



March 17, 2020 5:30 pm

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember Venus Mack
3. Recognitions/Public Presentations
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 03-03-2020 Council Minutes
6. Consideration of a Motion to award a department owned firearm to retiring Lieutenant Mike Chappel after 33 years of exemplary service.
7. Consideration of a Motion to approve the submission of a Grant Application by the Statesboro Police Department to the U.S. Department of Justice.
8. Public Hearing and Consideration of a Motion to approve application for an Alcohol License Sec. 6-13 (a)
 - A) V & V Brothers LLC
DBA: VIP Store
301 N Main Street
Naynaben Chaudhari
9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION SE 20-02-01**: Lufituaeb McCray Holloway requests a special exception for 0.14 acres of property located at 324 James Street to utilize a portion of the existing building as a beauty salon/barbershop in the R-6 (Single Family Residential) zoning district (Tax Parcel S09 000033 000).
10. Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 20-02-10**: Frank Parker requests a variance from Article XXX, Section 3010(A) regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District for 1.06 acres of property located at 239 South Main Street (Tax Parcel S19 000019 001).

11. Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 20-02-13**: J.R. Hendley Foundation, Inc. requests a variance from Article XXX, Section 3010(A) regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District for 2.44 acres of property located at 672 South College Street (Tax Parcel MS51 000024 000).

12. Public Hearing and Consideration of a Motion to Approve:
 - A) **APPLICATION V 20-02-04**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the aggregate square footage allowed in Sign District 3 for approximately 49.65 acres of property located on Old Register Road (Tax Parcel 076 000001 000).

 - B) **APPLICATION V 20-02-05**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the number of free standing signs allowed in Sign District 3 for approximately 49.65 acres of property located on Old Register Road (Tax Parcel 076 000001 000).

 - C) **APPLICATION V 20-02-06**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the maximum square footage allowed for free standing signs in Sign District 3 for approximately 49.65 acres of property located on Old Register Road (Tax Parcel 076000001000).

 - D) **APPLICATION V 20-02-07**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the maximum height for freestanding signs allowed in Sign District 3 for approximately 49.65 acres located on Old Register Road (Tax Parcel 076 000001 000).

 - E) **APPLICATION V 20-02-08**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the maximum square footage allowed for building signs in Sign District 3 for approximately 49.65 acres located on Old Register Road (Tax Parcel 076 000001 000).

 - F) **APPLICATION V 20-02-09**: Watkins Real Estate Group requests a variance from Article XV, Section 1509(C), Table 5 regarding the maximum number of building signs allowed on a single elevation in Sign District 3 for approximately 49.65 acres located on Old Register Road (Tax Parcel 076 000001 000).

13. Other Business from City Council

14. City Managers Comments

15. Public Comments (General)

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

17. Consideration of a Motion to approve Appointments for the following Commissions and Boards

- A) Keep Statesboro Bulloch Beautiful Advisory Board for three (3) vacancies.
- B) Statesboro Tree Board for three (3) vacancies.
- C) Statesboro Beautification Commission four (4) vacancies.
- D) Commission on Diversity and Inclusion two (2) vacancies.

18. Consideration of a Motion to Adjourn



CITY OF STATESBORO
COUNCIL MINUTES
MARCH 3, 2020

Regular Meeting

50 E. Main St. City Hall Council Chambers

9:00 AM

1. **CALL TO ORDER**

Mayor Jonathan McCollar called the meeting to order

2. **INVOCATION AND PLEDGE**

Councilmember Paulette Chavers gave the Invocation and Pledge of Allegiance.

ATTENDENCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Absent	
Shari Barr	Councilmember	Present	

Other staff present was: City Manager Charles Penny, Assistant City Manager Jason Boyles, City Attorney Cain Smith and City Clerk Leah Harden.

3. **Recognitions/Public Presentations None**

4. **Public Comments (Agenda Item): None**

5. **Consideration of a Motion to approve the Consent Agenda**

A) **Approval of Minutes**

- a) **02-18-2020 Work Session Minutes**
- b) **02-02-2020 Council Minutes**

A motion was made to approve the consent agenda

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

6. Consideration of a motion to approve Resolution 2020-10: A Resolution pledging payment of restricted Hotel Motel Tax proceeds to Statesboro Convention and Visitors Bureau (SCVB).

A motion was made to approve Resolution 2020-10: pledging payment of restricted Hotel Motel Tax proceeds to Statesboro Convention and Visitors Bureau (SCVB).

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

7. Consideration of a Motion to adopt amended Ordinance Codification of Chapter 2 to include Statesboro-Bulloch Beautiful Advisory Board.

A motion was made to adopt amended Ordinance Codification of Chapter 2 to include Statesboro-Bulloch Beautiful Advisory Board.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

8. Consideration of a motion to approve a Development Agreement with West District Development LLC to use \$188,365.00 in TAD funds for installation of private infrastructure within the development commonly known as the West District within the South Main Tax Allocation District.

A motion was made to approve a Development Agreement with West District LLC to use \$188,365.00 in TAD funds for installation of private infrastructure within the development commonly known at the West District.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Phil Boyum
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

Chris Gohagan asked if he could come forward with a revision to the Development agreement. Mayor McCollar granted him this point of privilege. Mr.Gohagan stated he would like section 6.2 D of the Agreement to state disbursements be paid back within thirty days of approval.

A motion was made to amend the approval of Agenda Item number 8, to include a revision to section 6.2 D to include a thirty-day timeline for reimbursement on behalf of the City.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

9. Consideration of a Motion to award a contract with American Signal for the purchase of three (3) Advantage-S LED Portable Trailer Mounted Message Signs per the Houston-Galveston Area Council (H-GAC) purchasing cooperative contract in the amount of \$40,000.00.

A motion was made to award a contract with American Signal for the purchase of three (3) Advantage-S LED Portable Trailer Mounted Message Signs in the amount of \$40,000.00.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

10. Consideration of a Motion to award a contract to Xylem Dewatering Solution, Inc. in the amount of \$92,807.82 for two NC 100 Dri-Prime Pumps with funds approved in the 2020 CIP Budget item # WWD-37.

A motion was made to award a contract to Xylem Dewatering Souldion Inc, in the amount of \$92,807.82 for two NC 100 Dri-Prime Pumps.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

11. Consideration of a Motion to award a Professional Services Contract to Hussey, Gay, Bell Inc. in an amount not to exceed \$23,400.00 for design and survey services to replace the East Olliff St. Water Main with funds approved as part of the 2020 CIP Budget Item# WWD-0166.

A motion was made to award a Professional Services Contract to Hussey, Gay Bell Inc. in an amount not to exceed \$23,400.00 for design and survey services to replace the East Olliff St. Water Main.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Shari Barr
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	Councilmember John Riggs

12. Consideration of a Motion to approve Change Order #1 to Insituform Technologies, LLC’s contract for \$101,091.80 with funds approved as part of the 2020 CIP Budget Item# WWD-172.

A motion was made to approve Change Order #1 to Insituform Technologies, LLC’s contract for \$101,091.80.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	Councilmember John Riggs

13. Consideration of a Motion to award a contract to Sikes Brothers Inc. for \$196,690.00 for asphalt paving and repairs at the Waste Water Treatment Plant and the Hill St. Utility Complex with funds approved in the 2020 CIP Budget Item# WWD-65, WWD-127 and NGD-66.

A motion was made to award a contract to Sikes Brothers Inc. for \$196,690.00 for asphalt paving and repairs to the Waste Water Treatment Plant and the Hill St. Utility Complex.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	John Riggs

14. Other Business from City Council

- A) City of Statesboro Council Retreat will be held on March 13-14, 2020 beginning at 9:00 am at the Marriott in Augusta, Georgia. The retreat will be facilitated by Michael Hourihan from the Carl Vinson School of Government.**

Councilmember Phil Boyum stated with all the rain here lately we need to address systematically the ditches, private ponds, drainage culverts not owned by the City. He stated we need to look at setting funding aside for acquiring property and/or easement for some of these properties.

Mayor McCollar stated there will be a Work Session on March 17, 2020 to discuss alcohol and an update on parks and recreation.

15. City Managers Comments: None

16. Public Comments (General) : None

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

A motion was made to enter into executive session at 9:41am

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Paulette Chavers
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	Councilmember John Riggs

A motion was made to exit Executive Session at 10:24am

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Shari Barr
SECONDER:	Councilmember Venus Mack
AYES:	Boyum, Chavers, Mack, Barr
ABSENT	Councilmember John Riggs

Mayor Jonathan McCollar called the meeting back to order stating there was no action in Executive Session.

18. Consideration of a Motion to Adjourn

A motion was made to adjourn.

RESULT:	Approved (Unanimous)
MOVER:	Councilmember Venus Mack
SECONDER:	Councilmember Paulette Chavers
AYES:	Boyum, Chavers, Mack, Barr

ABSENT

Councilmember John Riggs

The meeting was adjourned at 10:25 am



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police

DATE: March 5, 2020

RE: Surplus Retirement Firearm

POLICY ISSUE: Surplus Item

RECOMMENDATION: That Council approve the award of a Department owned firearm to retiring Lieutenant Mike Chappel.

BACKGROUND: Historically, the police department has awarded a firearm to those members who have retired in good standing with more than 25 years of service. This practice is specifically authorized by Georgia Statute 35-1-20. Lieutenant Mike Chappel has announced his retirement from the police department after 33 years of exemplary service to the citizens of our community. The pistol he carries daily is a Glock Model 17 with Serial Number #BDLA519, and we would like to award him this pistol along with his retired credentials.

BUDGET IMPACT: We are able to purchase these pistols for approximately \$400

COUNCIL DISTRICT: All

ATTACHMENTS: N/A



STATESBORO POLICE DEPARTMENT

Ph 912-764-9911

25 West Grady Street, Statesboro, Georgia 30458

Fx 912-489-5050

TO: Charles Penny, City Manager

FROM: Mike Broadhead, Chief of Police

DATE: March 6, 2020

RE: Police Department Grant Application

POLICY ISSUE: Grant Application

RECOMMENDATION: That Council approve the submission of a grant application by the police department.

BACKGROUND: The Police Department would like to apply for a grant from the US Department of Justice (DOJ) in the amount \$78,430. Recent notice has been advertised that DOJ is accepting grant applications through the Community Policing Development Microgrant Program. These grant funds can be used for various topics including "Recruitment, Hiring, and Retention." The police department has been struggling to find adequate numbers of outstanding officer candidates, and we need to increase our pool. Additionally, the police department is searching for female applicants and applicants from diverse ethnic and racial backgrounds. We are preparing this grant application for specific recruiting strategies that include digital targeted advertising, as well as travel costs associated with personal visits to various colleges and universities, including Historic Black Colleges throughout our region.

BUDGET IMPACT: There are no required matching finds.

COUNCIL DISTRICT: All

ATTACHMENTS: N/A

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
Cain Smith, City Attorney

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

To: City Manager Charles Penny & City Clerk Leah Harden

From: Tax Department

Date: 3/11/2020

RE: Alcohol Application

Policy Issue: Mayor and Council shall approve application in accordance with City of Statesboro Alcohol Ordinance Chapter 6-13 (a):

No new alcoholic beverage license to sell, dispense, pour or offer to sell, dispense or pour any distilled spirits, alcoholic beverages, wine, beer or malt beverages within the corporate limits of the City of Statesboro shall be issued to a new owner or new location until the application has been approved by the mayor and city council after a public hearing.

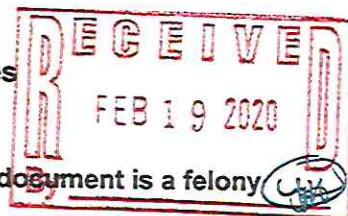
Recommendation: Planning & Development, Fire Department, Police Department, and Legal recommended approval.

Budget Impact: None

Council Person and District: Councilman Phillip Boyum, District 1

Attachments: Application and Department Approvals

Application for License to Sell Alcoholic Beverages
City of Statesboro, Georgia



Please be advised that knowingly providing false or misleading information on this document is a felony pursuant to O.C.G.A. § 16-10-20 which states:

A person who knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact; makes a false, fictitious, or fraudulent statement or representation; or makes or uses any false writing or document, knowing the same to contain any false, fictitious, or fraudulent statement or entry, in any matter within the jurisdiction of any department or agency of state government or of the government of any county, city, or other political subdivision of this state shall, upon conviction thereof, be punished by a fine of not more than \$1,000.00 or by imprisonment for not less than one nor more than five years, or both.

The undersigned applicant hereby applies to the City of Statesboro, Georgia for a license to sell alcoholic beverages within the corporate limits of the City of Statesboro. **A non-refundable \$200 application fee must be tendered with the application.** (cash, credit card, certified check, or money order made payable to City of Statesboro)

Date application was received by tax/license office: 2/19/2020

1. Business Trade Name: VIP store
D/B/A Name

2. Applicant's Name: V&V Brothers LLC
Name of partnership, llc, corporation, or individual

3. Business Physical Address: 301 N. Main st.
Statesboro GA 30458

4. Business mailing address: do

5. Local business phone number: 912-681-4568

Corporate office phone number: _____

6. Name of Manager: Naynaben Chaudhari
Person responsible for alcohol licensing issues

10. Purpose of application is:

New Business _____ New Owner

Previous owner's name: Anjan Viplav

If the business name has changed, list previous name: _____

If the business address has changed, list the previous address: _____

11. Indicate where the business will be located:

Above ground

Street or ground floor level

Section 6-10(D) Any person within the City of Statesboro who works as a bouncer, either as an employee, agent, or subcontractor whose responsibilities in an establishment that is licensed to sell alcoholic beverages for on-premises consumption shall have their alcoholic beverage security permit on their person at all times while acting as an employee, agent or subcontractor of the licenses. An alcoholic beverage security permit shall be readily available for inspection upon the request of any Statesboro Police Department Officer, City Code Enforcement Officer, or the City Manager/his designee.

12. Type of Business: Individual Corporation Partnership LLC

Complete EITHER numbers 13, 14, and 15 OR 16, 17, and 18 in the section below:

13. If applicant is an individual: Attach a copy of the trade name affidavit.

Full Legal Name: _____ Phone #: _____

Home Address: _____

Have you completed the financial affidavit attached to this application? _____

*14. If applicant is a partnership, LLC, or LLP: Attach trade name affidavit. If an LLC or LLP, attach a copy of certificate of LLC or LLP as filed with the Clerk of Superior Court and trade name affidavit, a copy of your operating agreement and/or partnership agreement, as well as other documents listed below that establish ownership rights of members or partners.

Name & address of partnership, LLC, or LLP: V @ V Brothers LLC

301 N. Main St. Statesboro GA 30458

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? yes

If not, what documents establish the ownership rights of the members/partners? _____

***15. Members of LLC and/or partners:**

Full Legal Name: Nayna ben Chandhery Phone #: 912-541-0878

Full Legal Name: _____ Phone #: _____

Home Address: _____

Full Legal Name: _____ Phone #: _____

Home Address: _____

Has each member/partner completed a financial affidavit to attach to this application? _____
(Attach additional pages if necessary)

Corporation/Stockholders: All corporate applicants who are corporations shall list the names and addresses of all stockholders and the percentage of stock owned by each. If a named stockholder therein is another corporation, the same information shall be given for the Stockholding Corporation. If, during the life of the license, the identity of the stockholders or their percentage of ownership should change, that information shall be sent to the Finance Department.

16. If applicant is a corporation: Attach a copy of the articles of incorporation, trade name affidavit, current annual corporation registration with the Georgia Secretary of State, as well as the bylaws, the shareholders agreement, and other documents listed below that identify ownership rights.

Name of Corporation: _____

Home Office address: _____

Mailing address (if different): _____

Date & Place of incorporation: _____

Do you have a shareholders agreement?: _____

If not, what documents establish the ownership rights of the shareholders? _____

17. Officers:

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

****Attach additional pages if necessary****

18. Stockholders: (if different than officer names)

Full Legal Name: _____ Phone #: _____

Home address: _____

Percentage of stock owned: _____ Office held: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

Full Legal Name: _____ Phone #: _____

Home address: _____

****Attach additional pages if necessary****

Has each shareholder completed the financial affidavit attached to this application? _____

19. If there is any individual or officer who has resided at his/her current address LESS THAN 5 years, complete the information below:

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: _____ **Phone #:** _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

20. Name & address of owner of the property (land & building) where the business will be located:

Anjan Viplav

21. Is the commercial space where the business is to be located rented or leased? Leased

If yes, state name and address of lessor or landlord, and provide a copy of the lease with this application:

Anjan Viplav VIP Stores LLC

22. Does any person or firm have any interest in the proposed business as a silent, undisclosed partner or joint venture; or has anyone agreed to split the profits/receipts from the proposed business with any persons, firm, company, corporation, or other entity? No

If yes, provide name of person/firm, address, and amount of percentage of profits or receipts to be split:

No

23. Is there anyone connected with this business that is not a legal resident of the United States and at least 21 years of age? No

If yes, give full details on a separate sheet of paper.

If anyone connected with this business is not a US Citizen, can they legally be employed in the United States? No

If yes, please explain on a separate sheet of paper and submit copies of eligibility.

24. Is there anyone connected with this business that has applied for a beer, wine, and/or liquor license from the City of Statesboro or other city/county in the State of Georgia, or other political subdivision and been denied such? No

If yes, please provide details on a separate sheet of paper.

25. Is there anyone connected with this business who holds another alcohol license in any retail category or any license under any wholesale category? No

If yes, please provide details on a separate sheet of paper.

26. Is there anyone connected with this business that has been convicted within 15 years immediately prior to the filing of this application with any felony or for whom outstanding indictments, accusations, or criminal charges exist charging such individual with any of such offenses and for which no final disposition has occurred? No

If yes, please provide details on a separate sheet of paper.

27. Is there anyone connected with this business that has been convicted within 5 years immediately prior to the filing of this application of the violation of any state, federal, or local ordinance pertaining to the manufacture, possession, transportation or sale of malt beverages, wine, or intoxicating liquors, or the taxability there of a crime involving moral turpitude or of a crime involving soliciting for prostitution, pandering, gambling, letting premises for prostitution, keeping a disorderly place, the traffic offense of hit and run or leaving the scene of an accident or any misdemeanor serious traffic offense? No
If yes, please provide details on a separate sheet of paper.
28. Is there anyone connected with this business that has been convicted for selling alcohol to an under-age person within the last 3 year period? No
If yes, please provide details on a separate sheet of paper.
29. Is there anyone connected with this business that is an official or public employee of the City of Statesboro, any State or Federal agency, or whose duties include the regulation or policing of alcoholic beverages or licenses, or any tax collecting activity? No
If yes, please provide details on a separate sheet of paper.
30. Have you or the applicant had any vehicles, trailers, or property belonging to you or the company in which you or any of such persons have or had an interest in ever been seized, condemned or forfeited as contraband by the State of Georgia or the United States for the reason the same was being used or intended for the use in criminal activities? No
If yes, please provide details on a separate sheet of paper.
31. Will live nude performances or adult entertainment be a part of this business operation? No
If yes, the City of Statesboro Ordinance 6-164 prohibits alcohol in an establishment having adult entertainment.

I, Nayna ben Chandhari, solemnly swear, subject to the penalties O.C.G.A. sec 16-10-20 as provided above which I have read and understood, that all information required in this application for license to sell alcoholic beverages and supporting documents is true and correct to the best of my knowledge and I fully understand that any false information will cause the denial or revocation of any alcohol license issued by the City of Statesboro license. I also fully understand that knowingly providing false information under oath in this affidavit will subject me to criminal prosecution and possible imprisonment.

Nayna ben Chandhari
Print full name as signed below

<u><i>Nayna ben Chandhari</i></u>	<u>owner</u>	<u>02/19/20</u>
Signature of applicant	Title	Date

Sworn and subscribed before me this 19th day of February, 20 20.

Jackson Brown
Notary Public



3-15-2022
My commission expires

Calculation of Basic License Fee

For Calendar Year: 2020

Classification:	Mark all that apply	License Fee
1. Package Sales	<input checked="" type="checkbox"/>	\$1750
2. On Premise License Types		
A. Bar	<input type="checkbox"/>	\$4300
B. Bar with Kitchen	<input type="checkbox"/>	\$4300
C. Event Venue	<input type="checkbox"/>	\$2500
D. Low Volume	<input type="checkbox"/>	\$750
E. Pub	<input type="checkbox"/>	\$5600
F. Restaurant	<input type="checkbox"/>	\$2800
3. Caterer	<input type="checkbox"/>	\$200
4. Brewer, manufacturer of malt beverages only	<input type="checkbox"/>	\$1750
5. Broker	<input type="checkbox"/>	\$1750
6. Importer	<input type="checkbox"/>	\$1750
7. Manufacturer of Wine only	<input type="checkbox"/>	\$1750
8. Sunday Sales Permit	<input checked="" type="checkbox"/>	\$300
9. In Room Service Permit	<input type="checkbox"/>	\$150

Total Due: \$ 2,050.00

NEW

Renewal of Number

United States Liability Insurance Company

1190 Devon Park Drive, Wayne, Pennsylvania 19087

A Member Company of United States Liability Insurance Group

POLICY DECLARATIONS

No. LQ 1001334

NAMED INSURED AND ADDRESS:

V&V BROTHERS LLC
DBA: VIP STORE
301 NORTH MAIN STREET
STATESBORO, GA 30458

POLICY PERIOD: (MO. DAY YR.) From: 03/02/2020 To: 03/02/2021

12:01 A.M. STANDARD TIME AT YOUR
MAILING ADDRESS SHOWN ABOVE

FORM OF BUSINESS: Limited Liability Company

BUSINESS DESCRIPTION: Convenience/Deli/Grocery

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED.
THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

	PREMIUM
Liquor Liability Coverage Part	\$489.00
TOTAL:	\$489.00

Coverage Form(s) and Endorsement(s) made a part of this policy at time of issue

See Endorsement EOD (1/95)

Agent: GEORGIA FARM BUREAU BROKERAGE, INC. - AGENCY (4359)
P.O. Box 7068
Macon, GA 31209

Issued: 03/03/2020 10:00 AM

By: 
Authorized Representative

UPD (08-07) THESE DECLARATIONS TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

LIQUOR LIABILITY COVERAGE PART DECLARATIONS

Policy No. LQ 1001334

Effective Date: 03/02/2020
12:01 AM STANDARD TIME

LIMITS OF INSURANCE

Liquor Each Common Cause Limit	\$1,000,000
Liquor Aggregate Limit	\$2,000,000

LIABILITY DEDUCTIBLE **\$0**

LOCATIONS OF ALL PREMISES YOU OWN, RENT OR OCCUPY

Location	Address	Territory
1	301 North Main Street , Statesboro, GA 30458	003

PREMIUM COMPUTATION

Loc	Classification	Code No.	Premium Basis	Rate		Advance Premium	
				Pr/Co	All Other	Pr/Co	All Other
1	Grocery Store, Convenience Store or Delicatessen - retail sales of liquor	00030	75,000 Liquor Receipts	N/A	0.260	N/A	\$195
MINIMUM PREMIUM FOR LIQUOR LIABILITY COVERAGE PART:							\$489
TOTAL PREMIUM FOR LIQUOR LIABILITY COVERAGE PART:							\$489 MP
(This Premium may be subject to adjustment.) MP - minimum premium							

Coverage Form(s)/Part(s) and Endorsement(s) made a part of this policy at time of issue:

See Form EOD (01/95)

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD.



City of Statesboro
Department of Planning & Development Memorandum

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

DATE: February 20, 2020
TO: Tax Department
SUBJECT: ALCOHOLIC BEVERAGE APPLICATION (301 North Main Street)

The Department of Planning & Development has reviewed the alcoholic beverage application submitted by Naynaben Chaudhari for 301 North Main Street (Tax Parcel # S16 000020 000). The applicant is proposing "Package Sales" at this location. The proposed sale of alcohol is permitted at the location and the application may be approved. Staff's recommendation is based on the following:

- 1) **Zoning District:** 301 N Main St is located in the HOC (Highway Oriented Commercial) zoning district. Sale of beverages is permitted in this district.
- 2) **General Regulations Pertaining to all Licenses:** Per Chapter 6 Section 6-7(c)(2) of the *Statesboro Code of Ordinances*, "Package" alcoholic beverage licenses may be issued in the HOC (Highway Oriented Commercial) zoning district.
- 3) **Alcoholic Beverages Proximity Restrictions:** The Department of Planning & Development has reviewed the subject property for consistency with the proximity restrictions of Chapter 6 Section 6-7(d) of the *Statesboro Code of Ordinances*. The proposed location is required to adhere to the regulations set forth by O.C.G.A. § 3-3-21. As per Chapter 6-7(d)1, Class D, E, and F licenses shall be issued for a location only if the location complies with the proximity requirements provided by O.C.G.A. § 3-3-21 as measured by the rules and regulations promulgated by the Georgia Department of Revenue. This location has a previously established alcohol license that has not lapsed for more than 365 + 1 days, therefore a new proximity map is not required.

Department of Planning and Development approval is based on the information provided within the alcoholic beverage application submitted for our review.

The Department of Planning & Development encourages all applicants to access the *Statesboro Zoning Ordinance* online at <http://www.statesboroga.gov/>. The applicant is also encouraged to consult directly with representatives of the Engineering, Fire and other permitting departments if any work on the building or site is occurring to determine whether or not building or site plans associated with the proposed use are necessary.

Respectfully,

Justin L Williams
City Planner I
Department of Planning and Development

CITY OF STATESBORO

COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan M. McCollar, Mayor
Charles W. Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

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

To: Charles W. Penny, City Manager and Leah Harden, City Clerk

From: Owen Dundee, City Planner II

Date: March 6, 2020

RE: March 17, 2020 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Special Exception Request*

Recommendation: Staff recommends approval of the special exception requested by application SE 20-02-01 with conditions.

Background: Lufituaeb McCray Holloway requests a special exception for 0.14 acres of property located at 324 James Street to utilize a portion of the existing building as a beauty salon/barbershop in the R-6 (Single Family Residential) zoning district (Tax Parcel S09 000033 000).

Budget Impact: None

Council Person and District: Chavers (District 2)

Attachments: Development Services Report SE 20-02-01



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)*

**SE 20-02-01
 SPECIAL EXCEPTION REQUEST
 324 JAMES STREET**

LOCATION: 324 James Street

REQUEST: Special Exception to utilize a portion of the existing building on the subject site for a barber shop/beauty salon use within the R-6 (Single Family Residential) zoning district.

APPLICANT: Lufituaeb McCray Holloway

OWNER(S): John Raymond Holloway

LAND AREA: 0.14 acres

PARCEL TAX MAP #s: S09 000033 000

COUNCIL DISTRICT: District 2 (Chavers)



PROPOSAL:

The applicant requests a Special Exception to allow for the utilization of a 924 square foot building located at 324 James Street as a beauty salon/barbershop within the R-6 (Single Family Residential) zoning district, which is not a permissible use by right under this district's regulations (Tax Parcel S09 000033 000).

Pursuant to Article VII-A, Section 701-A(1)(7), "Beauty Salons, barbershops, doctors, and dentists, and similar businesses are not permitted home occupations" in the R-6 (Single Family Residential) zoning district. Beauty salons, barbershops, and similar businesses are permissible uses by right primarily within the HOC (Highway Oriented Commercial) and the CR (Commercial Retail) zoning districts (See **Exhibit A — Location Map**). The applicant's desired utilization of the property is not permitted without either the rezoning of the property or the granting of a special exception permitting the requested use.

BACKGROUND:

On November 16, 2005, City Council previously approved a conditional use variance (**#CUV 04-11-09**) to allow the subject property to operate a music lessons and home interior decorating business.

On November 20, 2012, City Council previously granted a special exception request (**#SE 12-10-04**) to operate a Group Daycare (not to exceed twelve (12) children at the subject property located at 324 James Street.

Per the Bulloch County Tax Assessor's website, the subject site is currently occupied by a 924 sq. ft., single family residential building constructed in 1995.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-6 (Single Family Residential)	Single Family Residential Uses
SOUTH:	R-6 (Single Family Residential)	James R. Barnes Mortuary and Bright Beginnings Day Care
EAST:	R-6 (Single Family Residential)	Single Family Residential Uses
WEST	R-6 (Single Family Residential)	Single Family Residential Uses and a Vacant Commercial Building

The subject property has approximately 50 feet of frontage along James Street. All of the abutting properties are zoned R-6 (Single Family Residential) and are occupied by a variety of uses, such as a day care, mortuary, and the Elk's Lodge. (See **Exhibit B—Photos of Subject Site and Surrounding Properties**).

COMPREHENSIVE PLAN:

The subject site lies within the “Established Residential” character area as identified by the City of Statesboro’s Future Development Map within the City’s 2019 – 2029 Comprehensive Plan.

Vision:

The traditional neighborhoods in the **Established Residential** character area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of the major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side and rear setbacks.

Some neighborhoods within this area are facing decline issues with blight. These neighborhoods may require extra attention to return them to viable neighborhoods. Strengthening the urban core through additional commercial, retail and office development can benefit the neighborhoods surrounding the urban core by providing opportunities within walking or cycling distance to downtown.

Appropriate Land Uses:

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

Suggested Development Strategies:

- Residential developments that incorporate “corner commercial” sites such as dry cleaning, convenience grocery, and/or similar retail services.
- Revitalization of existing neighborhood commercial centers to capture more market activity and serve as community focal points.
- 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.

Statesboro 2019 - 2029 Comprehensive Plan, Community Agenda page 94-95.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city services as a result of this request.

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The applicant is requesting a special exception to permit the property to be utilized as a Beauty Salon/Barber Shop. The subject site is located in the R-6 (Single Family Residential) district and the applicant’s requested use is primarily permitted in the HOC (Highway Oriented Commercial) and CR (Commercial Retail) zoning districts by right.

Special exceptions allow for land uses that are not permitted by right within a zoning district, but which are defined as an acceptable use type, are of the same general character of permissible uses in the district, can meet the specific requirements contained in the ordinance and are listed as a special exception in the ordinance.

I. **Consideration of the Definition of the Applicant’s Proposed Use and its General Character**

The applicant is requesting to use a portion of the building located on the subject site for a Beauty Salon/Barbershop for a parcel zoned R-6 (Single Family Residential). Beauty salons, barbershops and similar businesses are not permissible uses by right within the R-6 (Single Family Residential) zoning district.

II. **Consideration of the Proposed Use’s Ability to Adhere to the R-6 District’s Requirements**

The *Statesboro Zoning Ordinance* allows for the operation of home occupations in the R-6 (Single Family Residential) district by specifically listing the permissible uses. However, the ordinance states that beauty salons, barbershops, and similar uses are not permitted or defined as a home occupation. Regardless, the applicant does not intend to live in the “unit” that the salon will be operated from; therefore, this use could not be considered as a home occupation otherwise.

Historically, the subject property and several neighboring parcels have been utilized for commercial, religious, philanthropic, and day care uses. Additionally, the subject property features ample vacant land area for parking.

III. Consideration of the Proposed Use's Inclusion in the CR District as a Special Exception

The applicant is requesting a Special Exception to permit the use of a beauty salon/barbershop in a portion of the existing single-family residence located at 324 James Street in the R-6 (Single Family Residential) zoning district. Special Exceptions allow for a land use that is not permitted by right within a zoning district, but which may be granted, where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a beauty salon/barbershop is not a use permitted by right within the R-6 (Single Family Residential) zoning district; thus necessitating this request for approval of the proposed use by the Mayor and City Council.

Furthermore, this request gives the applicant an opportunity to serve members of the community while contributing a neighborhood-scale retail use as encouraged by the *2019 – 2029 Comprehensive Plan*. Although the property is surrounded by residential zoning districts, the surrounding land uses include a variety of neighborhood-scale commercial uses, such as a day care, mortuary, the Elks Lodge, and Stevens Temple Church of Christ.

The *Statesboro Zoning Ordinance* permits the grant of a special exception upon a finding by the governing body that the requested use is “of the same general character” as those uses permitted within the district without the grant of a special exception and requires that “in determining the compatibility of the conditional use with adjacent properties and the overall community, the mayor and city council (will) consider the same criteria and guidelines [as for] determinations of amendments, as well as the following factors:”

Article XXIV: Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council “in determining compatibility” of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.**
 - Staff is unaware of any environmental impacts this request would cause.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.**
 - The proposed use of the existing building on the subject site is not expected to cause a significant impact to vehicular traffic.
- C. Off street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.**
 - The proposed use is anticipated to occupy a portion of the existing single-family home located on the subject site. Per Article XVI of the *Statesboro Zoning Ordinance*, the applicant must have one (1) parking space for every 500 square feet of area accessible to patrons within a personal service facility. The subject site already has adequate land area to meet the minimum requirements of the City’s parking ordinance for the proposed use.
- D. Public facilities and utilities are capable of adequately serving the proposed use.**
- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.**
 - The proposed use is not expected to have an adverse effect on property values in the area given the uses of the surrounding structures. Please note that staff has not consulted a professional appraiser regarding the impact of the requested Special Exception on property value.
- F. Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.**
 - No site plan was required to be submitted for this request; however, the applicant does not intend to change or alter the existing structure in any way.
- G. Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.**
 - This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.

STAFF RECOMMENDATION:

Staff recommends approval of the Special Exception requested by application **SE 20-02-01** with conditions.

At the regularly scheduled meeting held on March 3, 2020 at 5:00 PM, the Planning Commission voted 4-0 to recommend approval of the special exception requested by application **SE 19-10-04** with the following staff condition(s):

1. The Special Exception is limited to the single family dwelling on the subject site, rather than the entire parcel.
2. Parking must be compliant with the *Statesboro Zoning Ordinance*.
3. Signage limited to that of the Sign District #1 regulations per Article XV of the *Statesboro Zoning Ordinance*.
4. Approval of this Special Exception does not grant Occupational Tax Certificate approval as submitted. Applicant will be required to submit a business license application for City staff's review and approval.
5. The Special Exception for the use of the subject site is specific to the applicant and therefore cannot be transferred to another individual or entity.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Picture 1: View of the subject site, looking north from James Street. Also, a view of the existing building where **SE 20-02-01** is being requested.



Picture 2: View of the surrounding properties to the east of the subject site, currently single-family residential uses.



EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT'D)

Picture 3: Views of the adjacent and surrounding properties to the west of the subject site, currently a religious use, a vacant commercial building, and a single-family residential use.



Picture 4: View of the surrounding properties to the southwest of the subject site, currently a demolition project (Elks Lodge).



EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONT'D)

Picture 5: Views of the surrounding properties to the south of the subject site, a day care and mortuary use.



Picture 6: View of the surrounding properties to the north of the subject site, currently a religious use.



EXHIBIT C: CITY OF STATESBORO'S 2019 – 2029 COMPREHENSIVE PLAN FUTURE DEVELOPMENT MAP

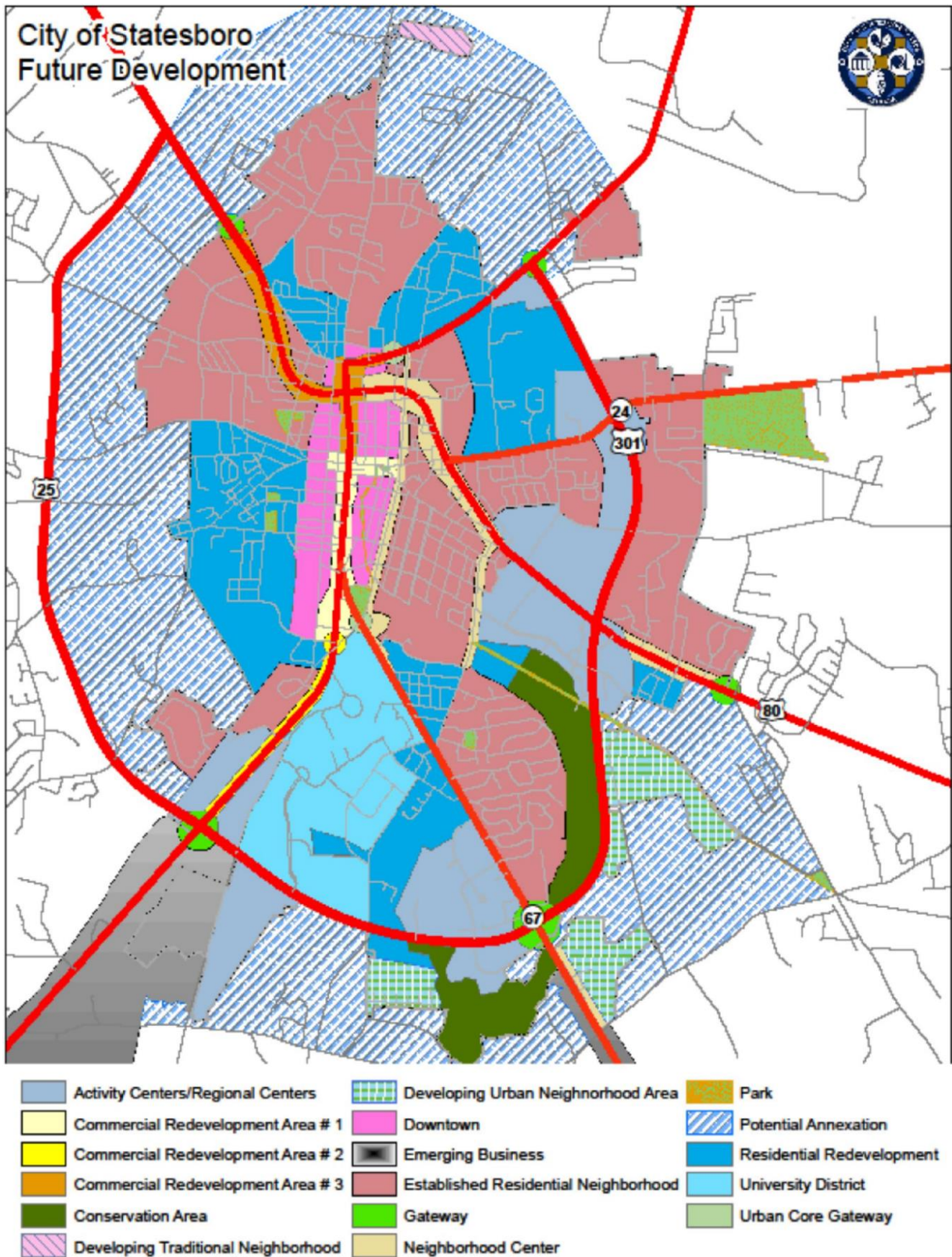


EXHIBIT D: PROPERTY LEGAL DESCRIPTION

EXHIBIT A *Ln# 311063/011*

Legal Description

ALL THAT CERTAIN LOT, PARCEL OR TRACT OF LAND LYING AND BEING IN THE 1209TH G.M.DISTRICT OF BULLOCH COUNTY, GA, AND DESIGNATED AS LOT NO.14 BLOCK 2 W.H.SMITH S/D ACCORDING TO A PLAT PREPARED BY LAMAR O.REDDICK, SURVEYOR, DATED AUGUST 19, 1993, RECORDED IN PLAT BOOK 44, PAGE 192, BULLOCH CNTY RECORDS. SAID LOT IS LOCATED IN THE CITY OF STATESBORO & BOUND NORTHERLY A DISTANCE OF 50.03 FEET BY LOT NO.31;EASTERLY A DISTANCE OF 124.31 FEET BY LOT NO.13;SOUTHERLY A DISTANCE OF 49.99FEET BY JAMES STREET; AND WESTERLY A DISTANCE OF 124.59 FEET BY LOT NO. 15. THE ABOVE REFERENCED PLAT AND THE DESCRIPTION THEREON ARE BY REFERENCE INCORPORATED HEREIN FOR ALL PURPOSES OF THIS DESCRIPTION.

CITY OF STATESBORO

COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan M. McCollar, Mayor
Charles W. Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

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

To: Charles W. Penny, City Manager and Leah Harden, City Clerk

From: Owen Dundee, City Planner II

Date: March 6, 2020

RE: March 17, 2020 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Variance Request*

Recommendation: Staff recommends approval of the zoning variance requested by application V 20-02-10 with conditions.

Background: Frank Parker requests a variance from Article XXX, Section 3010(A) regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District for 1.06 acres of property located at 239 South Main Street (Tax Parcel S19 000019 001).

Budget Impact: None

Council Person and District: Chavers (District 2)

Attachments: Development Services Report V 20-02-10



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)*

V 20-02-10 ZONING VARIANCE REQUEST 239 SOUTH MAIN STREET	
LOCATION:	239 South Main Street
REQUEST:	Variance from Article XXX, Section 3010(A) regarding the requirement of sidewalks and pedestrian areas along the public right-of-way for each property within the Downtown Design Standards District.
APPLICANT:	Frank C. Parker III
OWNER(S):	Frank C. Parker III
ACRES:	1.06 acres
PARCEL TAX MAP #:	S19 000019 001
COUNCIL DISTRICT:	District 2 (Chavers)

Case # V 20-02-10
 239 South Main St
 Parcel: S19 000019 000, S19 000019 001 & S19 000019 002

City of Statesboro
 Department of Planning and Development

PROPOSAL & BACKGROUND:

The applicant is in the process of redeveloping a vacant restaurant building and requests a variance from Article XXX Section 3010(A) regarding the requirement to provide sidewalks and pedestrian areas along the public right-of-way for each property undergoing new development and/or the significant modification of an existing development within the Downtown District. The developer plans to renovate the vacant restaurant building and relocate an existing restaurant, Dolan’s BBQ to the subject site. This project will be regulated by the Downtown Design Standards District (*Article XXX, Statesboro Zoning Ordinance*) and zoned HOC (Highway Oriented Commercial), under which the proposed use is allowed. Lastly, the developer and landowner held a Right Start meeting with City staff on January 16, 2020, to discuss the proposed restaurant project.

Specifically of note in **Exhibit D** (Proposed Site Plan):

- A. No sidewalk located along West Jones Avenue or South Walnut Street.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	HOC (Highway Oriented Commercial)	Vacant Apartment Buildings
SOUTH:	HOC (Highway Oriented Commercial)	Light Commercial Uses – Rick’s Auto Glass & GA Dept. of Labor
EAST:	HOC (Highway Oriented Commercial)	Commercial Uses – Gas Station and Quality Inn & Suites
WEST	CR (Commercial Retail) and R-3 (Medium Density Multiple Family Residential)	Light Commercial, Single Family Residential, and Medium Density Residential Uses

The subject property is located within the HOC (Highway Oriented Commercial) zoning district. Surrounding properties include several commercial uses such as an Automotive Repair Store, Gas Station, and Hotel. In addition, the subject property is located adjacent to vacant apartment buildings and nearby two other smaller apartment communities (See **Exhibit A** –Location Map, **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map) **Exhibit C** (Photos of Subject Site), **Exhibit D** (Proposed Site Plan), **Exhibit E** (Proposed Architectural Renderings and Floor Plan), **Exhibit F** (Plat of the Subject Property)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>"Commercial Redevelopment Area #1"</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
<p>The Commercial Redevelopment #1 character area is intended for a varied scale of commercial, retail and office uses. At the intersection of major thoroughfares, development of large-scale commercial uses to serve surrounding areas of the City and unincorporated portions of Bulloch County is appropriate. In other areas, smaller scale development containing more local community services is desired. This character area incorporates on-site access management features, and uniform building, site, landscaping and sign standards in order to improve function and aesthetics.</p>	<ul style="list-style-type: none"> • Provide incentives for new businesses to locate here. • Improvement of sidewalk, street appearance, and amenities of commercial centers. • Redevelopment of older commercial centers in lieu of new construction further down the corridor. • Infill development on vacant sites closer to the center of the community. These sites, with existing infrastructure should be used for new development, while matching the character of the surrounding neighborhood. <p align="right"><i>Statesboro Comprehensive Master Plan, Community Agenda page 86-87.</i></p>

In addition, the *Statesboro 2019 – 2029 Comprehensive Plan* contains the following “*Community Goals*” and supporting policies in regards to economic development:

- “Obtain a greater number and variety of retail establishments to locate within the municipal limits.”
- And, “Focus on retail recruitment efforts to character areas along major thoroughfares as identified in the future development map.”
- Supporting Policies:
 - “Collaborate with regional economic development agencies to develop a diverse economy based on multiple industry sectors and employment opportunities within the municipal limits.
 - Improve the appearance of the City to serve as an enticement for additional business investment.
 - Promote the formation of local private business groups that can focus their energy on marketing Statesboro as an attractive business location.”

Statesboro Comprehensive Master Plan, Community Agenda page 18.

ANALYSIS

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on community facilities and services as a result of this request.

ENVIRONMENTAL:

The subject site does not contain wetlands is not located in a special flood hazard area. Any potential issues will be brought forth and discussing during standard permitting and review procedures.

VARIANCE ANALYSIS:

I. Variance from Article XXX Section 3010 (A): Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property.

The applicant is requesting a variance from Article XXX Section 3010 (A): Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property, due to the physical characteristics of the site in the areas located along West Jones Avenue and South Walnut Street (see **Exhibit C**—Photos of Subject Site).

The *Statesboro Zoning Ordinance* provides for the award of variances by the City Council from the zoning regulations, stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done.”

Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* states that the Mayor and Council [should] consider if the following are 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;**
- 2. The special conditions and circumstances do not result from the actions of the applicant;**

The applicant did not take action to result in the subject property’s current zoning classification.

- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

If the *Statesboro Zoning Ordinance* were enforced, the developer would have significantly more site development challenges due to the sidewalk placement requirement under Article XXX.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

The applicant is proposing the renovation of a vacant and dilapidated, commercial restaurant building. The proposal is not expected to have an adverse effect on property values in the area given the surrounding uses. Please note that staff has not consulted a professional appraiser regarding the impact of the requested zoning variance on property values.

RECOMMENDATION:

Staff recommends approval of the zoning variance requested by **V 20-02-10** with conditions.

At the regularly scheduled meeting held on March 3, 2020 at 5:00 PM, the Planning Commission voted 4-0 to recommend approval of the zoning variance requested by application **V 20-02-10** with the following staff condition(s):

1. Approval of this zoning variance does not grant site and/or building permit approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.

EXHIBIT A: LOCATION MAP

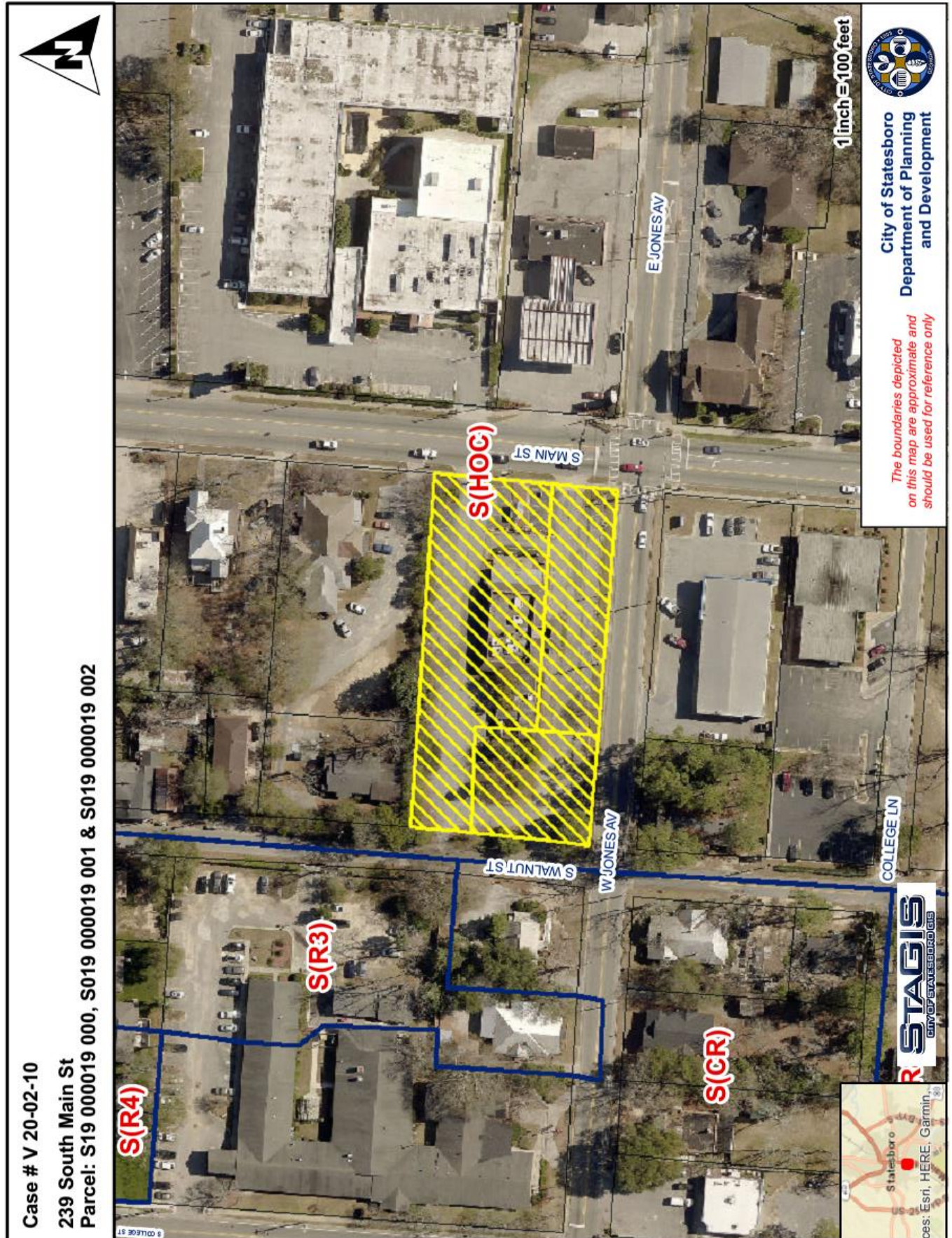


EXHIBIT B: FUTURE DEVELOPMENT MAP

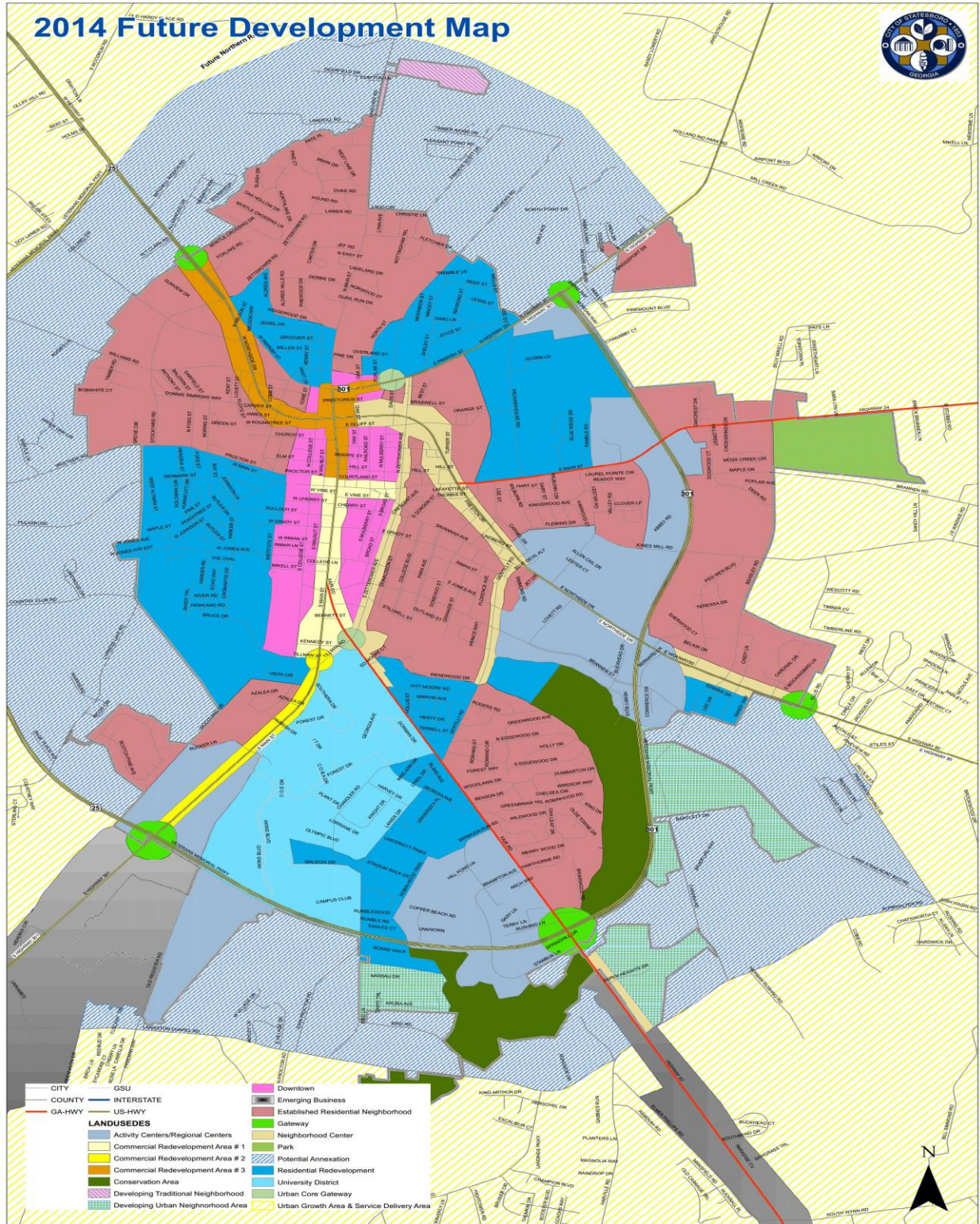


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: Looking west from South Main Street, a view of the subject site, currently a vacant restaurant building.



Picture 2: View of subject site's southern property boundary looking along West Jones Avenue and the first proposed area of the zoning variance requested by **V 20-02-10**.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: View of subject site's western property boundary looking along South Walnut Street and the second proposed area of the zoning variance requested by **V 20-02-10**.



Picture 4: Looking west from the subject site, currently residential and light commercial uses.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: Looking north from the subject site, currently a vacant apartment building.



Picture 6: Looking south from the subject site, currently Rick's Auto Glass and Southern Magnolia Apartments



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 7: Looking east from the subject site, currently a gas station and hotel use located along South Main Street.



EXHIBIT D: Proposed Site Plan (Areas requested for variance, V 20-02-10, outlined in RED)

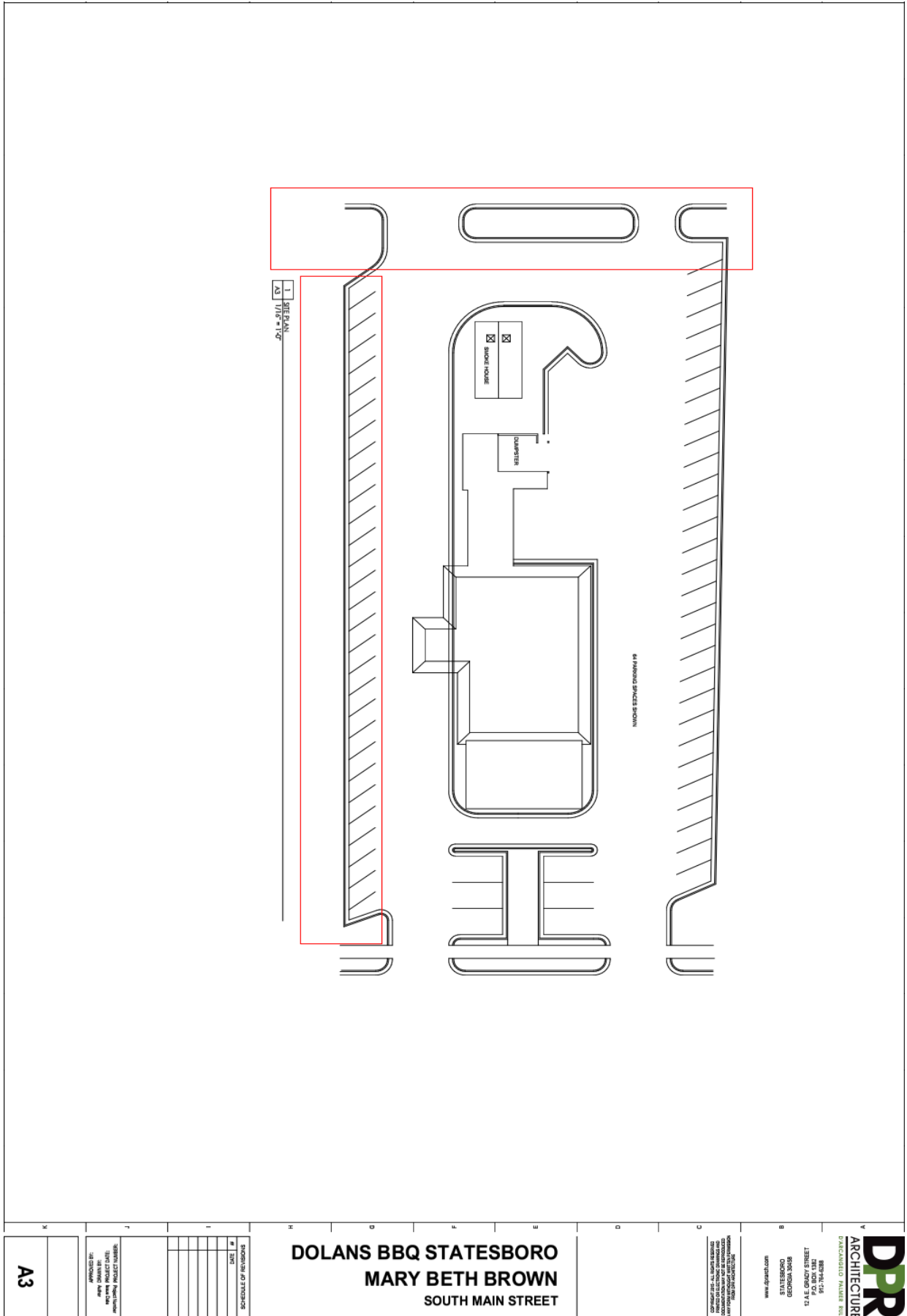
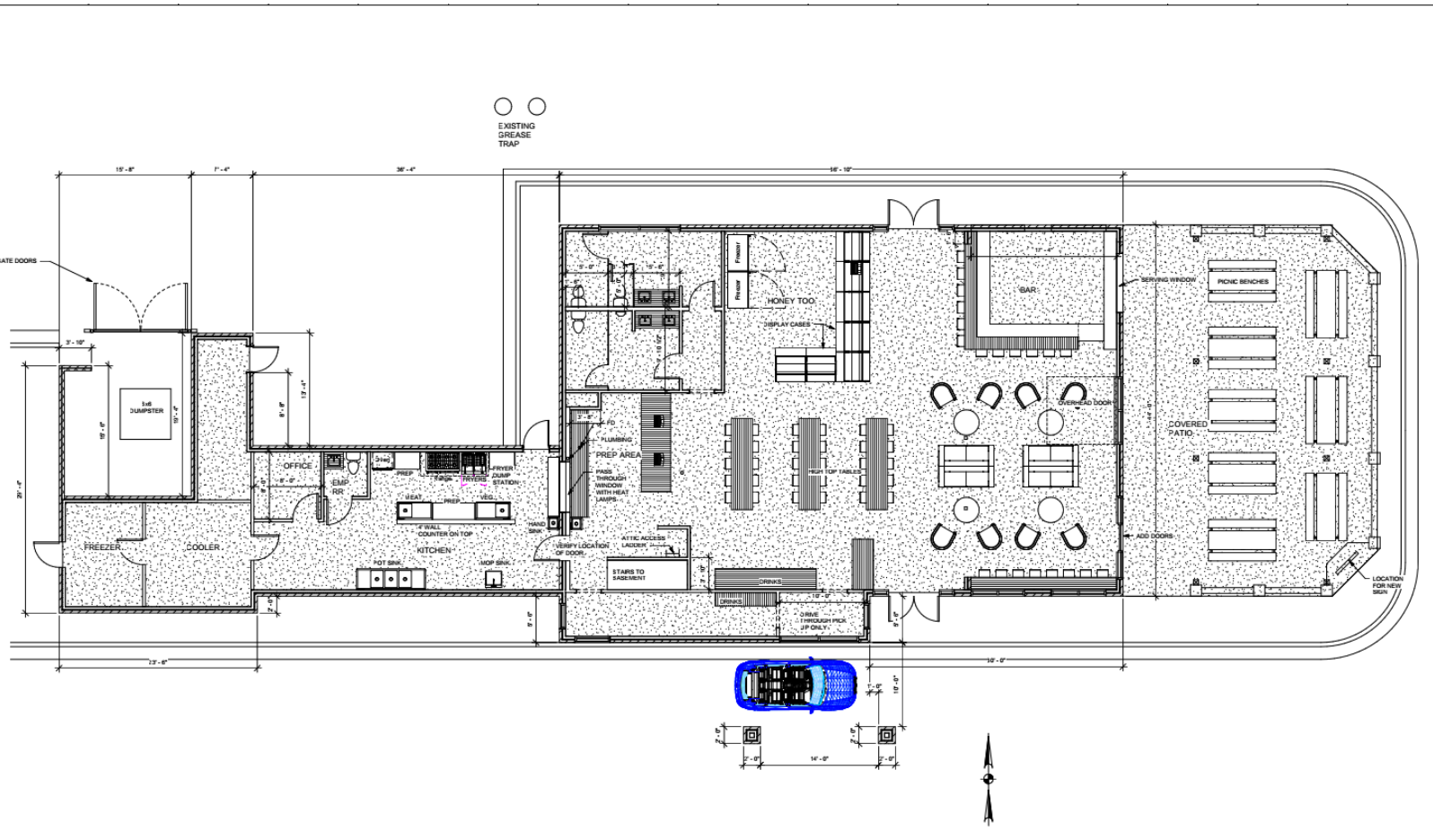


EXHIBIT E: Proposed Architectural Rendering and Floor Plan
PERSPECTIVE VIEW



1 3D View 3
 00



CITY OF STATESBORO

COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan M. McCollar, Mayor
Charles W. Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

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

To: Charles W. Penny, City Manager and Leah Harden, City Clerk

From: Owen Dundee, City Planner II

Date: March 6, 2020

RE: March 17, 2020 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Variance Request*

Recommendation: Staff recommends approval of the zoning variance requested by application V 20-02-13 with conditions.

Background: J.R. Hendley Foundation, Inc. requests a variance from Article XXX, Section 3010(A) regarding the requirement to provide sidewalks along the public right-of-way in the Downtown District for 2.44 acres of property located at 672 South College Street (Tax Parcel MS51 000024 000).

Budget Impact: None

Council Person and District: Chavers (District 2)

Attachments: Development Services Report V 20-02-13



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)

V 20-02-13 ZONING VARIANCE REQUEST 672 SOUTH COLLEGE STREET – HIDDEN HOLLOW	
LOCATION:	672 South College Street
REQUEST:	Variance from Article XXX, Section 3010(A) regarding the requirement of sidewalks and pedestrian areas along the public right-of-way for each property within the Downtown Design Standards District.
APPLICANT:	JR Hendley Foundation, Inc.
OWNER(S):	JR Hendley Foundation, Inc.
ACRES:	2.44 acres
PARCEL TAX MAP #:	MS51 000024 000
COUNCIL DISTRICT:	District 2 (Chavers)

Case # V 20-02-13
 672 South College St
 Parcel: MS51000024 000

City of Statesboro
 Department of Planning
 and Development

PROPOSAL & BACKGROUND:

The applicant is in the process of developing a small apartment community (“Hidden Hollow”) and requests a variance from Article XXX Section 3010(A) regarding the requirement to provide sidewalks and pedestrian areas along the public right-of-way for each property undergoing new development and/or the significant modification of an existing development within the Downtown District. The developer plans to construct three residential buildings, which will consist of two duplexes, one triplex, and associated site improvements. This project will be regulated by the Downtown Design Standards District (*Article XXX, Statesboro Zoning Ordinance*) and zoned R-4 (High Density Residential), under which the proposed use is allowed.

Specifically of note in **Exhibit D** (Proposed Site Plan):

- A. No sidewalk located along South College Street.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	EXPT (Exempt) and R-4 (High Density Residential)	Apartments/Townhomes, Vacant Land, and Recreational (W. Jones Lane Memorial Park)
SOUTH:	R-4 (High Density Residential)	Single-Family Residential
EAST:	CR (Commercial Retail) and R-4 (High Density Residential)	Restaurant and Single-Family Residential
WEST:	CR (Commercial Retail) and R-4 (High Density Residential)	Single Family Residential and a Georgia Power Utility Substation

The subject property is located within the R-4 (High Density Residential) zoning district. Surrounding properties include a variety of uses such as restaurant, recreational, single-family residential and high density residential. In addition, the subject property is located nearby two other smaller apartment communities – Tillman Park Townhomes and Southern Pointe Apartments (See **Exhibit A** –Location Map, **Exhibit C**— Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map) **Exhibit C** (Photos of Subject Site), **Exhibit D** (Proposed Site Plan), **Exhibit E** (Proposed Architectural Renderings), **Exhibit F** (Plat of the Subject Property)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan's* Future Development Map includes the subject site in the following character area:

<u>"Established Residential"</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
<p>The traditional neighborhoods in the <i>Established Residential</i> area were developed from the late 19th to mid-20th century, and feature connected street grids linked with downtown. Sidewalks should be located on both sides of major streets; lesser streets may have limited facilities. Major corridors in this area may support a mix of residential and commercial uses. As corridors transition from residential to commercial, the original structures should be maintained and renovated whenever possible. Any new structures should respect the existing fabric of the neighborhood, through similar front, side, and rear setbacks.</p> <p>Some neighborhoods within this area are facing decline issues with blight. These neighborhoods may require extra attention to return them to viable neighborhoods.</p>	<ul style="list-style-type: none"> • 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. • Revitalization of existing neighborhood commercial centers to capture more market activity and serve as community focal points. • Enlisting significant site features (view corridors, water feature, farmland, wetlands, parks, trails, etc.) as amenity that shapes identity and character of development. <p align="right"><small><i>Statesboro Comprehensive Master Plan, Community Agenda page 94-95.</i></small></p>

In addition, the *Statesboro 2019 – 2029 Comprehensive Plan* contains the following “*Community Goals*” and supporting policies in regards to housing:

- “Provide safe, clean and affordable housing choices to Statesboro residents of varying income levels.”
- And, “Remove deteriorated structures throughout the City.”
- Supporting Policies:
 - “Focus redevelopment activity in the central portion of Statesboro to promote a more defined town center.
 - Develop multi-family housing options for residents who may not be able to purchase single-family homes.
 - Redevelop some of the deteriorating manufactured housing stock into higher-density and/or mixed use development.”

Statesboro Comprehensive Master Plan, Community Agenda page 19.

ANALYSIS

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on community facilities and services as a result of this request.

ENVIRONMENTAL:

The subject site contains wetlands and is located in a special flood hazard area. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

VARIANCE ANALYSIS:

I. Variance from Article XXX Section 3010 (A): Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property.

The applicant is requesting a variance from Article XXX Section 3010 (A): Sidewalks and pedestrian areas shall be provided along the public right-of-way for each property, due to the physical characteristics of the site in the areas located along South College Street (see **Exhibit C**—Photos of Subject Site).

The *Statesboro Zoning Ordinance* provides for the award of variances by the City Council from the zoning regulations, stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done.”

Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* states that the Mayor and Council [should] consider if the following are 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;**
- 2. The special conditions and circumstances do not result from the actions of the applicant;**

The applicant did not take action to result in the subject property’s current zoning classification.

- 3. The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**

If the *Statesboro Zoning Ordinance* were enforced, the developer would have significantly more site development challenges due to the sidewalk and pedestrian areas placement requirement for new developments per Article XXX.

- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**

The proposal is not expected to have an adverse effect on property values in the area given the surrounding uses. Please note that staff has not consulted a professional appraiser regarding the impact of the requested zoning variance on property values.

RECOMMENDATION:

Staff recommends approval of the zoning variance requested by **V 20-02-13** with conditions.

At the regularly scheduled meeting held on March 3, 2020 at 5:00 PM, the Planning Commission voted 3-0 to recommend approval of the zoning variance requested by application **V 20-02-13** with the following staff condition(s):

1. Approval of this zoning variance does not grant site and/or building permit approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
2. Development shall adhere to the design standards for the Downtown District, specifically the regulations of Article XXX of the *Statesboro Zoning Ordinance*.
3. Prior to the issuance of a certificate of occupancy for this residential development, the developer shall be required to provide a sidewalk and pedestrian areas along the South College Street right-of-way unless **V 20-02-13** is approved by City Council.
4. The proposed development site, consisting of approximately 2.44 acres, shall not exceed 7 units in density.

EXHIBIT A: LOCATION MAP

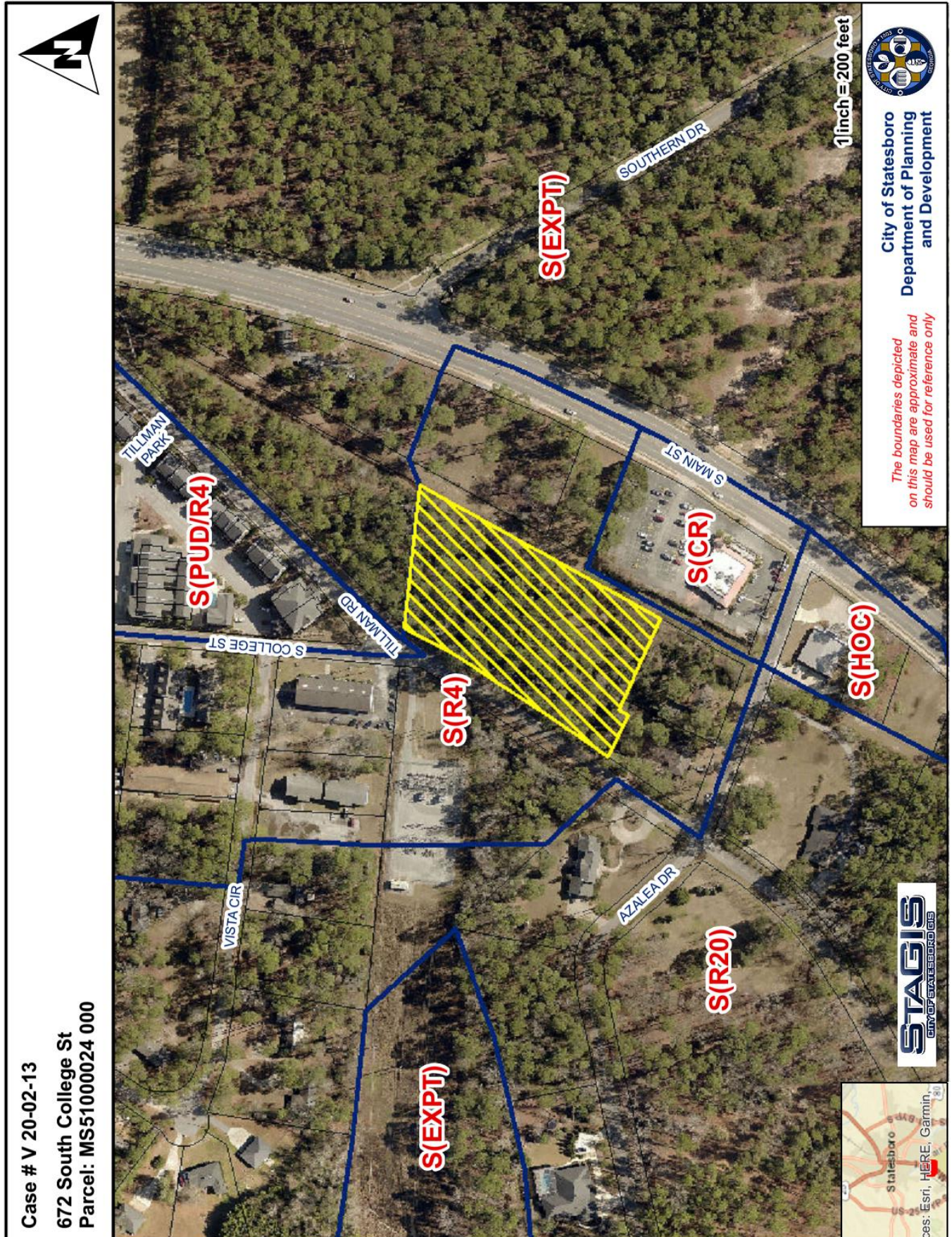


EXHIBIT B: FUTURE DEVELOPMENT MAP

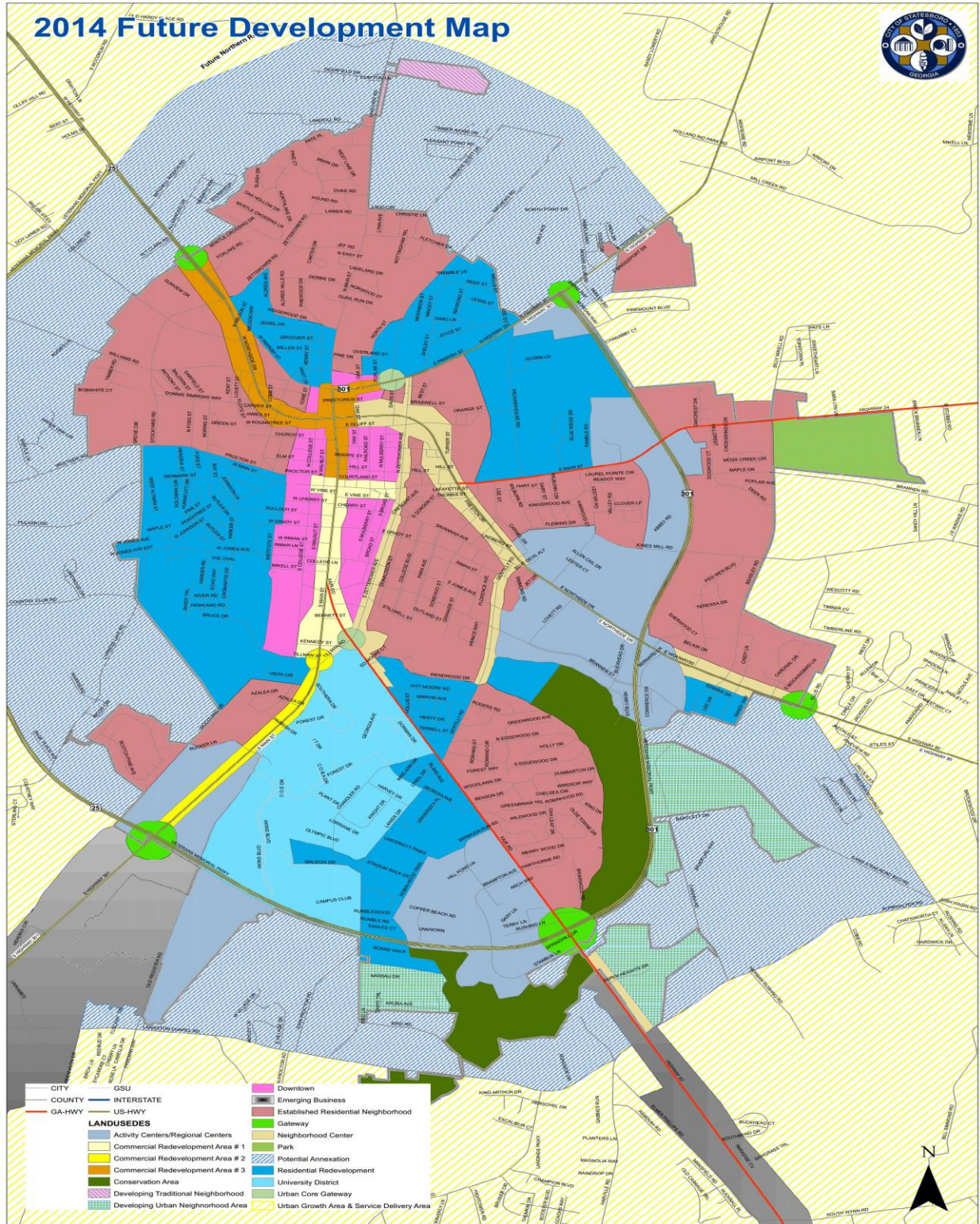


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: Looking east from South College Street, a view of the subject site, currently an active construction site for the new Hidden Hollow apartment community.



Picture 2: View of subject site's western boundary looking along South College Street and the proposed area of the zoning variance requested by **V 20-02-13**.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 3: Looking north from the subject site, currently Tillman Park Townhome and Southern Pointe Apartment communities.



Picture 4: Looking south from the subject site, currently single-family residential uses.



EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 5: Looking east from the subject site, currently a restaurant – Baja Burro and vacant land.

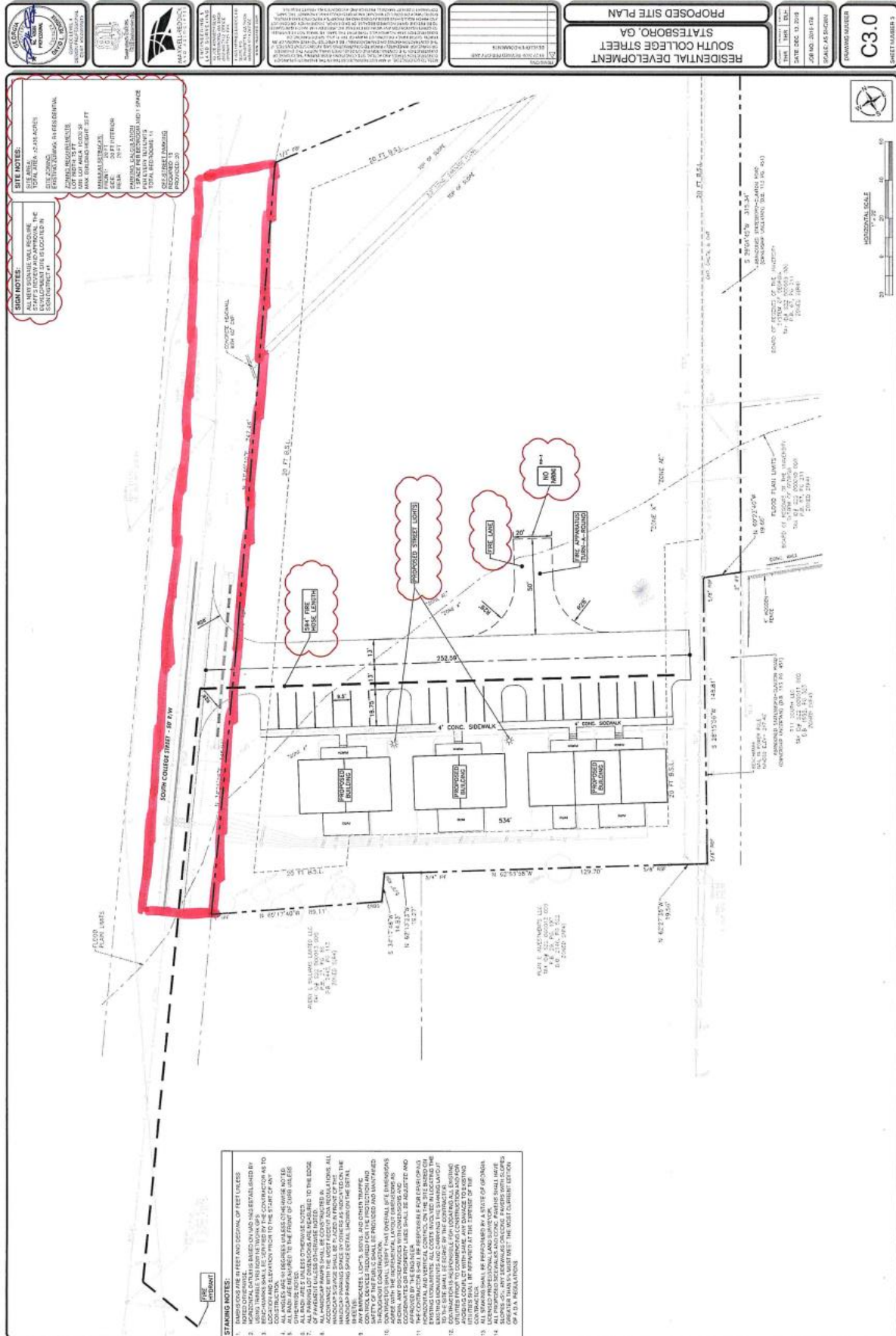


Picture 6: Looking west from the subject site, currently a Georgia Power Utility Station.



Picture 7: View of subject site's western boundary looking along South College Street and another view of the proposed area of the zoning variance requested by **V 20-02-13**.

EXHIBIT D: Proposed Site Plan (Area requested for variance, V 20-02-13, outlined in RED)



SIGN NOTES:
 ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT SITE PLAN AND THE DEVELOPMENT SITE PLAN SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT SITE PLAN.

SITE NOTES:
 1. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 2. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 3. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 4. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 5. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 6. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 7. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 8. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 9. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 10. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 11. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 12. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 13. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 14. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 15. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 16. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 17. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 18. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 19. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 20. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.

- STAKING NOTES:**
1. STAKING SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT SITE PLAN AND THE DEVELOPMENT SITE PLAN SHALL BE IN ACCORDANCE WITH THE DEVELOPMENT SITE PLAN.
 2. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 3. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 4. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 5. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 6. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 7. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 8. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 9. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 10. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 11. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 12. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 13. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 14. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 15. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 16. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 17. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 18. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 19. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.
 20. THE AREA REQUESTED FOR VARIANCE IS SHOWN IN RED.

PROPOSED SITE PLAN
SOUTH COLLEGE STREET
STATESBORO, GA

DATE: 02/13/2020
 DRAWN BY: [Name]
 CHECKED BY: [Name]

C3.0
 SHEET NUMBER 3

EXHIBIT E: Proposed Architectural Rendering and Floor Plan

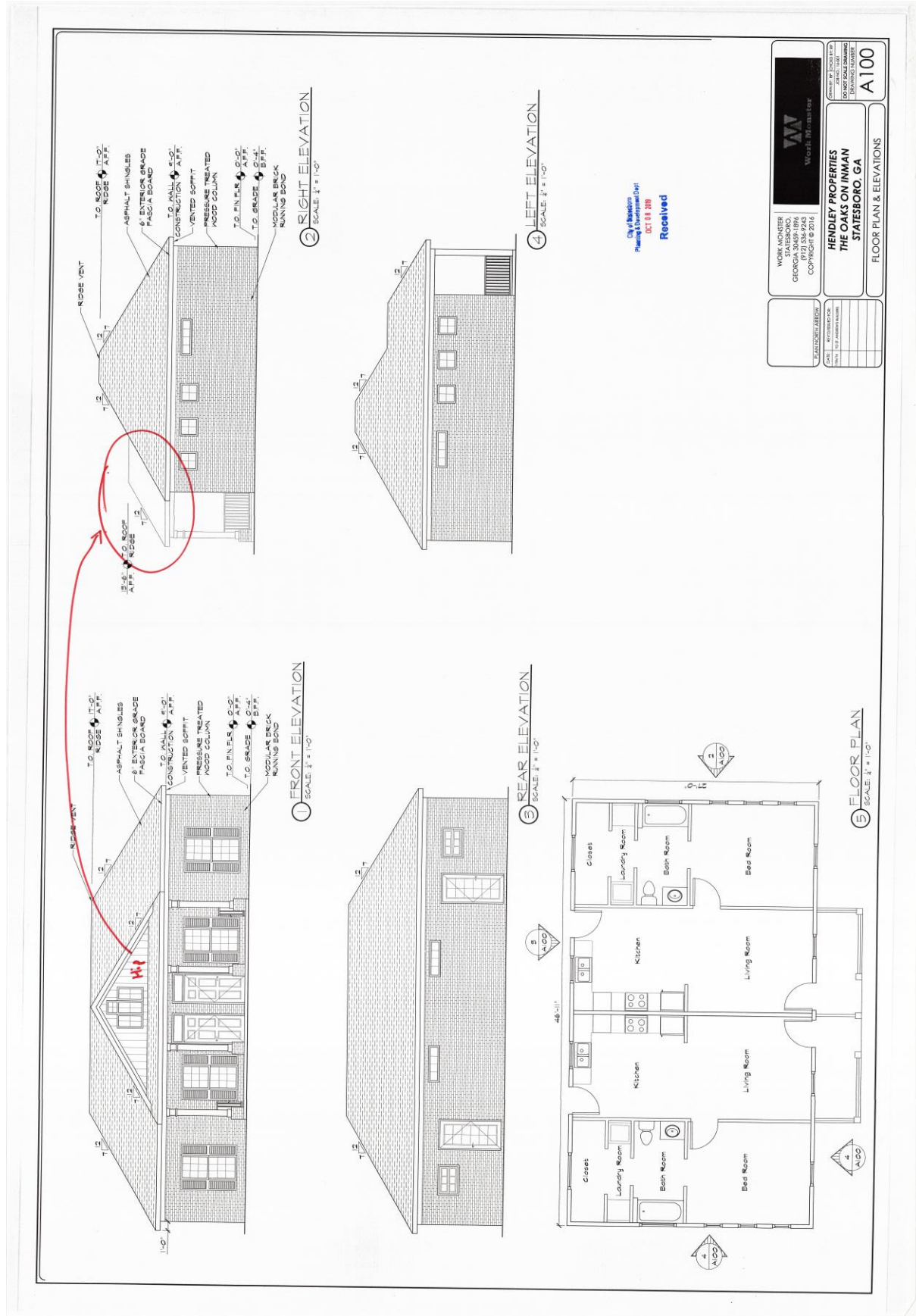
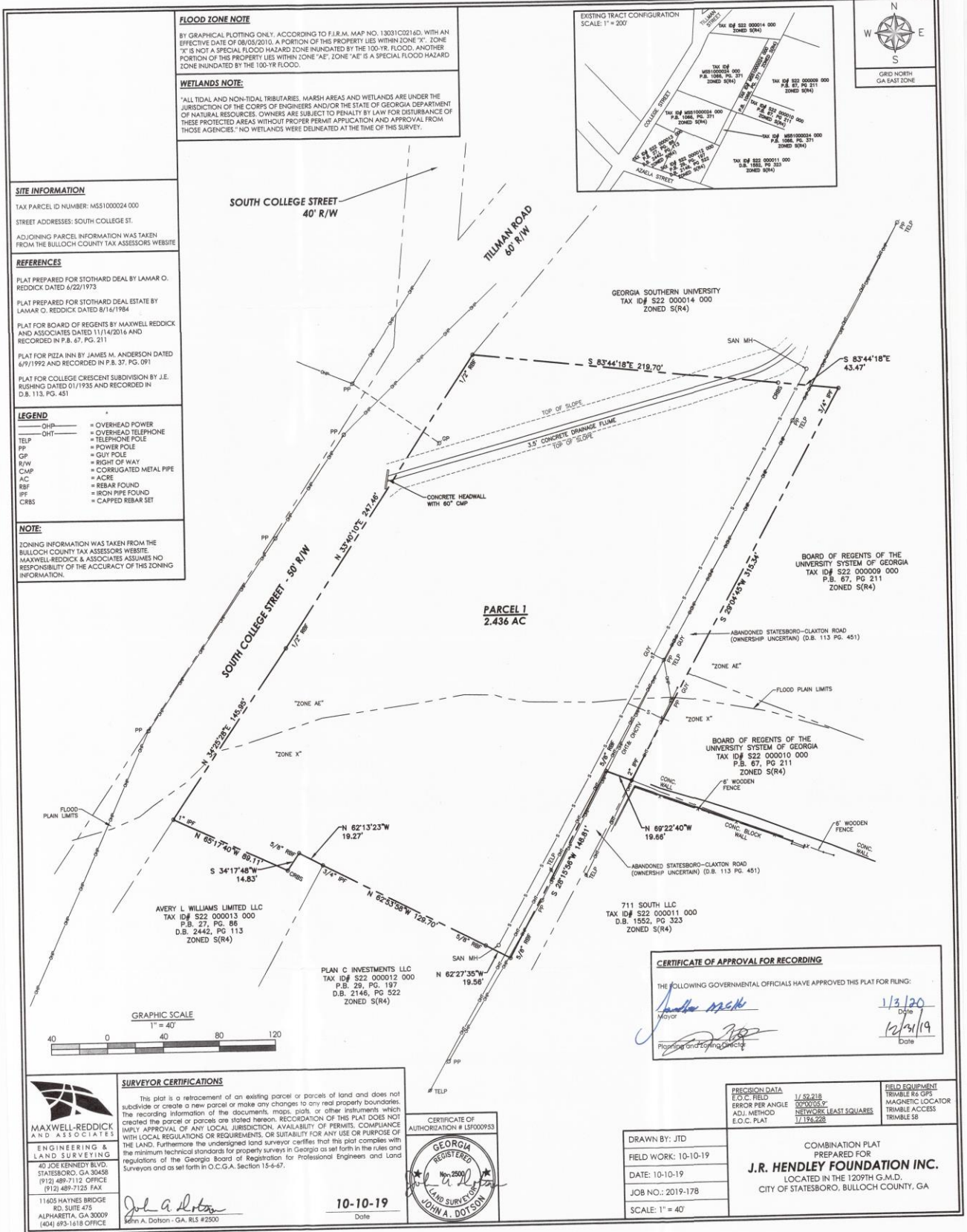


EXHIBIT F: Plat of the Subject Property (Dated October 10, 2019)



CITY OF STATESBORO

COUNCIL

Phil Boyum, District 1
Paulette Chavers, District 2
Venus Mack, District 3
John Riggs, District 4
Shari Barr, District 5



Jonathan M. McCollar, Mayor
Charles Penny, City Manager
Leah Harden, City Clerk
I. Cain Smith, City Attorney

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

To: Charles Penny, City Manager and Leah Harden, City Clerk

From: Justin Williams, City Planner I

Date: March 9, 2020

RE: March 17, 2020

Policy Issue: *Statesboro Zoning Ordinance: Variance Request*

Recommendation: Staff recommends approval of the variances requested by V 20-02-04, V 20-02-05, V 20-02-06, V 20-02-07, V 20-02-08, and V 20-02-09 with conditions.

Background: Watkins Real Estate Group is requesting multiple variances from Article XV, Section 1509 (C) Table 5 of the Statesboro Zoning Ordinance, for the installation of 4 freestanding signs and 4 wall signs on the currently developing Publix Shopping Center located on Old Register Road (Tax Parcel # 076 000001 000).

Budget Impact: None

Council Person and District: Mack (District 3)

Attachments: Development Services Report V 20-02-04, V 20-02-05, V 20-02-06, V 20-02-07, V 20-02-08, V 20-02-09



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)

V 20-02-04, V 20-02-05, V 20-02-06, V 20-02-07, V 20-02-08, V 20-02-09
SIGN VARIANCE REQUEST
OLD REGISTER ROAD

LOCATION:	Old Register Road	
REQUEST:	Variance from Article XV: Section 1509(C), Table 5; for the placement of signs exceeding the aggregate square footage allowed, the number of freestanding signs allowed on a site, the maximum allowed square footage of freestanding signs, the height of freestanding signs, the square footage of wall signs, and the number of wall signs allowed per elevation.	
APPLICANT:	Watkins Real Estate Group	
OWNER(S):	Akins J Edward Farms LTD c/o Mary A Michel	
ACRES:	213.82	
PARCEL TAX MAP #:	076 000001 000	
COUNCIL DISTRICT:	District 3 (Mack)	

PROPOSAL:

The applicant requests a variance to Article XV; Section 1509(C), Table 5 of the Statesboro Zoning Ordinance. Specifically, this application requests variances from the aggregate square footage allowance on signage, the number of freestanding signs allowed, the maximum height of freestanding signs, the maximum allowed square footage on freestanding signs, the maximum allowed square footage on wall signs, and the restriction on the number of allowed wall signs per common entrance (See **Exhibit D – Proposed Signage Plans**).

BACKGROUND:

The site is currently undeveloped, with the need to first develop the adjacent Tormenta Way and the extension of the currently standing Old Register Road. Formerly, the site served as both a driving range and as undeveloped farmland. The applicant is requesting a variance to install the signage before completion of the site, to ensure that all permits may be issued upon completed construction. There is projected to be multiple contractors for both freestanding and wall signage, which would require more than one permit to be issued for signage on this site. Currently the site has one sign located on the site, which currently publicizes the Clubhouse. Additional signage is projected to be issued for the listed outparcels on the property, which will take place after the completion of the proposed Publix shopping Center.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	EXPT (Exempt)	University Building (RAC and Shooting Sports Center)
SOUTH:	CR (Commercial Retail)	Commercial Building (The Clubhouse)
EAST:	PUD (Planned Unit Development)	Vacant Land (Under Construction)
WEST:	HC (Highway Commercial/County)	Commercial Building (Car Repair Shop)

The subject property is located within the CBD (Commercial Business) district. Surrounding parcels include Commercial retail uses. (See **Exhibit A** –Location Map, **Exhibit B**—Future Development Map & **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: **Exhibit A** (Location Map), **Exhibit B** (Future Development Map), **Exhibit C** (Photos of Subject Site and surrounding sites), **Exhibit D** (Proposed Signage Plans), **Exhibit E** (Table 5 – Statesboro Zoning Ordinance)

COMPREHENSIVE PLAN:

The *City of Statesboro Comprehensive Master Plan’s* Future Development Map includes the subject site in the following character area:

“Activity Centers/Regional Centers”	
Vision:	<p>Activity/Regional Centers will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike.</p>
Suggested Development & Implementation Strategies:	<ul style="list-style-type: none"> • Small, mid-size, and regional retail and commercial, including big box stores. • Redeveloped shopping centers should be encouraged to include diverse uses and pedestrian-scaled elements. • Diverse mix of higher density housing types, such as multi-family, town houses, apartments, lofts, and condos. • Entertainment • Services • Multi-Family • Medical <p style="text-align: right;"><i>Statesboro Comprehensive Master Plan, Community Agenda page 76.</i></p>

ANALYSIS

I. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for the installation of signage above the aggregate square footage allowance in Sign District 3.

The applicant is requesting a variance from Article XV (Signs) regarding the aggregate square footage of all signs in sign district 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. The request for this signage in excess of 300 square feet. As per Table 5 (**Exhibit E**), a major sign for a planned commercial or industrial center or development is allowed 150 square feet if the development is greater than 50,000 square feet. This amount is increased due to the additional road frontage granted by Tormenta Way and Old Register Road..

The intention of this request is to allow for the installation of 714.21 square feet of signage. (See **Exhibit D** – Proposed Signage Plans).

II. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for the installation of two additional freestanding signs.

The applicant is requesting a variance from Article XV (Signs) regarding the number of freestanding signs allowed per property in sign district 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. Request is to place two additional freestanding monument signs with a mix of individual and tenant signs. As per Table 5 (**Exhibit E**), a planned development is only allowed “One sign structure per road frontage not to exceed the maximum allowable square footage and a total of two such signs.” There is currently a freestanding monument sign on the corner of the property facing Old Register Road which will be replaced.

The intention of this request is to allow for the installation of a total of 4 freestanding signs for the developing complex, not to include signage that may be granted to any outparcel not planned with this development (See **Exhibit D** – Proposed Signage Plans).

III. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for installation of a freestanding signs above the maximum allowed square footage.

The applicant is requesting a variance from Article XV (Signs) regarding the size of building signs allowed per elevation in sign district 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. The allowable maximum square footage for freestanding signs is 300 square feet, as per the Sign District 3 Dimensional Standards. For a planned development, freestanding signage varies by the overall floor space of the center. As per Table 5 (**Exhibit E**), this would calculate to a total allowable maximum of 300 square feet.

The intention of this request is to allow for the installation 378 square feet of freestanding signage, not to include signage that may be granted to any outparcel not planned with this development. (See **Exhibit D** – Proposed Signage Plans).

IV. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for the installation of freestanding signs above the maximum height.

The applicant is requesting a variance from Article XV (Signs) regarding the size of building signs allowed in Sign District 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. Two of the four the proposed signs fall within this height requirement at 10 and 12 feet tall. As per Table 5 (**Exhibit E**), the height of a freestanding sign in a planned commercial or industrial center is restricted to 15 feet tall.

The intention of this request is to allow for the installation of two (2) freestanding signs at 20 feet, and 18 feet tall. No other freestanding signage outside of the granted parameters have been proposed (See **Exhibit D – Proposed Signage Plans**).

V. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for installation of a building sign above the maximum allowed square footage.

The applicant is requesting a variance from Article XV (Signs) regarding the size of building signs allowed in Sign District 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. The proposed signage will feature a single sign at 186.83 square feet, with additional signage at varying sizes on multiple elevations. As per Table 5 (**Exhibit E**), a building sign in a planned commercial or industrial center is restricted to 60 square feet per elevation.

The intention of this request is to allow for the installation of a total of 4 building signs at 336.21 square feet (See **Exhibit D – Proposed Signage Plans**).

VI. Variance from Article XV Section 1509(C) Table 5: Sign District 3 Dimension standards to allow for installation of more than one building signs on a single elevation.

The applicant is requesting a variance from Article XV (Signs) regarding the size of building signs allowed per elevation in sign district 3. Article XV (Signs) Section 1509 of the *Statesboro Zoning Ordinance* regulates the placement, maintenance and removal of all signs within the City of Statesboro. The front elevation of the building has an additional pharmacy sign which cannot be permitted with the primary Publix sign. As per Table 5 (**Exhibit E**), a building in a planned development may only have one sign “per common entrance.”

The intention of this request is to allow for the installation of two (2) signs on a single elevation, specifically the main Publix sign, and the pharmacy drive thru sign. (See **Exhibit D – Proposed Signage Plans**).

Section 1503(G) states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that “Specifically, no variances under article XVIII of this ordinance [chapter] shall be applicable to the standards contained within this article.” However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which provides for the award of variances by the City Council from the zoning regulations stating that “approval of a variance must be in the public interest, the spirit of the ordinance must be observed, public safety and welfare secured, and substantial justice done” and Section 1801 states that the **Mayor and Council [should] consider if the following are 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;
2. The special conditions and circumstances do not result from the actions of the applicant;
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.

RECOMMENDATION

Staff recommends approval of variances requested by application **V 20-02-04, V 20-02-05, V 20-02-06, V 20-02-07, V 20-02-08, V 20-02-09** with the following conditions:

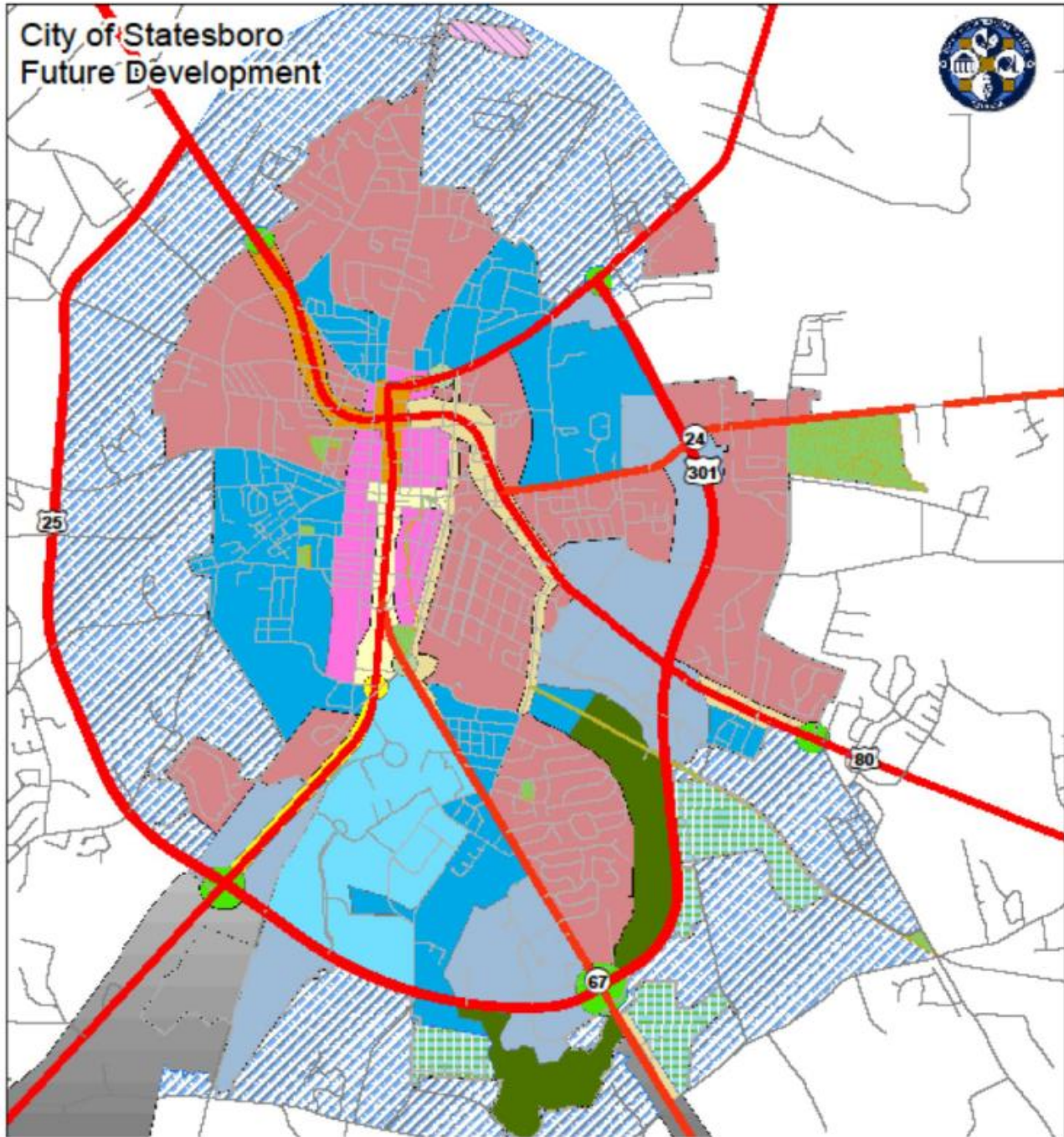
1. Approval of this variance does not allow for the construction of the proposed signage. Applicant will be required to submit a sign permit application for staff review and approval prior to construction commencement.
2. Construction of signage must be completed within 18 months of permit issuance to assure finalized road construction.

At the regularly scheduled meeting of the Planning Commission on March 3, 2020, the Commission voted 4-0 to recommend approval of the variances being requested by **V 20-02-04, V 20-02-05, V 20-02-06, V 20-02-07, V 20-02-08, and V 20-02-09** with listed conditions.

EXHIBIT A: LOCATION MAP



EXHIBIT B: FUTURE DEVELOPMENT MAP



- | | | |
|-------------------------------------|--------------------------------------|---------------------------|
| Activity Centers/Regional Centers | Developing Urban Neighborhood Area | Park |
| Commercial Redevelopment Area # 1 | Downtown | Potential Annexation |
| Commercial Redevelopment Area # 2 | Emerging Business | Residential Redevelopment |
| Commercial Redevelopment Area # 3 | Established Residential Neighborhood | University District |
| Conservation Area | Gateway | Urban Core Gateway |
| Developing Traditional Neighborhood | Neighborhood Center | |

EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject property and area where **V 20-02-04** is being requested.



Picture 2: General view of the site, currently under construction, from Old Register Road



Picture 3: General view of the site, currently under construction, from Old Register Road



Picture 4: General view of the site, currently under construction. .



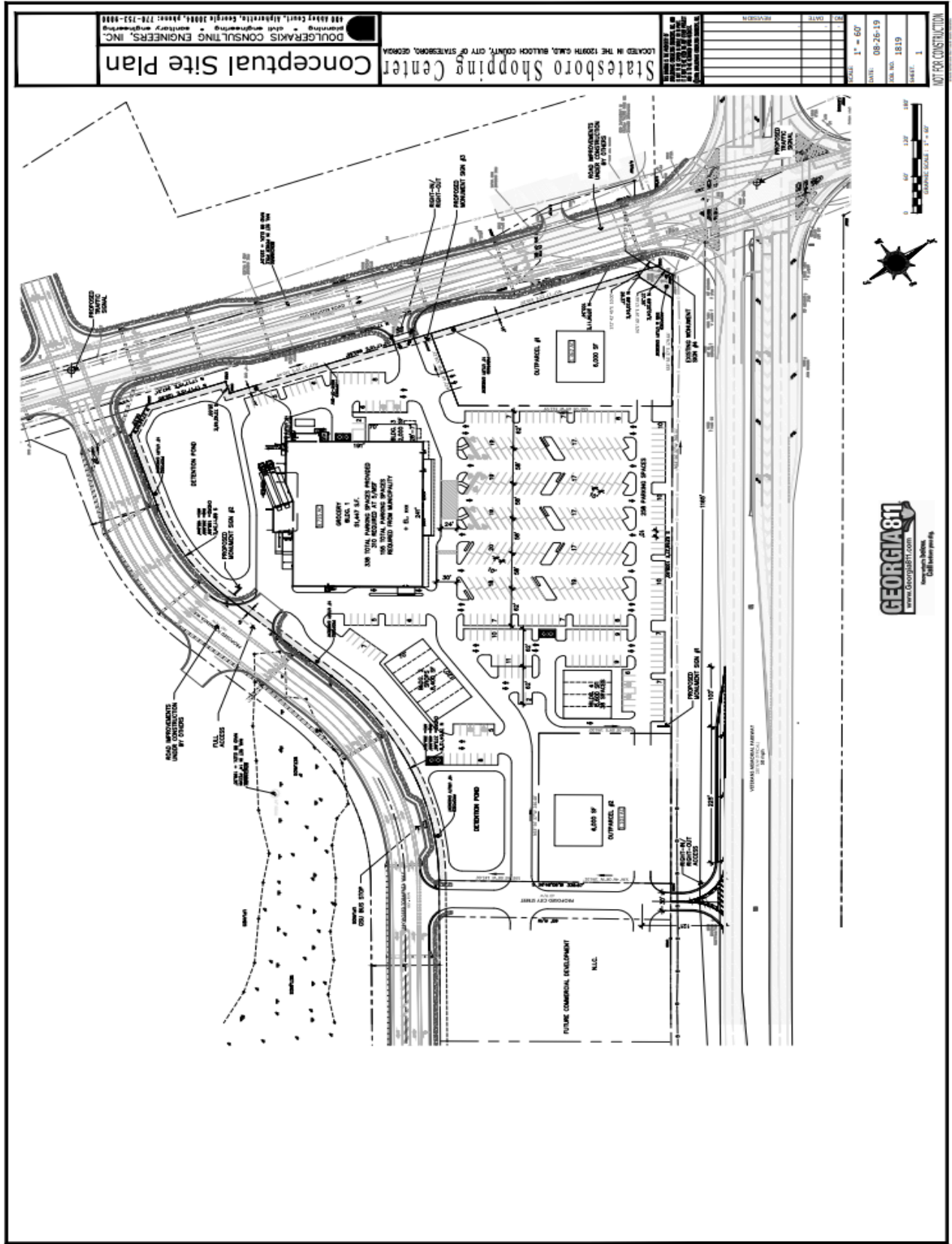
Picture 5: General view of the site, currently under construction.



Picture 6: General view of the site, currently under construction.



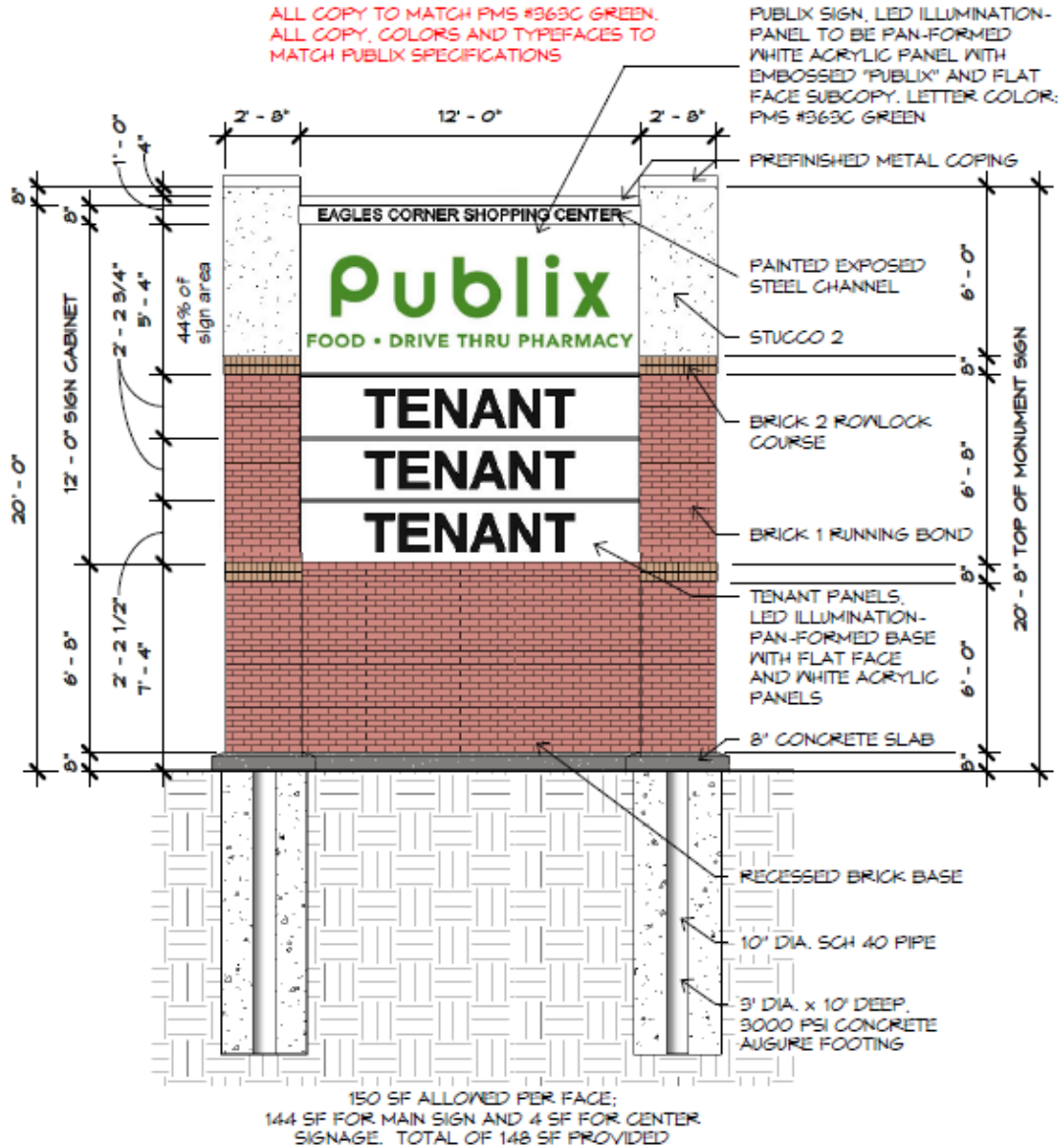
Exhibit D: Proposed Signage Plans



MONUMENT SIGN EXHIBIT H-1

Veterans Memorial Highway

ALL COPY TO MATCH PMS #363C GREEN.
ALL COPY, COLORS AND TYPEFACES TO
MATCH PUBLIX SPECIFICATIONS



Watkins Real Estate Group
Orlando, FL
09/19/19

EAGLES CORNER SHOPPING CENTER

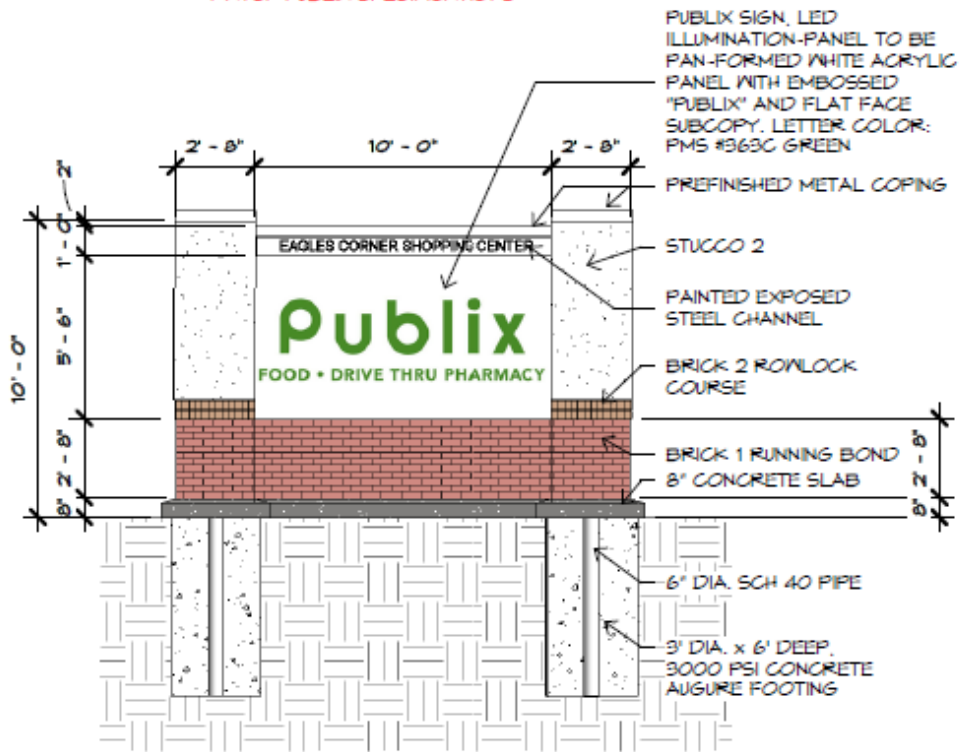
Veterans Memorial Pkwy. & Old Register Rd.



MONUMENT SIGN EXHIBIT H-3

Old Register Road

ALL COPY TO MATCH PMS #363G GREEN.
ALL COPY, COLORS AND TYPEFACES TO
MATCH PUBLIX SPECIFICATIONS



Watkins Real Estate Group
Orlando, FL
09/19/19

EAGLES CORNER SHOPPING CENTER

Veterans Memorial Pkwy. & Old Register Rd.





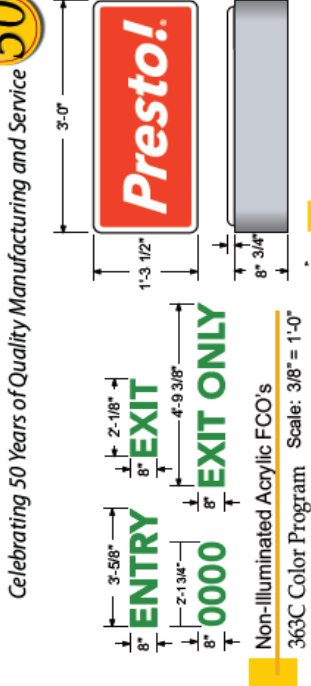
Celebrating 50 Years of Quality Manufacturing and Service

THOMAS
SIGN & AWNING CO INC
4590 118TH Avenue North
Clearwater, Florida 33762
800-526-3325
www.thomassign.com
CLEAR

Design Number: 86432 60 18 PDT 16 CL
Installation Address: Veterans Memorial Hwy & Old Register Road
Statesboro, GA

Project Identity Number:	87452
Sales Associate:	AL
TSA:	AL
Designer:	01-02-20
Project Updates:	X

Underwriters Laboratories, Inc. ELECTRIC SIGN COMPLIES TO UL M
3M™ MGS™ Warranty
Page 1 OF 1
Local: 727-573-7757
Fax: 727-573-0328

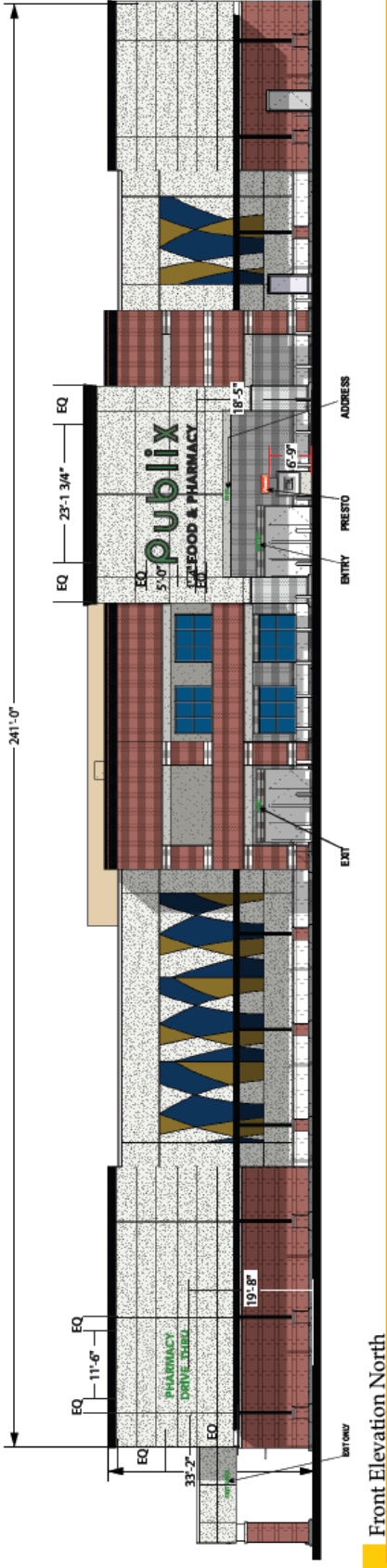


EXEMPT FCO SQUARE FOOTAGE NOTES:

Exit	= 1.34'
Exit Only	= 3.19'
Entry	= 2.03'
Address	= 1.44'
TOTAL	U= 8.0'

BOXED SQUARE FOOTAGE NOTES:

PUBLIX - F & P	= 187.05'
Pharmacy - Drive Thru	= 43.48'
Presto	= 3.88'
TOTAL	U= 234.41'



50

Celebrating 50 Years of Quality Manufacturing and Service

Publix
Statesboro, GA



THOMAS
SIGN & AWNING CO INC
4590 118TH Avenue North
Clearwater, Florida 33762
800-526-3325
www.thomassign.com

CLIENT
Publix
Division Number:
86432 12 PDT 6 FCO
Manufacturer Address:
Veterans Memorial Hwy &
Old Register Road
Statesboro, GA
Sales Associate:
87452
Sales Associate:
TSA
Project Team:
Date:
SLD
01-02-20
Project Updates:
X

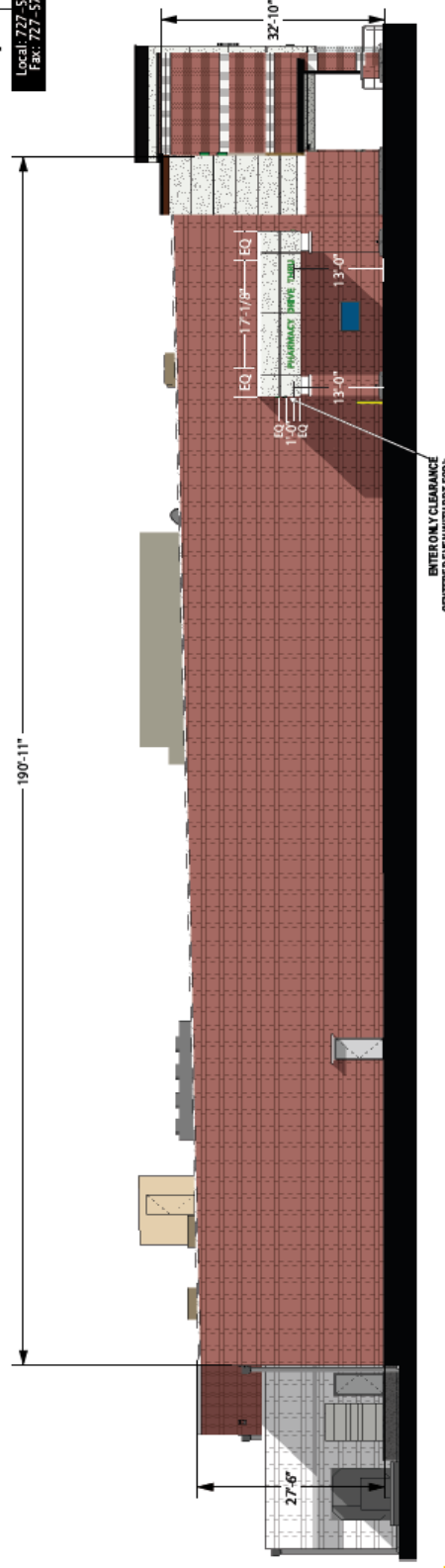
Page 1
Sheet 1 OF 1
Local: 727-573-7757
Fax: 727-573-0828



Non-Illuminated Acrylic FCO's
363C Color Program
Scale: 3/8" = 1'-0"
BOXED SQUARE FOOTAGE:
Enter Only Clearance = 5.55'
Pharmacy Drive Thru = 17.0'
TOTAL DJ = 22.55'



Non-Illuminated Acrylic FCO's
363C Color Program
Scale: 3/8" = 1'-0"
Actual clearance height TBD
at survey.



Left Side Elevation - East

Scale: 1/16" = 1'-0"



Celebrating 50 Years of Quality Manufacturing and Service

THOMAS
SIGN & AWNING CO INC
4590 118TH Avenue North
Clearwater, Florida 33762
800-526-3325
www.thomassign.com

Design Number:
86232 42-13 CL
Installation Address:
Veterans Memorial Hwy &
Old Register Road
Statesboro, GA

Project Identity Number:	87452
SALE Associate:	Project Team
TSA:	AL
Designer:	DRE
SLD:	01-02-20
Project Updates:	X

UL Laboratories, Inc.
UL796E LISTED
ELECTRIC SIGN
COMPLIES TO UL 48
UL LISTING INFORMATION: UL 48
UL LISTING INFORMATION: UL 48
UL LISTING INFORMATION: UL 48

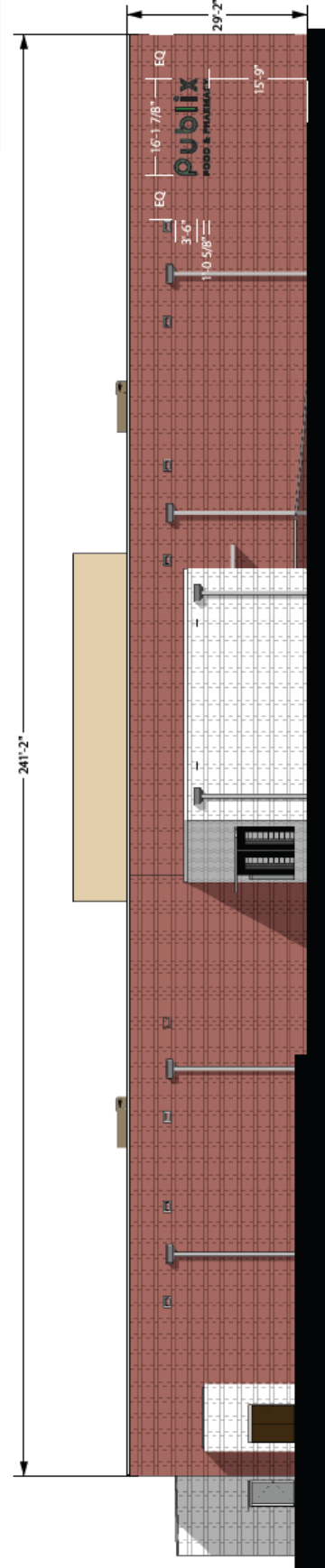
3M™ MCS™ Warranty

Page	1
Sheet	1 OF 1
Local:	777-573-7757
Fax:	777-573-0328

Publix
Statesboro, GA



Pan-formed 42" Publix & 13" FF F & P Self Contained LED Channel Letters
 Scale: 1/4" = 1'-0"
 BOXED SQUARE FOOTAGE:
 Publix - Food & Pharmacy = 91.59'
 TOTAL \square = 91.59'



Rear Elevation - South

Scale: 1/16" = 1'-0"

Exhibit E: Table 5: Statesboro Zoning Ordinance

SIGN DISTRICT 3 (As defined in subsection 1509 A.3)	SIGN FOR AN INDIVIDUAL ESTABLISHMENT ON AN INDIVIDUAL LOT	MAJOR SIGN FOR PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT	BUSINESS SIGN FOR AN INDIVIDUAL ESTABLISHMENT, SHOP, ETC., WITHIN A PLANNED COMMERCIAL OR INDUSTRIAL CENTER OR DEVELOPMENT
AGGREGATE SIGN AREA*:			
1. Maximum Number of Total Square Feet (square feet)	150 square feet including freestanding and building signs	Size is based upon the overall floor space of the center as follows: 0—50,000 square feet = 100 square feet >50,000 square feet = 150 square feet	Not applicable
FREESTANDING SIGNS**:			
2. Freestanding Sign Maximum Square Feet	60 square feet	Varies per overall floor space of the center (see "Aggregate Sign Area" herein)	Not applicable
3. Maximum Height	Eight feet	15 feet	Not applicable
4. Setback Requirements	Five feet from property line	Five feet from property line	Not applicable
5. Number of Signs Allowed	One sign structure per road frontage not to exceed the maximum allowable square footage and a total of two such signs	One sign structure per road frontage not to exceed the maximum allowable square footage and a total of two such signs	Not allowed
BUILDING SIGNS:			
1. Maximum Number of Total Square Feet	Wall length of 100 feet or less; 50 square feet Wall length of greater than 100 feet; 100 square feet	60 square feet	The greater of 60 square feet or five percent of wall areas, allotted to the individual establishment
2. Maximum Height	Building elevation	Building elevation	Building elevation
3. Number of Building Signs Allowed	One per elevation	One sign per common entrance	One per building elevation per tenant
<p>*As provided in section 1501 and Table 2 herein, "aggregate sign area" includes all freestanding or building signs regardless of whether or not a permit for a particular type of sign is required.</p> <p>**Limited to monument and standard informational signs. Billboards and stanchion signs prohibited as provided in Table 2 herein.</p>			