



June 05, 2012 9:00 A.M.

1. Call to Order by Mayor Joe Brannen
2. Invocation and Pledge of Allegiance by Councilman Tommy Blich
3. Recognitions/Public Presentations
 - A) "Certificate of Recognition" presented to Del Presley
 - B) Employee of the month, Sanitation Supervisor Billy Sandifer, Solid Waste Collection Division
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) May 15, 2012 Council Minutes
 - B) Notification of an alcohol license application :
Licensee: Andrew C. Aldred
DBA: 119 Chops
Location: 30 W Main St.
Type of Alcohol License: Restaurant
Type of Business: Beer, Wine, Liquor by the Drink-Pouring Sales
 - C) Notification of an alcohol license application :
Licensee: Heath Robinson
DBA: 40 East Grill-----Bistro @ 40 East, LLC
Location: 40 East Main St
Type of Alcohol License: Restaurant
Type of Business: Beer, Wine, Liquor by the Drink-Pouring Sales
 - D) Notification of an alcohol license application :
Licensee: Kari Lyn Whiddon
DBA: Mr. Omelette's Midtown Cafe
Location: 441 S Main St.
Type of Alcohol License: Restaurant
Type of Business: Beer, Wine, Liquor by the Drink-Pouring Sales
6. Consideration of a Motion to award the purchase of a Caterpillar 816F Landfill Compactor with Caron compaction wheels to Yancey Caterpillar at a bid price of \$420,510.00

7. Public Hearing and Consideration of a Motion to approve the following:
 - a. **APPLICATION # RZ 12-01-01:** Akins Family Limited Liability Limited Partnership requests a zoning map amendment from LI (Light Industrial) to R4 (High Density Residential) for property located at 520 Park Avenue (Tax Parcel Numbers S42000030000 & S42000006000).
8. Consideration of a Motion to approve first reading of the Ordinance to amend the City of Statesboro GMEBS Retirement Plan to exclude part time fire fighters
9. Other Business from City Council
 - a) Discussion of proposed changes to City Policies and Fees regarding Solid Waste Collections (Yard Waste)
10. Consideration of a Motion to enter into Executive Session to discuss “Personnel Matters” and “Potential Land Acquisition” in accordance with **O.C.G.A. §50-14-3 (2010)**
11. Consideration of a Motion to Adjourn



**CITY OF STATESBORO
CITY COUNCIL MINUTES
MAY 15, 2012**

A regular meeting of the Statesboro City Council was held on May 15, 2012 at 6:00 p.m. in the Council Chambers at City Hall. Present were Mayor Joe R. Brannen, Council Members: Will Britt, Tommy Blich, Gary Lewis and Travis Chance. 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 John Riggs was absent.

Invocation was given by Mayor Pro Tem Will Britt with the Pledge of Allegiance given by Ethan representing Boy Scout Troop 345 and Tristan representing Boy Scout Troop 332.

Recognitions/Public Presentations:

- A) Winners from participating schools for the GMA Georgia Cities Coloring Contest**
 - a) Claire Vickers- 1st Grade Student at Sallie Zetterower School**
 - b) Jasmine Quiterio- 1st Grade Student at Langston Chapel School**
 - c) Rodney Thomas- 1st Grade Student at Bulloch Academy School**
 - d) Andrew Austin- 1st Grade Student at Trinity Christian School**
 - e) Clayton Anderson- 1st Grade Student at Mattie Lively School**

Mayor Brannen presented each winner with their piece of framed artwork and an artist's metal.

- B) Alisha Piet request to speak to Council with concerns regarding the Platinum Lounge**

Alisha Piet was not present to speak.

- C) Proclamation presented to the Public Works Department recognizing May 22nd -25th as "National Public Works Week"**

Mayor Brannen presented a Proclamation to City Engineer Robert Cheshire on behalf of the Public Works Department

Public Comments (Agenda Item): None

Consideration of a Motion to approve the Consent Agenda

- A) Approval of Minutes**
 - a) 05-01-2012 Council Minutes**
 - b) 05-01-2012 Council Work Session Minutes**
- B) Consideration of a Motion to approve Resolution 2012: A Resolution authorizing the waiver of any payment in lieu of Taxes (Pilot) by the Statesboro Housing Authority to the City of Statesboro for the 2011 Tax Year in the amount of \$15,918.48.**

- C) **Consideration of a Motion to award the bid for the Southeast Quadrant water sewer extension to Tyson Utilities Construction for Part A in the amount of \$1,164,961.40 and Part B in the amount of \$71,667.11 after easements are secured**
- D) **Consideration of a Motion to award a contract for a 75x75 feet addition to an existing metal shelter for the Wastewater Treatment Plant for Smith Steel Structures, Inc. in the amount of \$25,170.00**
- E) **Consideration of a Motion to set a Public Hearing for the FY 2013 Budget for June 12, 2012 at 4:00 pm**

Councilman Chance made a motion, seconded by Councilman Lewis to approve the consent agenda in its entirety. Councilman Britt, Blich, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Public Hearing for Application RZ 12-01-01: Akins Family Limited Liability Limited Partnership requests a zoning map amendment from LI (Light Industrial) to R4 (High Density Residential) for property located at 520 Park Avenue (Tax Parcel Numbers S42000030000 & S4200006000).

Mayor Brannen stated the applicant made a request to withdraw this item from the agenda.

Consideration of a Motion to approve the extension of the Audit Contract with Thigpen, Lanier, Westerfield and Deal for three more years at the same cost as the last two years of \$40,000 each year

Mayor Pro Tem Will Britt made a motion, seconded by Councilman Lewis to approve the extension of the Audit Contract with Thigpen, Lanier, Westerfield and Deal for three more years at the same cost as the last two years of \$40,000 each year with the condition to ask the firm to permit someone within the organization, who has never performed the audit for the City of Statesboro, to be a part of the audit process. Councilman Britt, Blich, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Other Business from City Council

City Manager Frank Parker asked for direction concerning the trash policy for picking up a 4x4x8 pile of trash. He stated the current policy should be amended and a proposal will be brought back to Council for approval to address the excessive trash at the curb.

Councilman Lewis asked the status of the animal control in the City. City Manager Frank Parker stated the County handles the City's animal population with the City paying the salary and also furnishing one truck. Mayor Pro Tem Will Britt suggested that Council meet with the County to discuss concerns of Councilman Lewis and citizens.

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

Councilman Chance made a motion, seconded by Mayor Pro Tem Will Britt to enter into Executive Session to discuss “Personnel Matters” in accordance with O.C.G.A. §50-14-3 (2010) at 6:30 pm with a 5 minute break. Councilman Britt, Blich, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

Mayor Brannen called the regular session back to order at 7:41 p.m. with no action being taken.

Consideration of a Motion to Adjourn

Councilman Lewis made a motion, seconded by Mayor Pro Tem Will Britt to adjourn. Councilman Britt, Blich, Lewis and Chance voted in favor of the motion. The motion carried by a 4-0 vote.

The meeting was adjourned at 7:42p.m.

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION _____ NEW RENEWAL _____

TYPE OF BUSINESS TO BE OPERATED:

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

APPLICANTS FULL NAME Walnut Properties LLC

OWNERS NAME Andrew C. Aldred

DBA (BUSINESS NAME) 119 Chops

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

BUSINESS ADDRESS 30 West main st.

BUSINESS MAILING ADDRESS P O Box 38, Statesboro, GA 30459

BUSINESS TELEPHONE # 912-764-7119

APPLICANTS HOME ADDRESS ..

APPLICANTS HOME PHONE #

APPLICANTS AGE

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

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING? YES NO

IF YES, WHEN AND WHY 1965 Possession 1966 DUI

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 2

PLEASE LIST BELOW:

Andrew C. Aldred _____

Walter M. Aldred _____

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 5-14-2012 NEW RENEWAL

TYPE OF BUSINESS TO BE OPERATED:

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

RECEIVED
5-16-12

APPLICANTS FULL NAME Heath Robinson

OWNERS NAME Heath Robinson

DBA (BUSINESS NAME) Bistro @ 40 East, LLC DBA 40 East Gri

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

BUSINESS ADDRESS 40 East Main St. Statesboro GA 30458

BUSINESS MAILING ADDRESS 40 East Main St. Statesboro GA 30458

BUSINESS TELEPHONE # 912-536-3315

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE # _____

APPLICANTS AGE _____

ARE YOU A CITIZEN OF THE UNITED STATES? YES NO

HAVE YOUR EVER BEEN ARRESTED FOR ANYTHING? YES NO

IF YES, WHEN AND WHY _____

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:

CITY OF STATESBORO, GEORGIA

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

DATE OF APPLICATION 5-4-12 NEW RENEWAL _____

TYPE OF BUSINESS TO BE OPERATED:

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



APPLICANTS FULL NAME Kari Lyn Whiddon

OWNERS NAME Kari Lyn Whiddon

DBA (BUSINESS NAME) Mr. Omelette's Midtown Cafe

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

BUSINESS ADDRESS 441 South Main St. Statesboro, GA 30458

BUSINESS MAILING ADDRESS 441 South Main St. Suite 1-A Statesboro, 3045

BUSINESS TELEPHONE # 912-764-5115

APPLICANTS HOME ADDRESS _____

APPLICANTS HOME PHONE # _____

APPLICANTS AGE 38

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

HAVE YOU EVER BEEN ARRESTED FOR ANYTHING? _____ YES NO

IF YES, WHEN AND WHY _____

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 0

PLEASE LIST BELOW:

Memo



TO: Frank Parker, City Manager

FROM: Darren Prather, Purchasing Director

DATE: 5-25-12

Re: Purchase of a Landfill Compactor

The City of Statesboro solicited sealed bids for the purchase of a landfill compactor to be utilized at our inert landfill located at the Lakeview Road Landfill Site. This machine will assist in the shredding and compaction of materials that are brought in, thus providing a longer life for this site. Due to the size of our area and the scope of our operation, we only need the smallest category of compactor to efficiently carry out our operational process. With this being the case, only two out of five manufacturers produce a 50,000 lb. machine while most start their model lines around the 80,000 lb. limit. After extensive research, staff discovered that this 50,000 lb. machine with after-market Caron brand compaction wheels would provide approximately the compaction rate of the 80,000 lb. machine with standard compaction wheels at about \$150,000 in savings in the cost difference between the two machine models. This machine with these specialized wheels would provide approximately a 40% compaction rate of the debris being deposited at this site. The dozer currently being utilized is track driven and thus does not provide adequate compaction results as the tracks spread the weight over a large surface area therefor providing approximately only 15% compaction. Additionally, they have no shredding and grinding features as well which aid in a higher rate of compaction. In addition to having a chopping and grinding spike pattern, the Caron wheels also are field replaceable due to their pin-on application as opposed to the typical weld-on types that have to be done in a shop-type setting (The Caron product representative will be present at the Council meeting to field any questions). While this after-market wheel is of a greater expense, (approximately \$40,000 - \$50,000 more), it is felt that the performance advantages are worthwhile. In addition, since the spikes are pin-on, harder steel is able to be used providing greater durability. Due to limited land area and air rights restrictions associated with our site, this 40% compaction rate (versus 15% of the dozer) is greatly needed for the future efficient use of our landfill's resources.

The City of Statesboro sent out bid packages to five (5) vendors and received two responses (Yancey/Cat--Statesboro and Flint/Bomag--Savannah) from vendors who produce a compactor in this weight class. The 816F Cat compactor met or exceeded all of the required specifications while the bid from Flint/Bomag failed to do so. Please be aware that we had a pre-bid meeting and adjusted several items such as air conditioner equipment placement, steering issues, mirror issues and seating specifications in order to provide a fair bidding environment. However, we did require the after-market Caron compactor wheels and it is available to both brands Flint/Bomag chose not to supply the Caron wheels in their sealed bid response. Apparently, Bomag America indicated to Flint/Bomag of Savannah that they did not intend to release the blue prints to Caron wheels that are required to design the after-market wheel for Flint/Bomag. This is a corporate internal problem because there are Caron wheels on numerous models of Bomag compactors all over the country. The City of Statesboro is not requiring a specification that can't be obtained, merely the vendor (Bomag) is refusing to supply the product that we requested therefor did not meet our specifications.

While it is a viable option to re-bid this compactor, it is felt that both vendors had a fair and equitable opportunity to respond to our request for sealed bids. Since Yancey Cat (Statesboro) was the only vendor to meet the required specifications, we recommend that the City of Statesboro award the contract to Yancey Cat for the purchase of an 816F landfill compactor with Caron compactor wheels at a bid price of \$420,510.00.



CITY OF STATESBORO – DEPARTMENT OF PLANNING AND DEVELOPMENT
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

ZONING MAP AMENDMENT
RZ 12-01-01 – 520 Park Avenue

LOCATION: 520 Park Avenue

REQUEST: Rezone from LI (Light Industrial) to R-4 (High Density Residential)

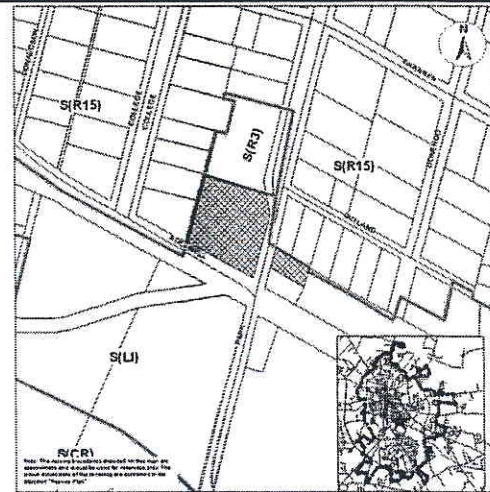
APPLICANT: Akins Family Limited Liability Limited Partnership

OWNER(S): Akins Family Limited Liability Limited Partnership

LAND AREA: 1.67 acres and .24 acres (1.91 acres)

PARCEL TAX MAP #s: S24 000006 000 & S24 000030 000

COUNCIL DISTRICT: 3 (Britt)



PROPOSAL:

The Akins Family Limited Liability Limited Partnership (*hereinafter referred to as the Akins Family LLLP*) is requesting zoning map amendments for two parcels located at 520 Park Avenue (**Exhibit A – Location Map**). The two parcels have the same address, according to the Bulloch County Tax Assessors Office, although each parcel has a different parcel identification number. The request is to rezone both parcels from the current designation of a LI (Light Industrial) district to an R-4 (High-Density Residential) district with the intent of developing multi-family units on the property.

BACKGROUND:

The Akins Family, LLLP own two parcels located directly across from each other on Park Avenue. One lot contains 1.67 acres of land and the second lot contains .24 acres of land. The 1.67 acre parcel is currently being used as a storage area for construction materials and contains various structures including a mobile home, a portable office trailer, several shipping containers, and a permanent structure (small office building). (**Exhibit D – Fig. 1a-1c Subject Property**) The .24 acre lot contains a structure containing an office area and a warehouse. (**Exhibit D – Fig. 1d Subject Property**) The Akins Family LLLP is proposing to construct several two-bedroom duplexes on the 1.67 acre lot and transform the office/warehouse structure into a residential use on the .24 acre lot.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-3 (Medium Density Multiple Family Residential)	Multi-family residential complex (Duplexes)
SOUTH:	LI (Light Industrial)	Industrial (Howard Lumber)
EAST:	LI (Light Industrial) R-15 (Single Family Residential)	Industrial (Howard Lumber) Single family residential neighborhood
WEST:	R-15 (Single Family Residential)	Single family residential neighborhood

The subject properties are surrounded by two land uses. The parcels north, west **and** a majority of the parcels east of the subject property contain residential land uses. Parcels located to the south **and** east of the property contain industrial uses as part of Howard Lumber. (**Exhibit D – Fig. 2a, Surrounding Land Uses**) The adjacent properties to the north include a multi-family residential complex containing duplexes and single-family homes. (**Exhibit D – Fig. 2c, Surrounding Land Uses**) The adjacent properties to the west of the subject parcels contain single-family homes.

COMPREHENSIVE PLAN:

The subject properties are located within the “Established” character area **as** defined by the *Statesboro Comprehensive Master Plan*. The “Established” character areas are identified as districts where attention should be given to the appropriate redevelopment of existing areas in order to maintain neighborhood cohesion and reduce the issues of blight and decline. The vast majority of neighborhoods within the “Established” character area are developed and not all implementation strategies are applicable to the subject properties. Appropriate land uses that are suggested within the “Established” character area include:

- *Neighborhood-scaled retail and commercial*
- *Small-scale office*
- *Neighborhood services*
- *Garage apartments*

Suggested development and implementation strategies of the “Established” character area, which may be applicable to this site, include:

- *Ensure that new development and land uses do not encroach upon or detract from character of the National Historic Districts within the area.*
- *Enhance existing pedestrian connectivity by repairing/replacing sidewalks **and** adding new ones, where necessary.*
- *Plant shade trees along streets and sidewalks.*
- *Infill, redevelopment, and new development should promote lot sizes and setbacks appropriate for each neighborhood. 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.*
- *Foster the establishment of public/private partnerships to redevelop large tracts as appropriate for the character area.*
- *Promote redevelopment of underutilized or vacated properties.*

(Community Agenda, Pages 14 & 15 [List not all-inclusive]).

The proposed redevelopment of the two (2) subject parcels would not be contrary to the strategies set forth in the *Statesboro Comprehensive Master Plan 2009-2029*. The redevelopment of these two (2) lots address the issue of redevelopment of underutilized land, working with the owners of a property to redevelop a large tract of land appropriate for the character area, and the possibility of having new structures in the area which respect the architectural fabric of the neighborhood development. The 1.67 acre lot is currently underutilized as it is being used as a storage area for construction materials. The .24 acre lot is also currently being underutilized as the office and warehouse located on the premises are not actively being used on a daily bases.

TRANSPORTATION:

The two subject parcels, having the shared address of 520 Park Avenue, have vehicular access to Park Avenue. The 1.67 acre lot has vehicular access to both Park Avenue and Stillwell Street. Park Avenue is primarily a residential street connecting Stillwell Street and Savannah Avenue. The residential portion of Park Avenue contains two wide traffic lanes separated by a landscaped median. This median ends at the intersection of Outland Street. Stillwell Street is currently being studied by the Statesboro Engineering Department for improvements to the intersection located at Stillwell Street and South Zetterower. The portion of Park Avenue, where the subject parcels are located, is used by commercial vehicles. The 1.67 acre lot also has vehicular access to Stillwell Street. Stillwell Street is a two lane road used by commercial vehicles primarily for Howard Lumber.

The Georgia Department of Transportation has recorded the Annual Average Daily Traffic (AADT) for Park Avenue 2,425 feet north of the subject parcels. These statistics retrieved through the State Traffic and Report statistics website

reveal a modest increase in traffic between 2005 and 2010. The AADT increased from 1880, in 2005, to 2130 in 2010, a difference of 250 over five years.

The Institute of Transportation Engineers Trip Generation Manual states the two bedroom units proposed in the conceptual plan would generate an average of 6.65 trips per unit per day on Park Avenue (neither ingress nor egress is shown for Stillwell Street). The *Bulloch County / City of Statesboro 2035 Long Range Transportation Plan (L RTP)* does not make any recommendations for improvements for Park Avenue or Stillwell Street. There are no pedestrian facilities located neither on Park Avenue nor on Stillwell Street.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject properties are both currently served by city water and public services. There are no known issues related to the ability city's ability to provide public services to this site.

ENVIRONMENTAL:

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

ANALYSIS:

The Akins Family LLLP owns the subject parcels which are located directly across from each other on Park Avenue. The Bulloch County Tax Assessor's Office has the addresses of both parcels listed as 520 Park Avenue. The parcels are both currently zoned LI (Light Industrial) and the legislative intent of this district is:

"to establish and preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of uses."

The applicant is requesting the zoning designation be changed to R-4(High Density Residential) for which the legislative intent is:

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

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

- | | |
|--|---|
| (1) Existing uses of and zoning or (of) property nearby | (6) The length of the time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property |
| (2) The extent to which property values are diminished by the particular zoning restrictions | (7) The extent the property would impact: population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, property values in adjacent areas |
| (3) The extent to which the description of the property values of the property owner promotes the health, safety, morals, or general welfare of the public | (8) Consistency with other governmental land use, transportation and development plans for the community |
| (4) The relative gain to the public, as compared to the hardship imposed upon the property owner | |
| (5) The suitability of the subject property for zoned purposes | |

The proposed zoning map amendment, if approved, would re-designate two (2) parcels currently in the LI (Light Industrial) district to R-4 (High-Density Residential) district. This designation would allow residential land-uses to encompass the entire block on which the 1.67 acre parcel is located and expand residential land-uses south, on the portion of Park Avenue on which the .24 acre parcel is located.

The conceptual site plan shows a group of twelve (12) two-family duplexes located on the 1.67 acre parcel. This use would be similar to the land-use north of the 1.67 acre parcel, as this parcel contains two-family duplexes (R-3 Medium Density Multiple-Family Residential). Duplexes can be designed and placed in or near single-family residential neighborhoods to fit the character of the area. There are multiple examples of duplexes in multiple zoning districts which fit the character of character of the surrounding neighborhood. (Exhibit D: Figures 2c – 3b)

The R-4 (High-Density Residential) district allows the highest dwelling unit density of all of the residential zoning districts listed in the *Statesboro Zoning Ordinance*. Staff has reviewed the number of units which would be allowed on the 1.67 acre lot and found that this designation would maximize the utilization of this parcel. The following chart shows the number of units that could be placed on the 1.67 acre lot if the lot was sub-divided and units placed on each lot.

Zoning	Number of Units	Zoning	Number of Units
R-20	3	R-6	10
R-15	4	R-8	7
R-3*		R-10	7
A	8	R-30	2
B	5	R-40	1
C	5		

*R-3 contains three different lot size requirements for Single Family (A), Two-Family Twin (B), Two-Family Duplex (C)

The 1.67 acre parcel and the .24 acre parcel should have a side and rear buffer as required by Article XXIII Section 2301. The 1.67 acre parcel currently has in place a densely planted screen along the north and west property line creating a natural buffer strip of more than 20 feet in depth. The .24 acre property will require a buffer to be placed between the existing office building and the adjoining residential property to the north as the existing vegetation is inadequate to meet the provisions of this section of the zoning ordinance.

A legal non-conformity will be created, if this rezoning application is successful, on the .24 acre lot. The existing warehouse/office building is a use which is not allowed in the R-4 (High-density residential) district. If this parcel is rezoned the existing structure will become an existing non-conformity and subject to pertinent regulations regarding nonconforming uses.

The proposed redevelopment of the two (2) subject parcels would not be contrary to the strategies set forth in the *Statesboro Comprehensive Master Plan 2009-2029*. The redevelopment of these two (2) lots address the issue of redevelopment of underutilized land, working with the owners of a property to redevelop a large tract of land appropriate for the character area, and the possibility of having new structures in the area which respect the architectural fabric of the neighborhood development. The 1.67 acre lot is currently underutilized as it is being used as a storage area for construction materials. The .24 acre lot is also currently being underutilized as the office and warehouse located on the premises are not actively being used on a daily bases.

The *Statesboro Comprehensive Master Plan 2009-2029* places the subject parcels in the "Established" character district of the Future Development Map. The "Established" character district seeks eliminate an area, near a residential neighborhood which can be considered an eyesore and unsafe area as it is not an enclosed area which allows access to anyone who might be interested in playing in the area. The conceptual site plan (Exhibit C: Conceptual Site Plan) illustrates the intention of the applicant to plant trees along the exterior of the development along the street. This development will not be small-lot single family residential, however; the proposed development, as shown in the conceptual site plan (Exhibit C: Conceptual Site Plan), should fit the character of the surrounding residential neighborhood.

STAFF RECOMMENDATION:

The rezoning of the subject property from an LI (Light Industrial) district to R-4 (High-Density Residential) zoning district would complement the surrounding zoning districts and land uses and will also serve as an appropriate zoning designation for future land use patterns in the area.

Staff recommends **approval** of the proposed rezoning of the tax map parcels currently designated S24 000006 000 & S24 000030 000, two parcels totaling 1.91 acres located at 520 Park Avenue from LI (Light-Industrial) to R-4 (High-Density Residential) rezoning request subject to the following conditions:

- The 1.67 acre site shall remedy all issues regarding code compliance within 30 days of final judgment including but not limited to:
 - Chapter 38, Art. II, Division 1, Section 38-26 – **Nuisance**: Any place, public or private, which because of the accumulation of filth, trash, garbage, junk or water tends to cause sickness and endangers the health of the public or any individual; any place which, because of filth, trash, garbage, junk or water, becomes unsightly or causes stench offensive to the public or any individual; any place which because of the nature of the business carried on there disturbs the peace and quietude of the public; or any place which because of the practices of those frequenting the place tends to corrupt the morals or is offensive to the natural sensibilities of an ordinary man is hereby declared to be a nuisance.
 - Chapter 38, Art. II, Division 1, Section 38-27 – **Maintenance of Nuisance**: It shall be unlawful for any person to keep, allow, permit, maintain or continue any nuisance on his premises within the limits of the city.
 - Chapter 38, Art. II, Division 1, Section 38-30 – **Weeds and Noxious Vegetation**: It shall be unlawful for any person owning or occupying any lot, tract, parcel of land or premises within the city to permit to grow thereon weeds or noxious vegetation to an extent which might endanger the public health. If, after 15 days from service of written notice to such owner or the owner's duly authorized agent by the city engineer, the weeds or vegetable growth are not cut and removed, the city marshal may cut and remove the weeds or growth and charge the expense of such removal to the owner.
 - Appendix A, Article XXII, Section 2205 - **Unsightly or Unsanitary Storage**: No rubbish, salvage materials, junk, or miscellaneous refuse shall be openly stored or kept in the open and no weeds shall be allowed to go uncut within any zones when the same may be construed to be a menace to public health and safety or to have a depressing influence upon property values in the area.

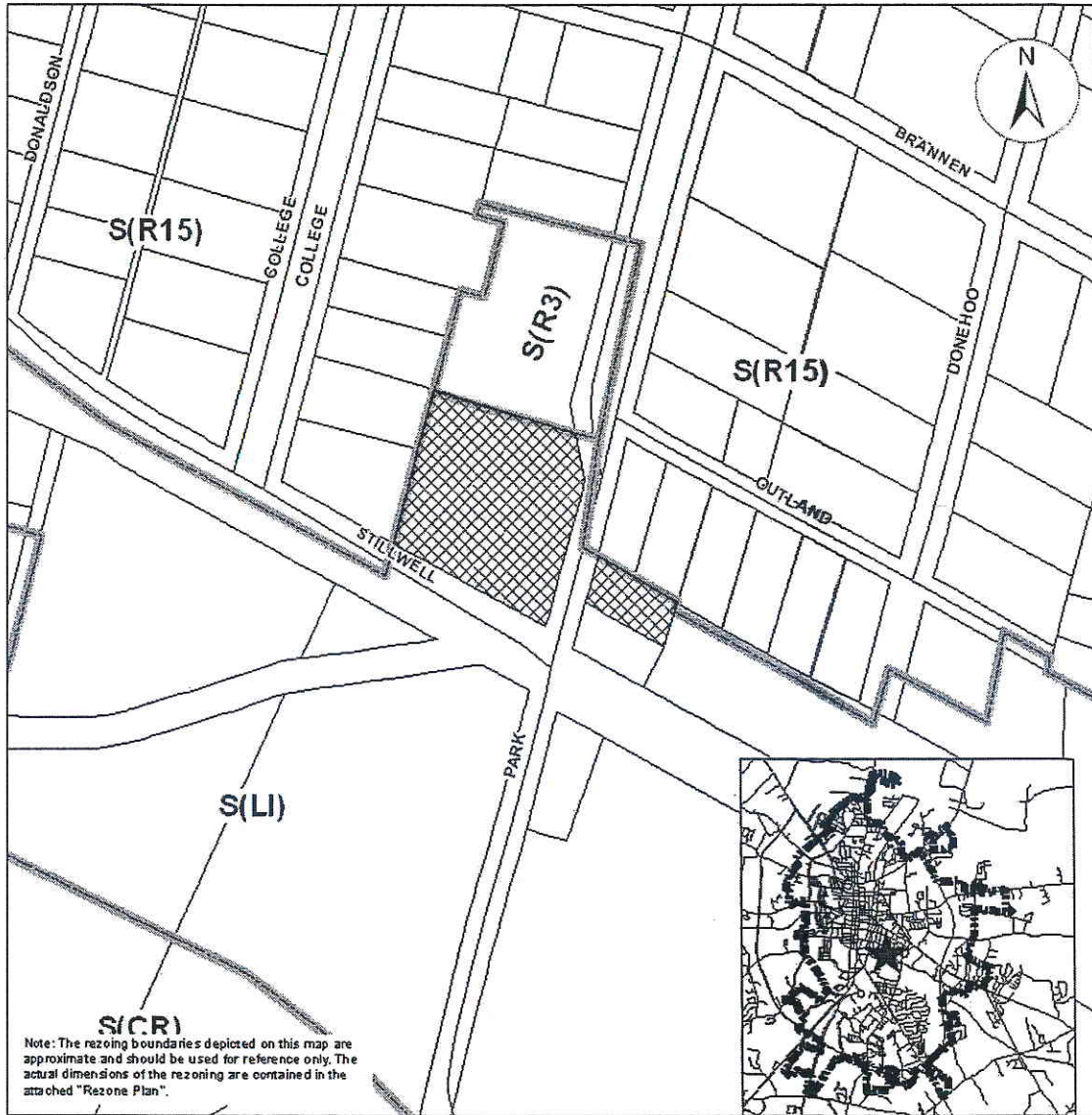
PLANNING COMMISSION RECOMMENDATION:

Planning Commission voted 5-0 to recommend approval of the zoning map amendment requested in Case # RZ 12-01-01.

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

EXHIBIT A: LOCATION MAP

RZ 12-01-01 520 Park Avenue Location Map



CITY OF STATESBORO • 1892
GEORGIA

RZ 12-01-01
520 Park Avenue

Case Site
 Zoning Boundary

0 70 140 280 420 560 Feet

EXHIBIT B: AERIAL SUBJECT PROPERTIES

DEVELOPMENT SERVICES REPORT
Case # RZ 12-01-01
Amended May 10, 2012

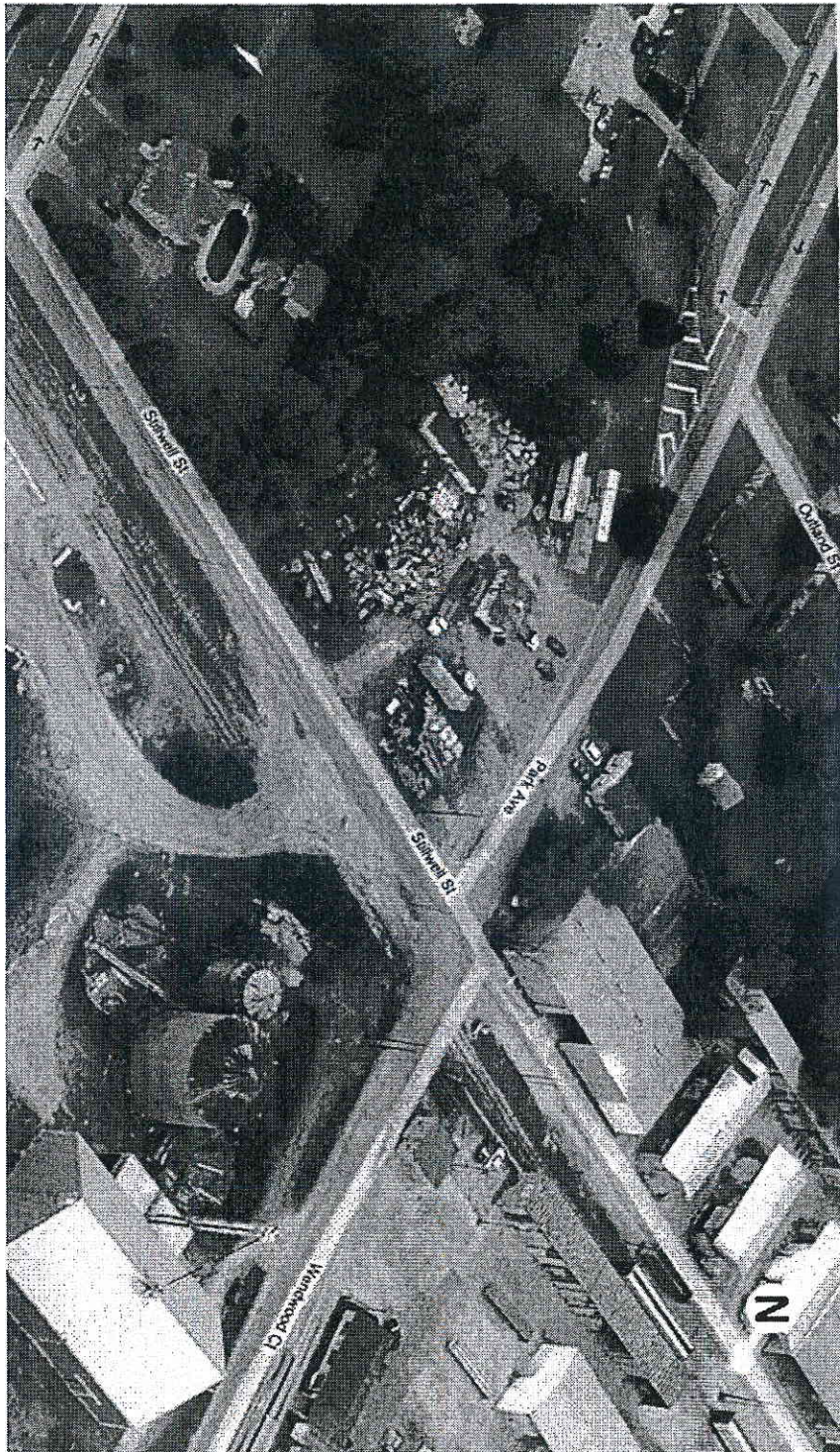
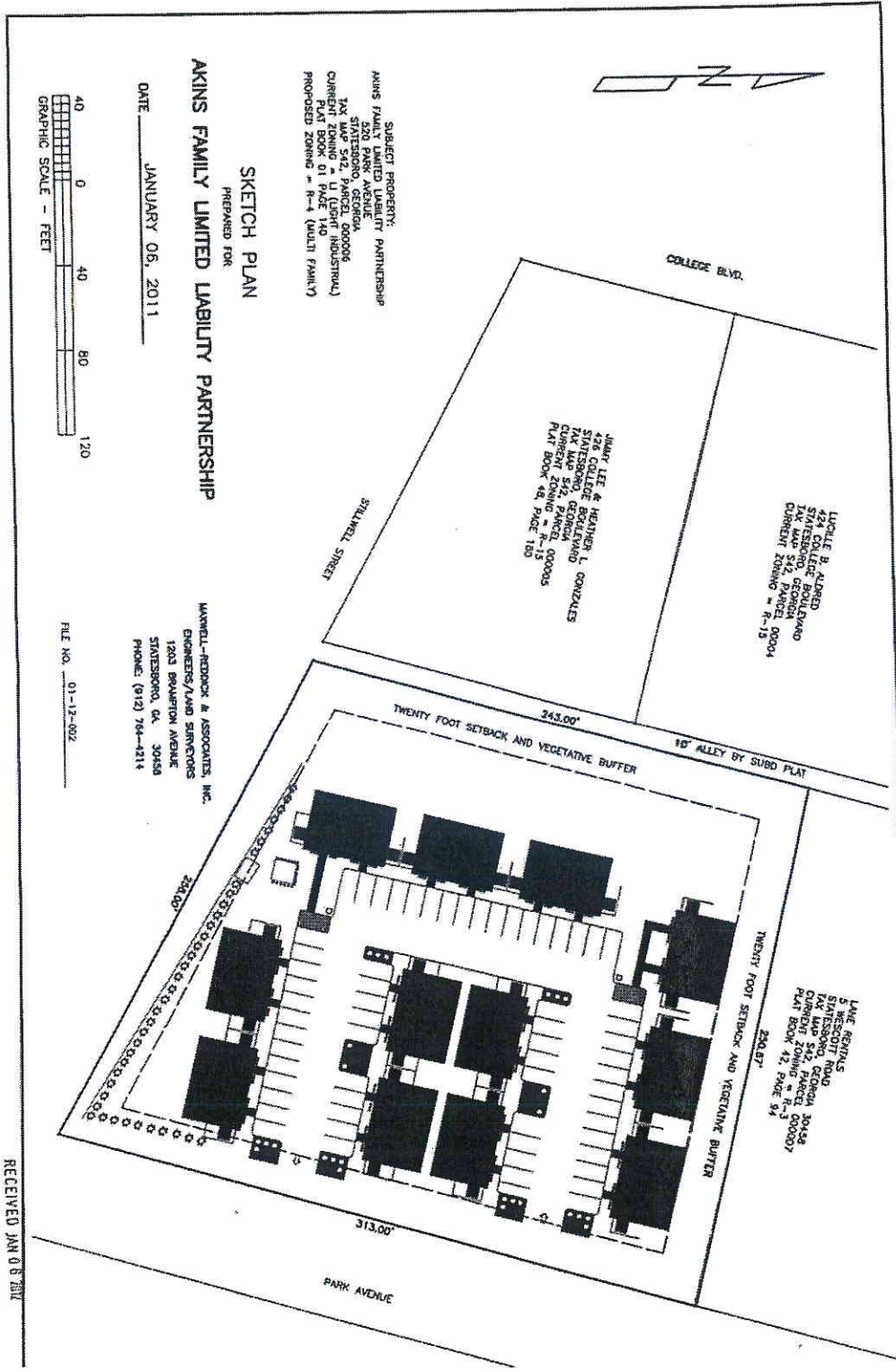


EXHIBIT C: CONCEPTUAL SITE PLAN

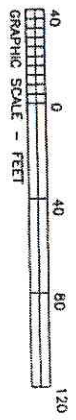
DEVELOPMENT SERVICES REPORT
Case # RZ 12-01-01
Amended May 10, 2012



SUBJECT PROPERTY:
 AKINS FAMILY LIMITED LIABILITY PARTNERSHIP
 220 PARK AVENUE
 STATESBORO, GEORGIA
 TAX MAP 542, PARCEL 000008
 CURRENT ZONING = R-4 (MULTI-FAMILY)
 PROPOSED ZONING = R-4 (MULTI-FAMILY)

SKETCH PLAN
 PREPARED FOR
AKINS FAMILY LIMITED LIABILITY PARTNERSHIP

DATE: JANUARY 06, 2011



MARRELL-REDMOND & ASSOCIATES, INC.
 ENGINEERS/LAND SURVEYORS
 1203 BRUNTON AVENUE
 STATESBORO, GA 30450
 PHONE: (912) 764-4214

FILE NO. 01-12-002

RECEIVED JAN 08 2011

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTIES AND VICINITY



Figure 1a: Subject Property (1.67 acre parcel)



Figure 1b: Subject Property (1.67 acre parcel)



Figure 1c: Subject Property (1.67 acre parcel)



Figure 1d: Subject Property (.24 acre parcel)

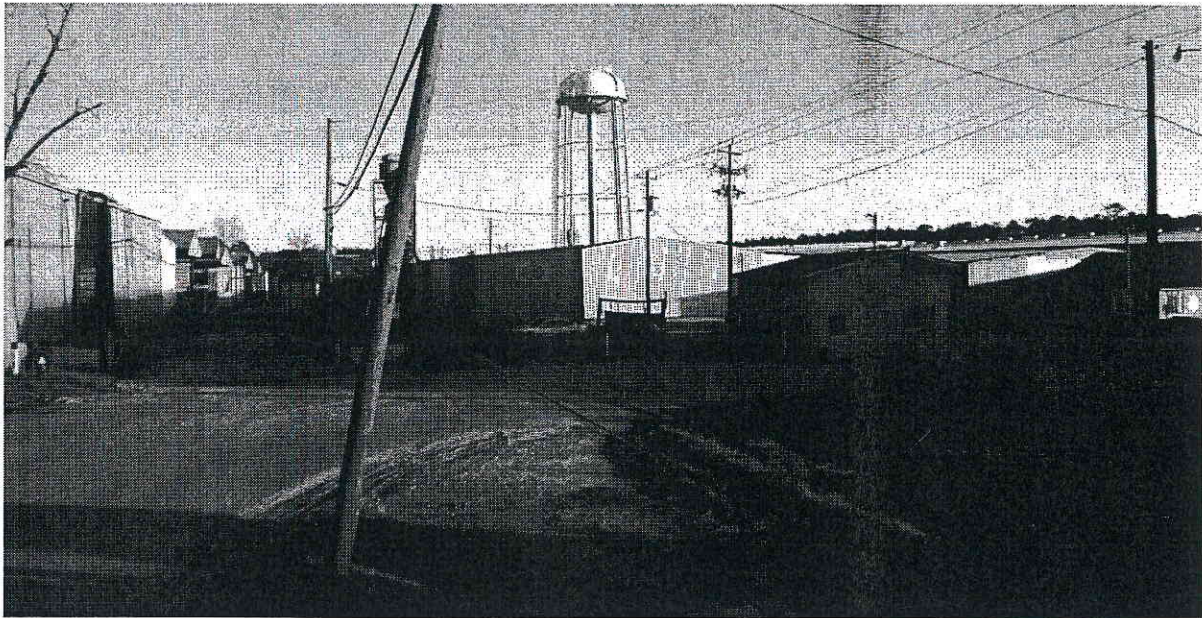


Figure 2a: Surrounding Land Uses – Howard Lumber Yard



Figure 2b: Surrounding Land Uses – Residential area north of subject parcels

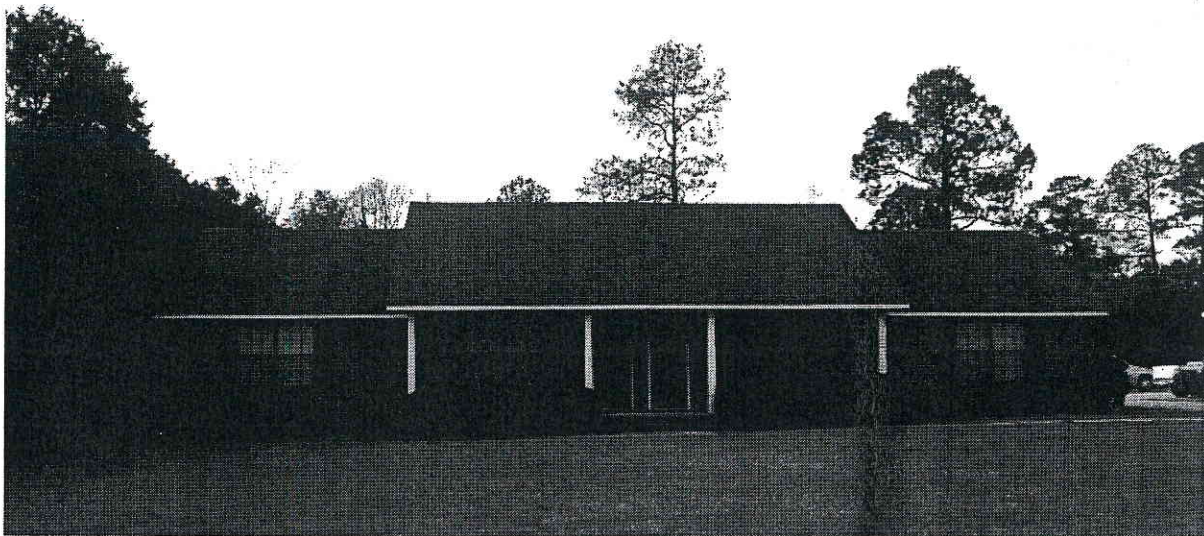


Figure 2c: Surrounding Land Use – Duplex north of subject parcels (R-3 Medium-Density Multiple Family Residential)



Figure 3a: Duplexes located in multiple zoning districts – 114 South Mulberry (R-4 High Density Residential)



Figure 3b: Duplexes located in multiple zoning districts – 202 Broad Street (R-4, High-Density Residential)



Figure 3b: Duplexes located in multiple zoning districts – 201 College Avenue (R-15, Single Family Residential)



City of Statesboro
Engineering Department – Public Works

P.O. Box 348
Statesboro, Georgia 30459

912.764.0681 (Voice)
912.764.7680 (Fax)

MEMORANDUM

To: Frank Parker, City Manager

From: Robert Cheshire, P.E., City Engineer
Jason Boyles, Senior Assistant City Engineer

Re: Proposed Changes to City Policies and Fees Regarding Solid Waste Collections (Yard Waste)

Date: May 30, 2012

As you are aware, it has become evident that the recent stricter enforcement of yard trash collection regulations has not been well received by the public. Therefore, we propose to either significantly modify or eliminate some of these regulations. The primary changes we propose to eliminate are the 4' x 8' x 4' pile size limit, the 400 pound pile size limit, and the removal for compensation restrictions for yard trash piles. Instead we propose to collect all yard trash piled curbside. The only yard trash limitations we propose to enforce are that tree trunks, limbs, branches, or shrubs cannot exceed 6" in diameter, 6' in length or 60 pounds each. These limitations are increased from the current provisions to allow for larger individual pieces, yet still maintain a size that our equipment and personnel can safely handle and load in our trucks. The existing provisions for felled trees will remain.

As discussed at the May 15, 2012 City Council meeting, significantly modifying the size and weight limits of yard trash piles will require that we add, as a minimum, one additional collection truck and two-man crew. This will ensure that we are able to provide the level of service that the public expects from the city. To cover these added expenses, we propose increasing the solid waste collection fee of every sanitation account by \$1.60 per month. Please note the proposed increase of \$1.60 per month will be in addition to the 5% increase for residential and commercial polycart and multi-family unit fees we propose in the FY 2013 budget to cover rising landfill, fuel, and equipment costs. Therefore, the total proposed fee increases would be as follows:

- Residential fee will increase by \$2.35 per month, from \$15.00 to \$17.35
- Commercial polycart fee will increase by \$2.45 per month, from \$17.00 to \$19.45
- Commercial dumpster minimum fee will increase by \$1.60 per month, from \$24.00 to \$25.60

The proposed rates will remain consistent with solid waste collection rates for other comparable cities in Georgia.