues will be resolved during the permitting phase.

ANALYSIS:

The .74 acre subject site is currently zoned O (Office) and contains a 3,315 square foot structure fronting South Zetterower Avenue, a detached storage building, and a 1,320 square foot apartment fronting Donaldson Street (see Exhibit B: Photos of Subject Site). The property owner is requesting a zoning map amendment from O (Office) to CR (Commercial Retail).

Granting the proposed request is not expected to have any negative effect on traffic in this area and is compatible with the Staesboro/Bulloch County Long Range Transportation Plan.

The Land Use Strategy of the DSDA Master Plan identifies the subject site as an area for Secondary Retail. Secondary retail blocks allow commercial uses to be mixed into the area, bringing different uses together to allow people to live, work and shop in close proximity (DSDA Master Plan, Pg. 25).

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;**
 - o Existing uses and zoning of nearby property range from commercial/office to single family residential homes: According to the *Statesboro Comprehensive Master Plan*, mixed use while nurturing thriving commercial activity is encouraged. This request would accomplish that.
- (2) The extent to which property values are diminished by the particular zoning restrictions.**
 - o Only office related uses are permitted within the current zoning designation. Rezoning the property to CR (Commercial Retail) will allow office uses as well as many other possible small-scale commercial uses and promote the highest & best use of the property and it's value.
- (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.**
 - o Currently, this site is vacant, allowing the rezone would give a wider variety of uses available to the property there by opening opportunities for utilization and avoiding long tern vacancies.
- (5) The suitability of the subject property for the zoned purposes.**
 - o The proposed land use meets the provisions of the *Statesboro Zoning Ordinance* and the *Comprehensive Plan*.
 - o The *Comprehensive Plan* promotes mixed uses.
 - o The *DSDA Master Plan* promotes mixed uses.

- (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 proper.**
 - o Property has been most recently utilized as an office and has been vacant for a short 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;**
 - o The proposed use is not expected to have a negative impact on population density, community facilities, living conditions, traffic patterns and property values in adjacent areas given its current single family zoning district, and is not expected to be negative or burdensome to the general public or surrounding property owners.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**
 - o A CR (Commercial Retail) zoning district would allow a wider variety of small scale commercial uses while still maintaining the office use if the applicant so chooses and eliminates the need for future zoning map amendments of the property.
 - o Use of the property as commercial retail is consistent with the vision and guiding principles of the "Urban Core" character area as articulated within the *Statesboro Comprehensive Plan* which promotes new developments to include mixed uses such as small to mid-size retail, single family residential, and multifamily residential.
 - o The requested zoning map amendment is consistent with the policies articulated within the 2035 Bulloch County/City of Statesboro Long Range Transportation Plan; Statesboro Comprehensive Plan; and DSDA Master Plan.

STAFF RECOMMENDATION:

Based on the factors of consideration for zoning map amendments given in Section 2007, the Comprehensive Plan, and the Long Range Transportation Plan, staff recommends approval of the zoning map amendment requested by application RZ 12-07-01.

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

EXHIBIT A: LOCATION MAP

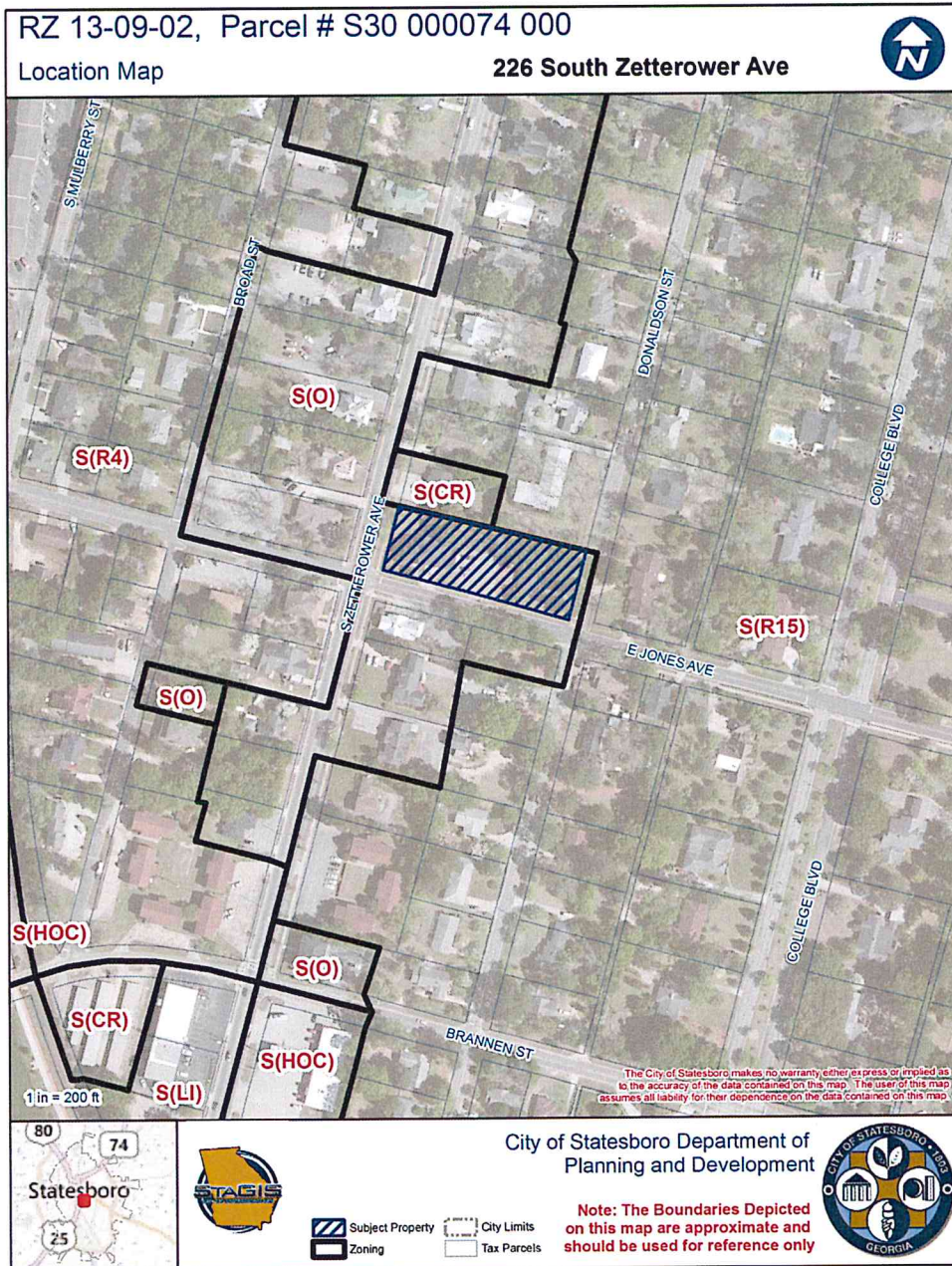


EXHIBIT B: PHOTOS OF SUBJECT SITE



Front view of subject site from Zetterower Ave.



Storage building and apartment in rear of subject site

EXHIBIT B: PHOTOS OF SUBJECT SITE CONT'D



CR (Commercial Retail) to direct west of subject site



O (office) to direct east of subject site

EXHIBIT B: PHOTOS OF SUBJECT SITE CONT'D



South view directly across from subject property



South east view from subject property

EXHIBIT B: PHOTOS OF SUBJECT SITE CONT'D



North view of Donaldson Street from in front of apartment on subject site.



North view from side of subject site.