



October 18, 2022 5:30 pm

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilmember Paulette Chavers
3. Recognitions/Public Presentations:
 - A) Presentation of a key to the City to First Baptist Church of Statesboro for 140 years of ministry in our community.
 - B) Presentation of an award to retiring Water and Sewer Crew Leader, Jimmy Murray for his 21 years of service to the City of Statesboro.
 - C) Presentation of a 3CMA Savvy Award to Public Information Officer Layne Phillips for the City's employee newsletter the 'Boro Bulletin.
 - D) Presentation of a Proclamation to Safe Haven recognizing October as Domestic Violence Awareness month.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
 - A) Approval of Minutes
 - a) 10-04-2022 Council Minutes
6. Public Hearing & Consideration of a Motion to approve application for an alcohol license in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a):

Family Dollar #20383
2538 Northside Dr W
Statesboro, Ga 30458
License Type: Package Sales – Beer and Wine only
7. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 22-09-02**: Jarret Walden requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the O (Office) zoning district to expand the existing dental office on 0.24 acres of property located at 703 East Grady Street.

8. Public Hearing and Consideration of a Motion to Approve:
 - A) **APPLICATION AN 22-09-03**: The Parker Companies request Annexation of the three properties totaling 3.8 acres in order to construct a Parker's Kitchen located on the intersection of Burkhalter and Highway 67, commonly known as 17241 GA Highway 67.
 - B) **APPLICATION RZ 22-09-04**: The Parker Companies requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the HOC (Highway Oriented Commercial) zoning district in order to construct a Parker's Kitchen located on the 3.8 acres of property at the intersection of Burkhalter and Highway 67, commonly known as 17241 GA Highway 67.
9. Public Hearing and Consideration of a motion to approve the First Reading of **Ordinance 2022-06**: An Ordinance amending Article XXV-A of the City Code of Ordinances section 2506-A revising amount of amenity space required and the types of outdoor areas that qualify as such.
10. Public Hearing and Consideration of a motion to approve the First Reading of **Ordinance 2022-07**: An Ordinance amending Article XIV of Appendix A of City Code of Ordinances adding requirement of mixed use concurrency in Planned Unit Developments (PUDs).
11. Other Business from City Council
12. City Managers Comments
13. Public Comments (General)
14. 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)
15. Consideration of a Motion to Adjourn

A PROCLAMATION BY THE MAYOR AND CITY COUNCIL OF STATESBORO, GEORGIA

HONORING OCTOBER 2022 AS DOMESTIC VIOLENCE AWARENESS MONTH

- WHEREAS:** the crime of domestic violence violates an individual's privacy, dignity, security and humanity due to the systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and
- WHEREAS:** domestic violence leaves an imprint of fear and hostility; and
- WHEREAS:** the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, affectional preference, and social barriers, thereby affecting society as a whole; and
- WHEREAS:** in the City of Statesboro, adults and children are victims of violence each year, and
- WHEREAS:** Statesboro City Council is committed to restoring the right to freedom from fear in our homes, and
- WHEREAS:** Statesboro City Council is committed to restoring the right to freedom from fear in our communities; and
- WHEREAS:** in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence and their children who often suffer grave financial physical, and psychological losses, and

NOW, THEREFORE BE IT RESOLVED, that in recognition of the important work done by domestic violence programs, in cooperation with Safe Haven, I, Jonathan McCollar, Mayor of the City of Statesboro on behalf of the entire City Council, does hereby proclaim the month of October 2022 as

DOMESTIC VIOLENCE AWARENESS MONTH.

We urge all citizens, agencies, and businesses to work together as a team in our community through prevention, intervention and education programs, to eliminate domestic violence and become a violence free community

PASSED AND ADOPED by the City of Statesboro this 18th day of October, 2022.

Jonathan McCollar, Mayor



CITY OF STATESBORO
COUNCIL MINUTES
OCTOBER 04, 2022

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 Phil Boyum gave the Invocation and led the Pledge of Allegiance.

ATTENDANCE

Attendee Name	Title	Status	Arrived
Jonathan McCollar	Mayor	Present	
Phil Boyum	Councilmember	Present	
Paulette Chavers	Councilmember	Present	9:08 am
Venus Mack	Councilmember	Present	
John Riggs	Councilmember	Absent	
Shari Barr	Mayor Pro Tem	Present	

Other staff present: City Manager Charles Penny, Assistant City Manager Jason Boyles, Public Information Officer Layne Phillips, City Attorney Cain Smith and City Clerk Leah Harden

3. Public Comments (Agenda Item): None

4. Consideration of a Motion to approve the Consent Agenda

A) Approval of Minutes

- a) **09-20-2022 Work Session Minutes**
- b) **09-20-2022 Council Minutes**
- c) **09-20-2022 Executive Session Minutes**

A motion was made to approve the consent agenda.

RESULT:

Approved (Unanimous)

MOVER:

Councilmember Venus Mack

SECONDER:

Mayor Pro Tem Shari Barr

AYES:

Boyum, Mack, Barr

ABSENT

Councilmember Paulette Chavers and Councilmember John Riggs

**5. Public hearing & Consideration of a motion to approve application for an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. -13 (a):
 Statesboro Entertainment Concepts LLC, DBA Fifth Quarter Bar & Grill
 67 Gata Drive
 Statesboro, GA 30458
 License Type: Bar with Kitchen**

A Motion was made to open the public hearing.

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

Jefferson Allen an attorney with Cole, Cooper, Estero, and Allen in Atlanta spoke in opposition to the request. He stated he represents an entity who has entered into an agreement with Turtle Partners LLC to purchase the property 67 Gata Drive and the entire membership interest. He further stated that the lease is on a month to month basis and that there are current litigation issues with the property.

Councilmember Paulette Chavers joined the meeting.

Wes Taulbee an attorney with Taulbee, Rushing, and Snipes confirmed that the current owners have entered into an agreement to sell to Mr. Allen’s client. Currently the litigation is pending awaiting a trial date. He also stated that rent for this month has been tendered but there is no written lease in place, it is an oral agreement prior to the sale. The lease is basically month to month while litigation is pending.

Jerrold Miller stated he is a vested owner of Fifth Quarter and that at this time last year they tried to get this interest going. We are locked in a litigation battle but we are still able to operate until that is complete and if we are able to purchase that building we will still be here.

A Motion was made to close the public hearing.

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

Councilmember Venus Mack asked why this business did not open last year. Mr. Miller stated they had issues with the previous owner who leased the property to them. The current owners are doing a lease with us month to month.

Mayor Pro Tem Shari Barr asked if it would be appropriate to pause the application until the property issue is resolved.

City Attorney Cain Smith stated that is not a factor to be considered under 6-13. The question is, who has rights to the property at the time of application and at this point, the applicant does have property rights on a month to month basis. The application is proper and anything beyond that is private property dispute best handled by the courts. Having an alcohol license in no way affects the owner's rights to the property.

Councilmember Phil Boyum asked how we verify the legality and validity of leases.

City Attorney Cain Smith stated that leases are not a factor to be considered under chapter six. Is just a practical matter we do, typically we have a lease but in this situation we relied on information given to us from Wes Taulbee the owners legal representation, that they are currently in a month to month lease.

A Motion was made to approve an application for an alcohol license in accordance with the City of Statesboro alcohol ordinance Sec. -13 (a):

Statesboro Entertainment Concepts LLC, DBA Fifth Quarter Bar & Grill
67 Gata Drive
Statesboro, GA 30458
License Type: Bar with Kitchen

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

6. Consideration of a motion to approve an Intergovernmental Agreement with Bulloch County Board of Commissioners. For Geographic Information System (GIS) operation and maintenance.

A motion was made to approve an Intergovernmental Agreement with Bulloch County Board of Commissioners. For Geographic Information System (GIS) operation and maintenance.

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

7. Consideration of a motion to approve the award of a Department owned firearm to retiring Advanced Patrol Officer Justin Gawthrop.

A motion was made to approve the award of a Department owned firearm to retiring Advanced Patrol Officer Justin Gawthrop.

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

8. Consideration of a motion to approve a Development Agreement with Statesboro Convention and Visitors Bureau to use \$135,000.00 in TAD funds for funding assistance for the Statesboro Main Street Farmers Market building and Access Project within the South Main Tax Allocation District (TAD 1).

A motion was made to approve a Development Agreement with Statesboro Convention and Visitors Bureau to use \$135,000.00 in TAD funds for funding assistance for the Statesboro Main Street Farmers Market building and Access Project within the South Main Tax Allocation District (TAD 1).

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

City Attorney Cain Smith stated the agreement in the packet has an error on the definition of Private Infrastructure, it should read “those improvement identified and more fully described in Developer’s application for TAD financing, namely an access bridge and walkways and new picnic areas.”

9. Consideration of a motion to approve a Development Agreement with West District Events OZ Business, LLC to use \$151,193.00 in TAD funds for funding assistance for the Foxhall Event Space in the West District within the South Main Tax Allocation District (TAD 1).

A motion was made to approve a Development Agreement with West District Events OZ Business, LLC to use \$151,193.00 in TAD funds for funding assistance for the Foxhall Event Space in the West District within the South Main Tax Allocation District (TAD 1).

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

City Attorney Cain Smith stated the agreement in the packet has an error on the definition of Private Infrastructure, it should read “those improvement identified and more fully described in Developer’s application for TAD financing, namely water service expansion, fire suppression, and site work for expanded parking.”

10. Consideration of a motion to award a contract for the Joe Brannen Hall and City Hall improvements project to BAK Builders in the amount of \$1,383,335.00. Funding will be from 2013 SPLOST and 2019 SPLOST.

A motion was made to award a contract for the Joe Brannen Hall and City Hall improvements project to BAK Builders in the amount of \$1,383,335.00. Funding will be from 2013 SPLOST and 2019 SPLOST.

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

11. Consideration of a motion to approve a contract with Y-Delta to construct a shelter extension for the maintenance shop at the Waste Water Treatment Plant in the amount of \$34,000. This project is budgeted in the amount of \$40,000 in FY 2023 CIP #WTP-13.

A motion was made to approve a contract with Y-Delta to construct a shelter extension for the maintenance shop at the Waste Water Treatment Plant in the amount of \$34,000. This project is budgeted in the amount of \$40,000 in FY 2023 CIP #WTP-13.

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

12. Consideration of a motion to approve Task Order #6 in the amount of \$49,840.00 with Goodwyn, Mills, and Cawood (GMC). This project will be paid from 2013 SPLOST funds.

A motion was made to approve Task Order #6 in the amount of \$49,840.00 with Goodwyn, Mills, and Cawood (GMC). This project will be paid from 2013 SPLOST funds.

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

13. Other Business from City Council:

Mayor Pro Tem Shari Barr stated she is pleased with the progress staff is making towards sustainability. Mrs. Barr announced that the City’s Public Information Officer, Layne Phillips won a national award for the City Employee Newsletter. In addition she recognized that Statesboro Fire Chief Tim Grams has been with the city for 25 years. She reminded everyone about Ag Night Out this Friday and that the farmers market is still going on every Saturday from 8:30 am to 12:30 pm.

14. City Managers Comments

City Manager Charles Penny stated that due to hurricane Ian that Green Fest was cancelled and thanked staff for their diligence in making the call to cancel. He also stated that the city was not awarded the CDBG funds this time but we will continue to apply for those funds. Mr. Penny brought to Mayor and Council’s attention the update of the location reservation tracking that was in the FYI packet. Also in the FYI packet a memo regarding the discussion at the last meeting about a resolution allowing an additional permit to exceed the City noise restriction for the Blue Room however it is no longer needed. Lastly, a request was made to Bulloch County staff about working collaboratively on the Long Range Transportation Plan.

15. Public Comments (General): None

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

No Executive Session was held.

17. 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 9:55 am.

Jonathan McCollar, Mayor

Leah Harden, City Clerk

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: 10/11/2022

RE: Family Dollar #20383

Policy Issue: Alcohol License Approval

Recommendation:

Consideration of a Motion to approve application for an alcohol license classified as Package Sales (Beer & Wine) & Sunday Sales in accordance with The City of Statesboro alcohol ordinance Sec. 6-13 (a) to be issued to Family Dollar #20383 located at 2538 Northside Dr. W.

Background:

Family Dollar #20383 located at 2538 Northside Drive West has applied for an alcohol license allowing Package (Beer & Wine) sales and Sunday Sales. This requires the business to apply for a new alcohol license and get approval 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.

Budget Impact: None

Council Person & District: Paulette Chavers, District 2

Attachments: Application & 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: _____

1. Business Trade Name: Family Dollar #20383

D/B/A Name

2. Applicant's Name: Family Dollar Stores of Georgia, LLC

Name of partnership, llc, corporation, or individual

3. Business Physical Address: 2538 Northside Dr, W Statesboro, GA 30458

4. Business mailing address: Attn : Alcohol \Tobacco Team

500 Volvo Pkwy (9th Floor), Chesapeake, VA 23320

5. Local business phone number: 912-243-6133

Corporate office phone number: 757-321-5493

6. Name of Manager: Connie Le Blanc

Person responsible for alcohol licensing issues

7. Phone number for manager: 912-243-6133

8. Email address for manager: ab-licensing@dollartree.com

9. Address of manager: 421 Allman Ave, Statesboro, GA 30458

10. Purpose of application is:

Existing Business

New Business Adding Alcohol New Owner _____

Previous owner's name: N/A

If the business name has changed, list previous name: N/A

If the business address has changed, list the previous address: N/A

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: N/A Phone #: _____

Home Address: N/A

Have you completed the financial affidavit attached to this application? N/A

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: Family Dollar Stores of Georgia, LLC

500 Volvo Pkwy, 9th Floor, Chesapeake, VA 23320

Do you have an operating or partnership agreement for the LLC, LLC, or partnership? N/A

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

Family Dollar Inc., is the shareholder for 100% - See attached

15. Members of LLC and/or partners:

Full Legal Name: See Attached list of officers Phone #: _____

Home Address: _____

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? N/A

(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: Family Dollar Stores of Georgia, LLC

Home Office address: Attn : Alcohol/ Tobacco Team

500 Volvo Pkwy (9th Floor), Chesapeake, VA 23320

Mailing address (if different): Same as above

Date & Place of incorporation: 8/31/1997 - Virginia

Do you have a shareholders agreement?: Yes , please see attached.

If not, what documents establish the ownership rights of the shareholders? N/A

17. Officers:

Full Legal Name: Peter A Barnett Phone #: 757-321-5493

Home address: 329 Cavalier Dr, Virginia Beach, VA 23451

Percentage of stock owned: 0% Office held: President

Full Legal Name: Todd Littler Phone #: 757-321-5000

Home address: 3609 Trading Place , Virginia Beach, VA 23452

Percentage of stock owned: 0% Office held: Senior Vice President

Full Legal Name: Harry Spencer Phone #: 757-321-5493

Home address: 509 Woodards Ford Rd, Chesapeake, VA 23322

Percentage of stock owned: 0 Office held: Assistant Secretary

Attach additional pages if necessary See attached list of officers **

18. Stockholders: (if different than officer names)

Full Legal Name: Family Dollar Inc - Please see attached Phone #: 757-321-5493

Home address: 5Attn: Alcohol Tobcacco Team -500 Volvo Pkwy(9th Floor)

Chesapeake,VA 23322

Percentage of stock owned: 100% Office held: Shareholder

Full Legal Name: N/A Phone #: _____

Home address: _____

Full Legal Name: N/A Phone #: _____

Home address: _____

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

Has each shareholder completed the financial affidavit attached to this application? N/A

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: John Summerfield Mitchell Jr. Phone #: 757-321-5495

Previous address: 316 11th St. NE Washington DC 20002

Dates lived there: April,2008 to July,2021

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: Jonathan Lamar Elder Phone #: 757-321-5000

Previous address: 808 Forest Glade Dr. Chesapeake , VA 23322

Dates lived there: June, 2005- March ,2019

Previous address: _____

Dates lived there: _____

Previous address: _____

Dates lived there: _____

Name: Harry R. Spencer Phone #: 571-217-1884

Previous address: 31 Walton CT., East Brunswick, NJ 08816

Dates lived there: 2016-2019

Previous address: 716 Blazing Star Drive, Lawrence

Dates lived there: 2010-2016

Previous address: _____

Dates lived there: _____

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

Northside Cone, LLC

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:

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:

Northside Cone, LLC 222 West Coleman Blvd, Mt. Pleasant, SC

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?
N/A

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? Yes, Family Dollar Stores of Georgia LLC holds multiple license throughout the state
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?
N/A

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, Connie LeBlanc, 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.

Connie LeBlanc

Print full name as signed below

Connie LeBlanc

Manager

7/18/22

Signature of applicant

Title

Date

Sworn and subscribed before me this 18th day of July, 2022.

Tracy Reed
Notary Public

02/02/2025
My commission expires

Tracy Reed
NOTARY PUBLIC
Bulloch County, GEORGIA
My Comm. Expires
02-02-2025

Calculation of Basic License Fee

For Calendar Year: 2022

Classification:	Mark all that apply	License Fee
1. A. Package Sales (Beer & Wine)	<u>*</u>	\$1750
B. Package Sales (Distilled Spirits)	_____	\$5000
Location Reservation	_____	N/A
2. On Premise License Types		
A. Bar	_____	\$4300
B. Bar with Kitchen	_____	\$4300
C. Event Venue	_____	\$2500
D. Low Volume	_____	\$750
E. Pub	_____	\$5600
F. Restaurant	_____	\$2800
3. Caterer	_____	\$200
4. Brewer, manufacturer of malt beverages only	_____	\$1750
5. Broker	_____	\$1750
6. Importer	_____	\$1750
7. Manufacturer of Wine only	_____	\$1750
8. Sunday Sales Permit / <u>Sunday off premise</u>	<u>*</u>	\$300
9. In Room Service Permit	_____	\$150

Total Due: \$ _____

**Family Dollar 20383
2538 Northside Dr W
Statesboro, Ga 30458**

Please enter your recommendations and comments with your full name.

Alcohol License Review

Department Full Name Recommendation Comments

Planning & Development	Elizabeth Burns	Approve	
Fire Department	Justin Taylor	Approve	
Police Department	Jared Akins	Approve	
Legal	Cain Smith	Approve	

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, Planning & Housing Administrator

Date: October 7, 2022

RE: October 18, 2022 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment*

Recommendation: Planning Commission recommends Approval of the Zoning Map Amendment Requested by RZ 22-09-02.

Background: Jarret Walden requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the O (Office) zoning district to expand the existing dental office on 0.24 acres of property located at 703 East Grady Street (Tax Parcel # S52 000030 000).

Budget Impact: None

Council Person and District: Mack (District 3)

Attachments: Development Services Report (RZ 22-09-02)



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

RZ 22-09-02
ZONING MAP AMENDMENT REQUEST
703 East Grady Street

LOCATION:	703 East Grady Street
EXISTING ZONING:	R15 (Single-Family Residential)
ACRES:	0.24 acres
PARCEL TAX MAP #:	S52 000030 000
COUNCIL DISTRICT:	District 3 (Mack)
EXISTING USE:	Single Family Residential
PROPOSED USE:	Office Expansion



PETITIONER Jarrett Walden
ADDRESS 225 High Point Road; Statesboro GA, 30458

REPRESENTATIVE Same as Above
ADDRESS Same as Above

PROPOSAL

The applicant is requesting a Zoning Map Amendment from the R15 (Single-Family Residential) zoning district to the O (Office) zoning district in order to increase the available parking space and expand the existing office on the adjacent parcel.

STAFF/PLANNING COMMISSION RECOMMENDATION

RZ 22-09-02 – CONDITIONAL APPROVAL

Case # RZ 22-09-02
703 East Grady St
Parcel: S52 000030 000

Location Map



Legend

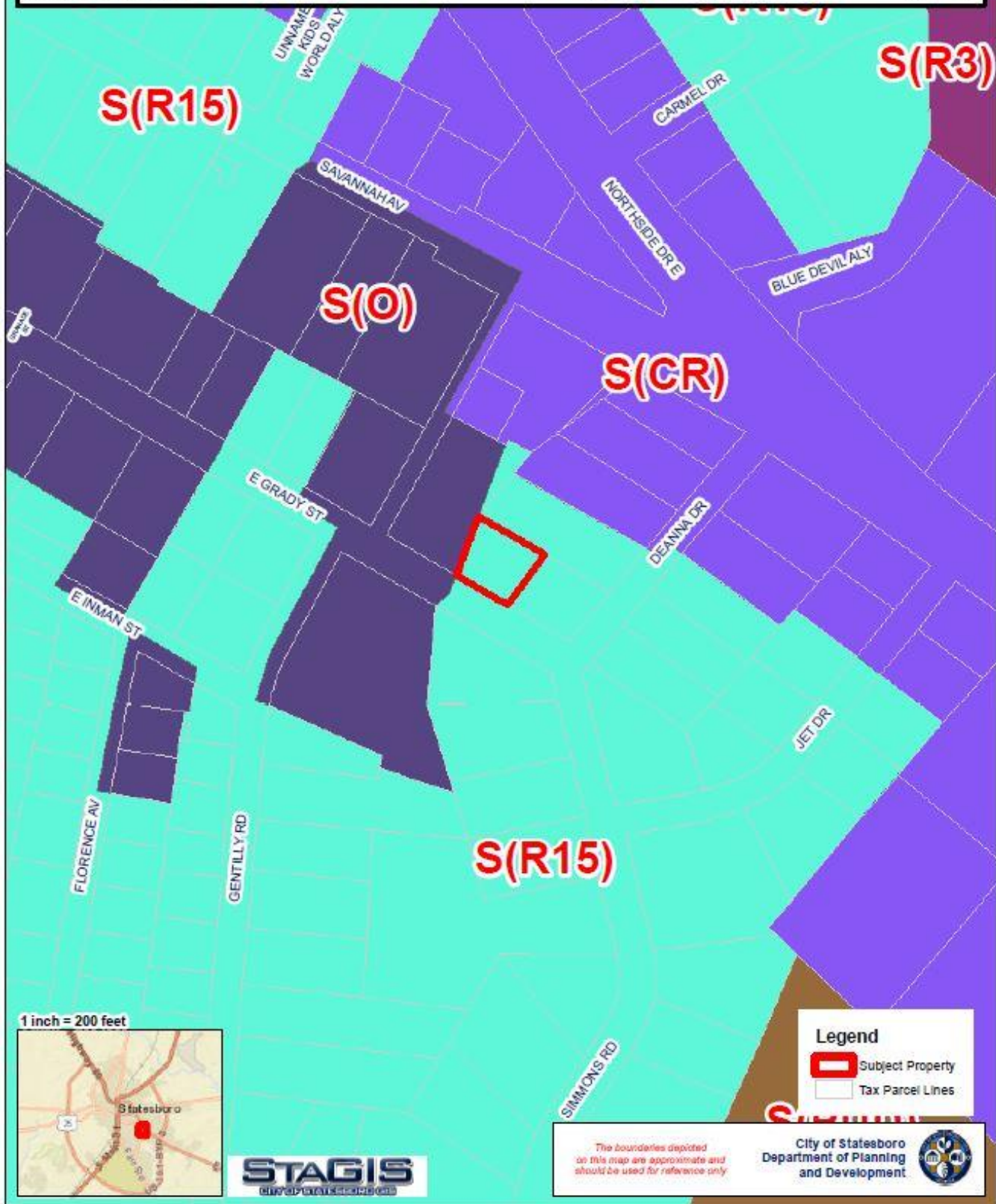
-  Subject Property
-  Tax Parcel Lines

The boundaries depicted on this map are approximate and should be used for reference only



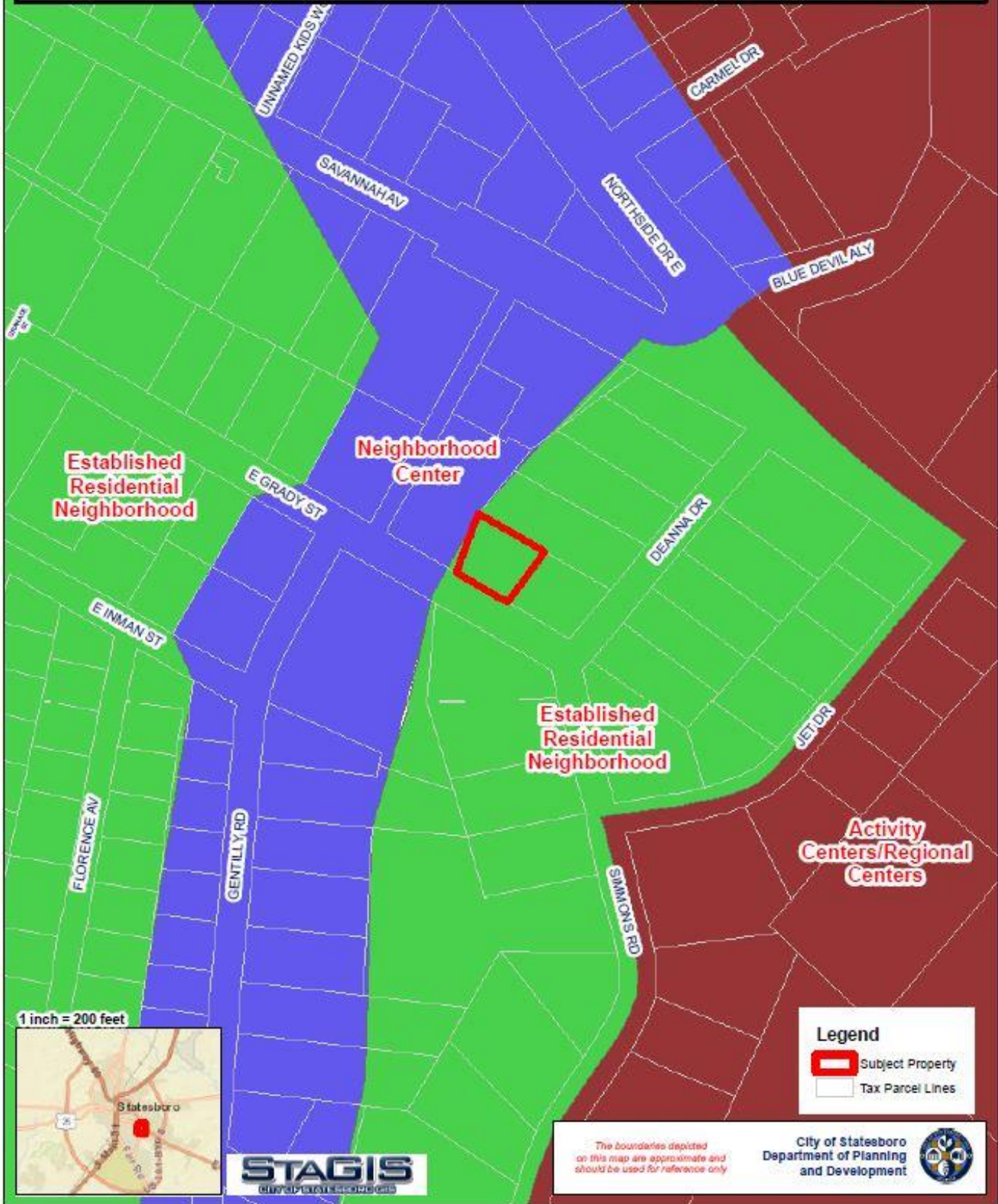
Case # RZ 22-09-02
703 East Grady St
Parcel: S52 000030 000

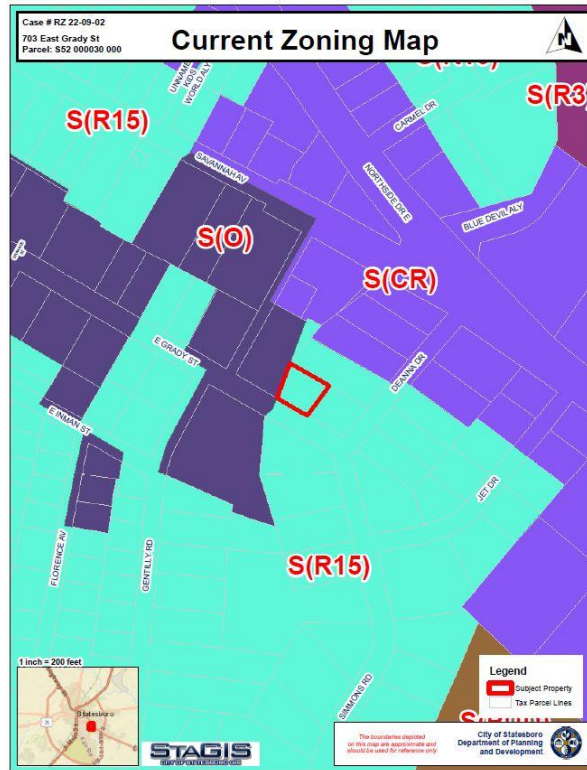
Current Zoning Map



Case # RZ 22-09-02
703 East Grady St
Parcel: S52 000030 000

Future Landuse Map

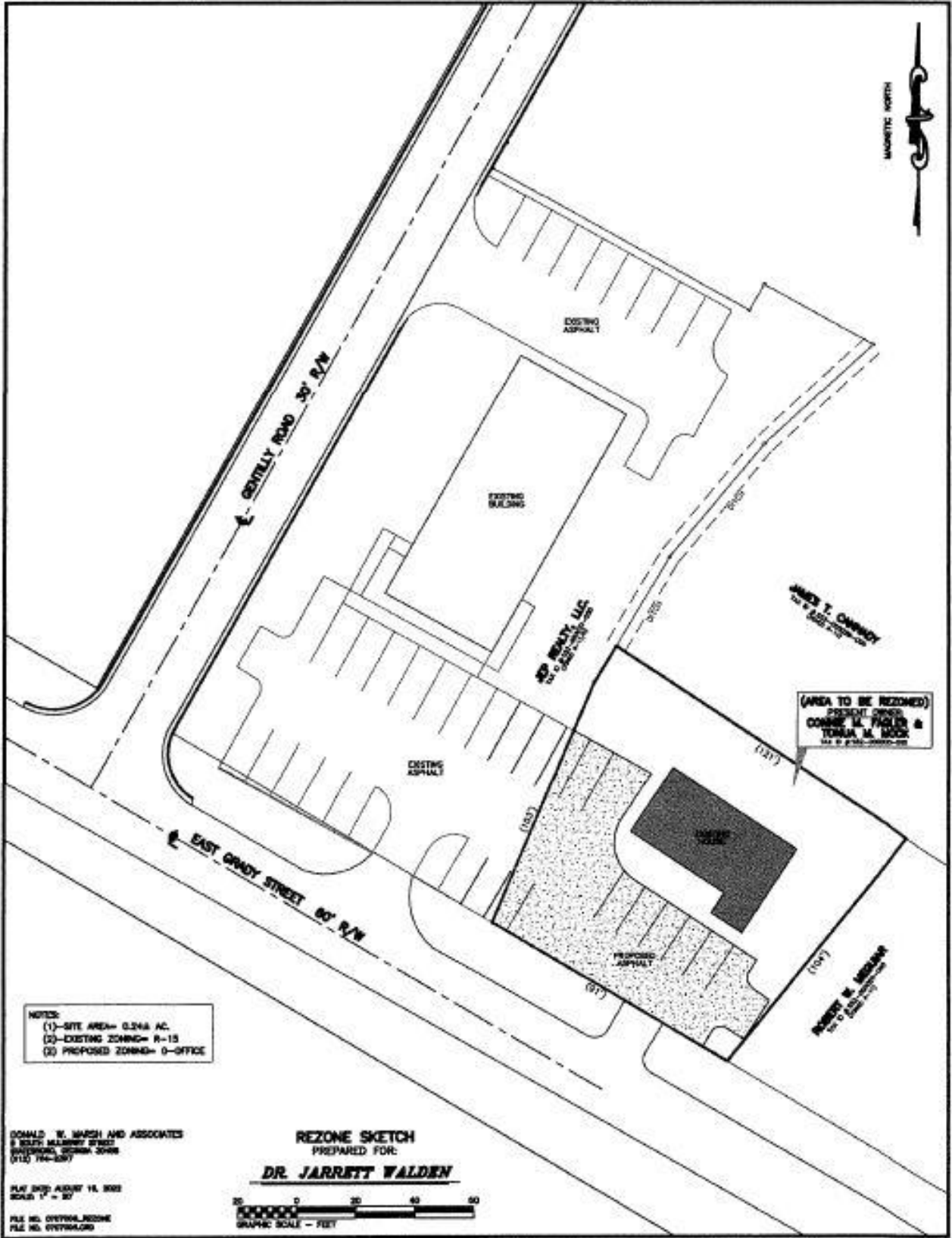




SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R15 (Single Family Residential)	Single Family Dwelling
Northeast	Location Area #2: CR (Commercial Retail)	Single Family Dwelling
Northwest	Location Area #3: O (Office)	Medical Office
East	Location Area #4: R15 (Single Family Residential)	Single Family Dwelling
West	Location Area #5: O (Office)/R15 (Single Family Residential)	Medical Office
Southwest	Location Area #6: O (Office)	Additional Office Parking
Southeast	Location Area #7: R15 (Single Family Residential)	Duplex
South	Location Area #8: R15 (Single Family Residential)	Single Family Dwelling

EXHIBIT ONE



SUBJECT SITE

The subject site is an existing single-family home located on 0.24 acres to the east of the existing dental office. The surrounding neighborhood has a mix of single-family housing with offices

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Established Residential Neighborhood” area, which is characterized by small single-family residential lots, neighborhood scale retail and commercial and neighborhood services.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not in a flood zone.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property has access to both city water and sewer.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

The mayor and city council in exercising its zoning power, shall be governed by the following standards in making its determination and balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property:

1. Existing uses and zoning or [of] property nearby.

- The proposed use is similar to the surrounding uses in the area, as the area has a pattern of transitioning from Single-Family housing to office types.

2. The extent to which property values are diminished by the particular zoning restrictions.

- Although an appraisal has not been conducted on the property, it is Staff’s opinion that the proposal will not likely reduce the overall value of property in the area.

3. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.

- The property would serve to remove some of the existing parking issues for the business, but it will reduce the overall available housing stock in the community.

4. The relative gain to the public, as compared to the hardship imposed upon the property owner.

- The site does have a house located on it but it does not serve any general use for the public beyond the provided natural foliage.

5. The suitability of the subject property for the zoned purposes.

- Initial evaluation of the property appears to make this property suitable for the requested use as it is in alignment with many of the surrounding properties.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.

- The property has not been vacant as a single family residence is located on the property.

7. The extent the proposed change would impact the following:

- Population density in the area.
 - Population density would not change as a result of this amendment.
- Community facilities.
 - The development would likely increase the use on utilities.
- Living conditions in the area.
 - The living conditions in the area not likely to change.
- Traffic patterns and congestion.
 - There would be an increase in traffic in the area, but the traffic will be contained on the surrounding sites of the business.
- Environmental aspects.
 - There are no noted wetlands on the property, and the building does already exist.
- Existing and future land use patterns.
 - There is a general residential development pattern in the area, but this has steadily shifted to a more office use.
- Property values in the adjacent areas.
 - The development of this project will likely increase surrounding property values.

8. Consistency with other governmental land use, transportation, and development plans for the community.

- The proposed residential/commercial use of the property is in alignment with the existing zoning as well as the general residential zoning of the area. In addition, the general Comprehensive Plan does promote the general development of this type in the area.

Subject Property



Western Property



Southern Property



Southwestern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 22-09-02**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

1. Approval of this zoning map amendment does not grant the right to develop on the property. All construction must be reviewed and approved by the City.

At the regularly scheduled meeting of the Planning Commission on Tuesday, October 5, 2022, the Commission recommended approval of the Zoning Map Amendment and conditions with a 4-0 vote.

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, Planning & Housing Administrator

Date: October 7, 2022

RE: October 18, 2022 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment*

Recommendation: Planning Commission Recommends Approval of the Special Exception Requested by AN 22-09-03.

Background: The Parker Companies request Annexation of the three properties totaling 3.8 acres in order to construct a Parker's Kitchen located on the intersection of Burkhalter and Highway 67, commonly known as 17241 GA Highway 67 (Tax Parcels # MS88000006 000, MS88000005 000, & MS88000007 000).

Budget Impact: None

Council Person and District: Barr (District 5 - Projected)

Attachments: Development Services Report (AN 22-09-03/RZ 22-09-04 & Annexation Ordinance)

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, Planning & Housing Administrator

Date: October 7, 2022

RE: October 18, 2022 City Council Agenda Items

Policy Issue: *Statesboro Zoning Ordinance: Zoning Map Amendment*

Recommendation: Planning Commission recommends Approval of the Zoning Map Amendment Requested by RZ 22-09-04.

Background: The Parker Companies requests a Zoning Map Amendment from the R-40 (Single Family Residential) zoning district to the HOC (Highway Oriented Commercial) zoning district in order to construct a Parker's Kitchen located on the 3.8 acres of property at the intersection of Burkhalter and Highway 67, commonly known as 17241 GA Highway 67 (Tax Parcels # MS88000006 000, MS88000005 000, & MS88000007 000).

Budget Impact: None

Council Person and District: Barr (District 5 - Projected)

Attachments: Development Services Report (AN 22-09-03/RZ 22-09-04)



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

P.O. Box 348
 Statesboro, Georgia 30458

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

**AN 22-09-03 & RZ 22-09-04
 ANNEXATION AND ZONING MAP AMENDMENT REQUEST
 Burkhalter Road**

LOCATION:	Burkhalter Road
EXISTING ZONING:	HC (Highway Commercial)
ACRES:	3.8 acres
PARCEL TAX MAP #:	MS88000006 000, MS88000005 000, & MS88000007 000
COUNCIL DISTRICT:	District 5 (Barr) – (Projected)
EXISTING USE:	Residential Home & Vacant Lot
PROPOSED USE:	Service Station



PETITIONER The Parker Companies (Daniel Ben-Yisrael)
ADDRESS 17 W McDonough Street; Savannah, GA 31401

REPRESENTATIVE Kimley-Horne & Associates (Brian Clouser)
ADDRESS 354 E Gordon Street; Savannah, GA 31401

PROPOSAL

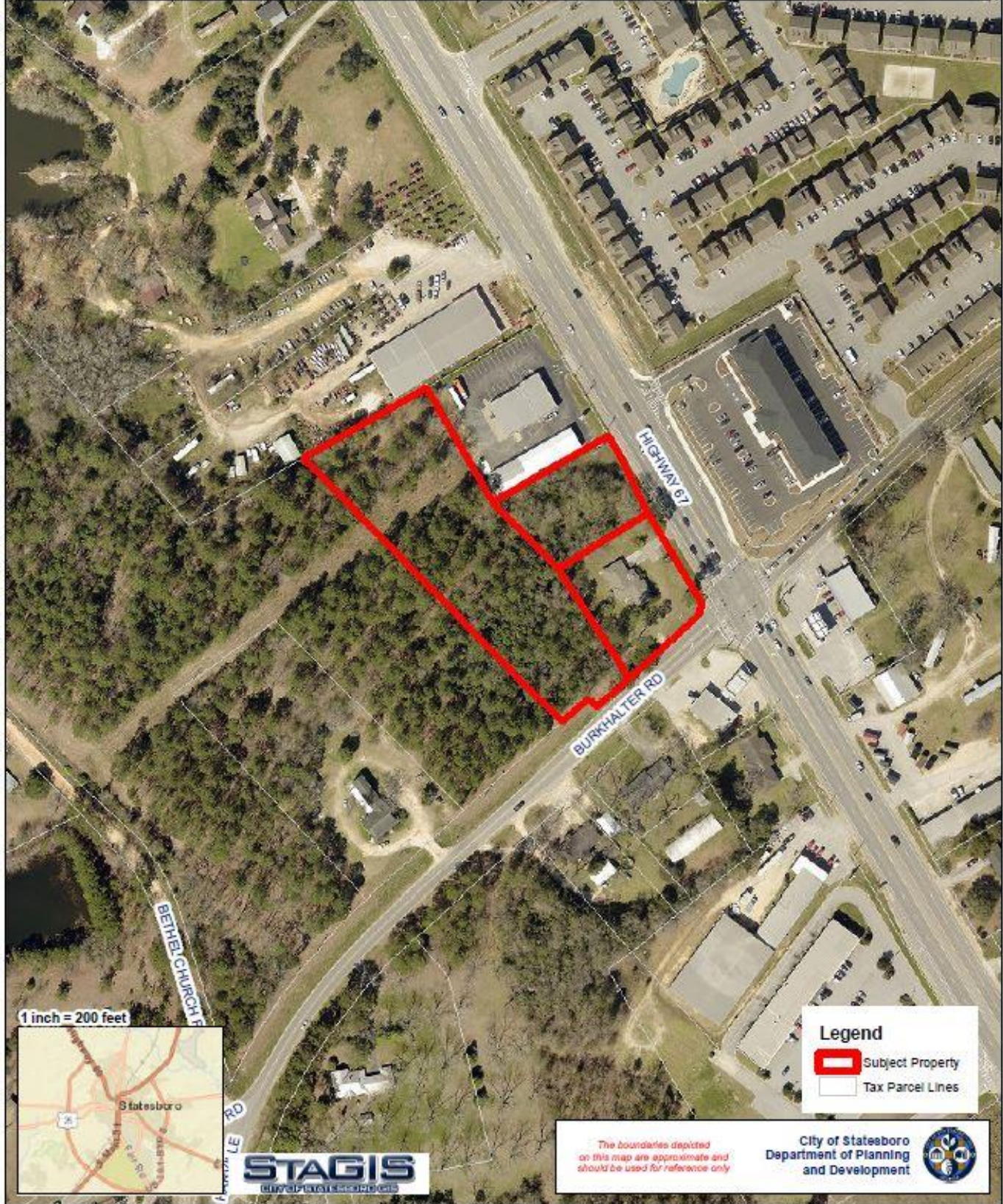
The applicant is requesting an Annexation by the 100% method of 3.8 acres of property on the intersection of Burkhalter Road and Highway 67 for the development of a Parker's Kitchen. The applicant also request a Zoning Map Amendment from the R-40 (Single-Family Residential) to the HOC (Highway Oriented Commercial) zoning district to allow for development.

PLANNING COMMISSION RECOMMENDATION

AN 22-09-03 & RZ 22-09-04 CONDITIONAL APPROVAL

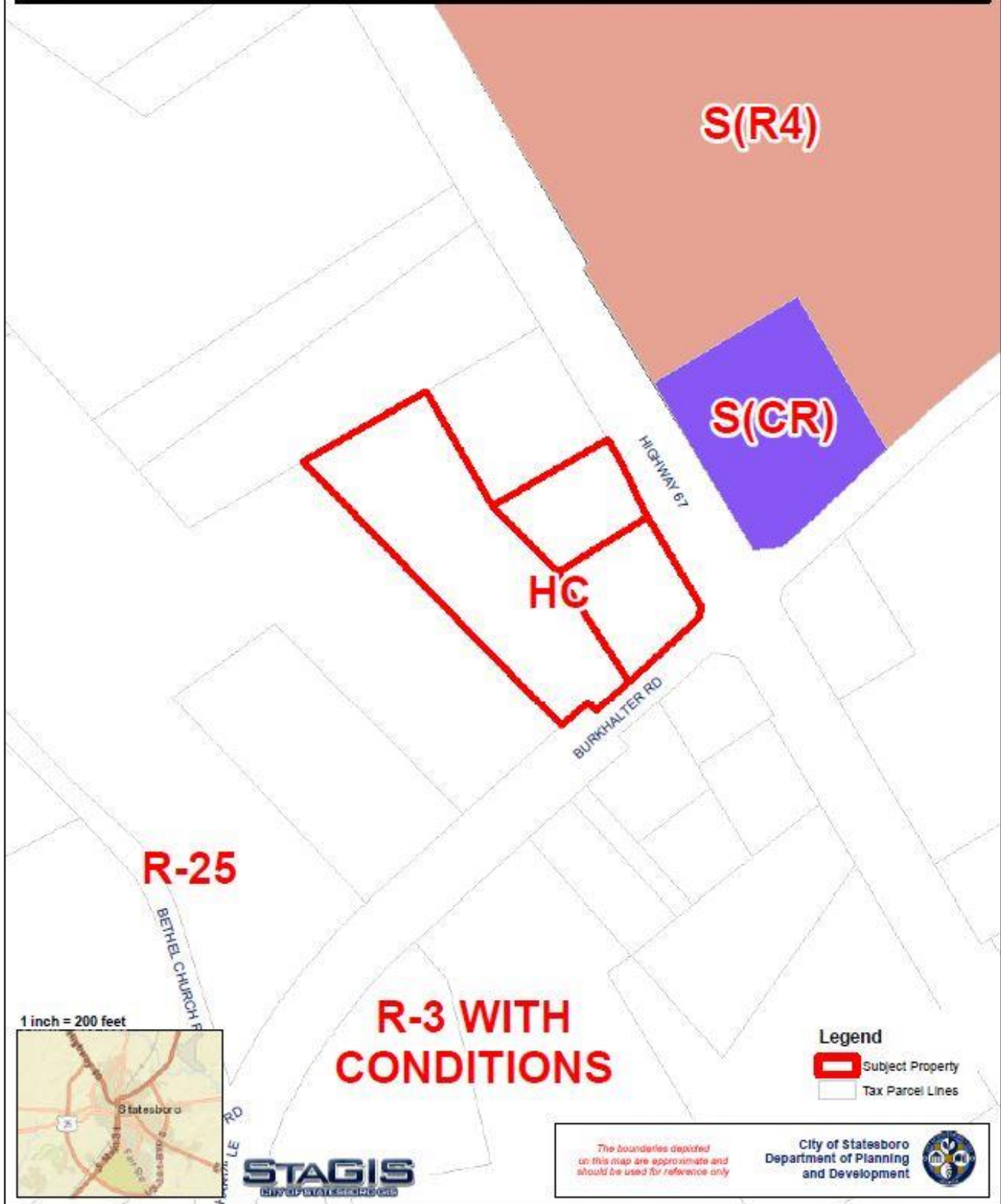
Case # RZ 22-09-04 & AN 22-09-03
Burkhalter Road
Parcel: MS88000006 000, MS88000005 000
& MS88000007 000

Location Map



Case # RZ 22-09-04 & AN 22-09-03
Burkhalter Road
Parcel: MS88000006 000, MS88000005 000
& MS88000007 000

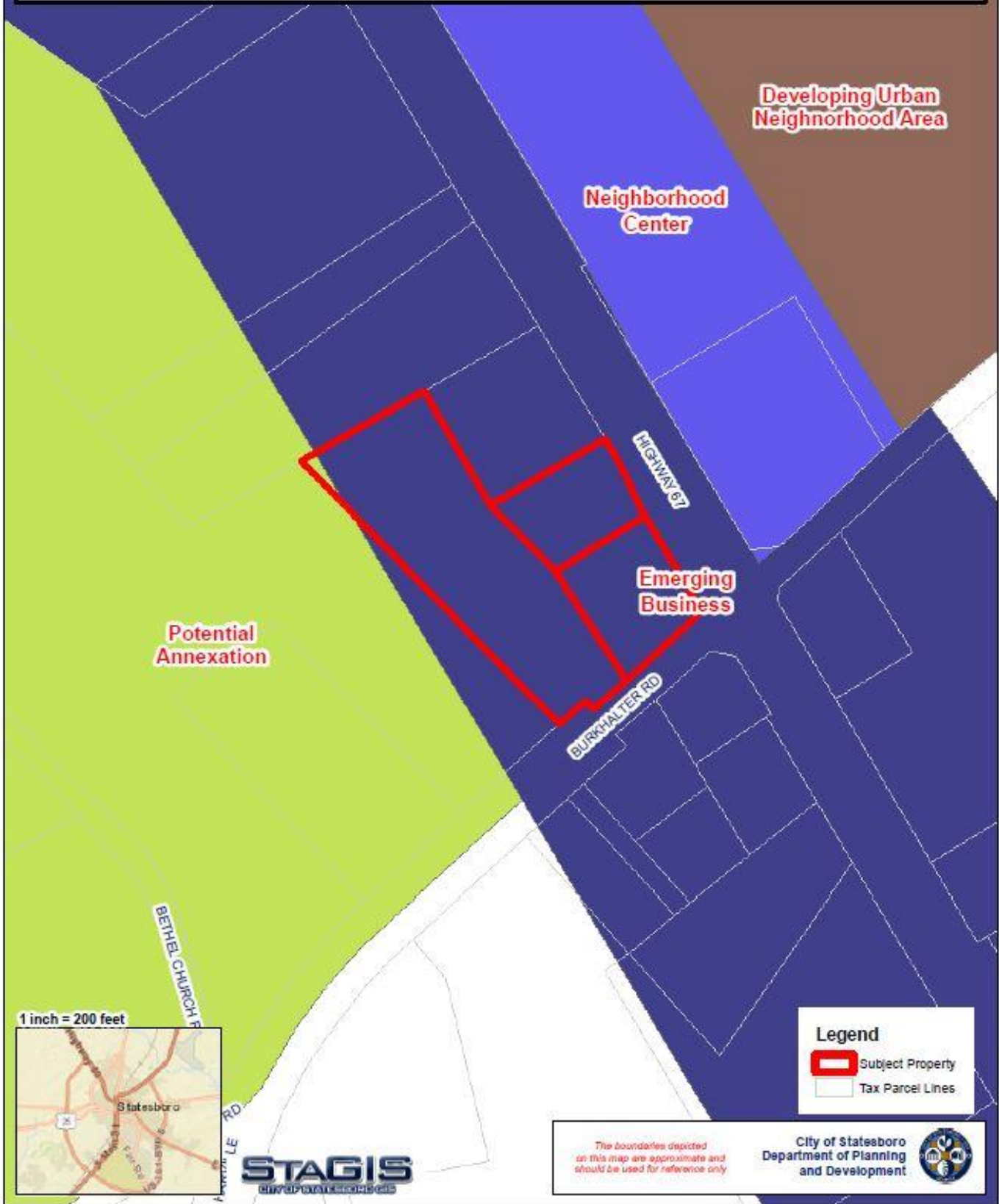
Current Zoning Map

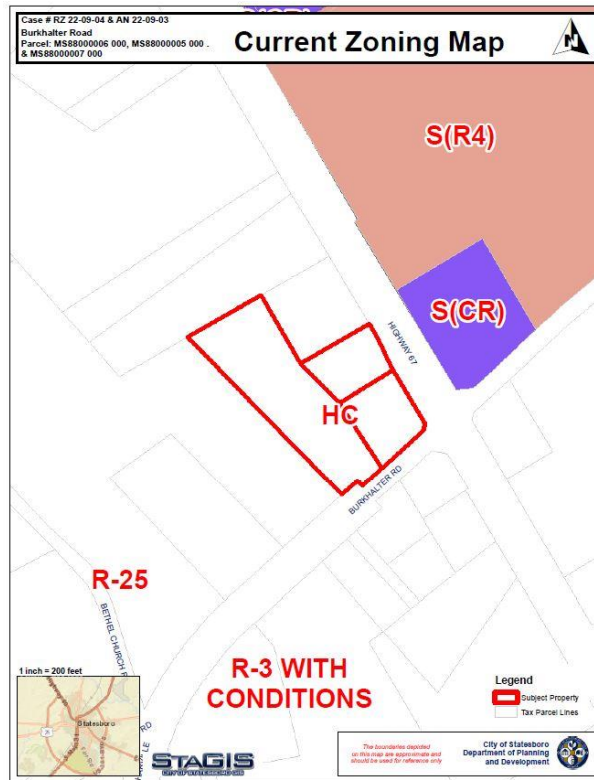


Case # RZ 22-09-04 & AN 22-09-03

Burkhalter Road
Parcel: MS88000006 000, MS88000005 000 .
& MS88000007 000

Future Landuse Map

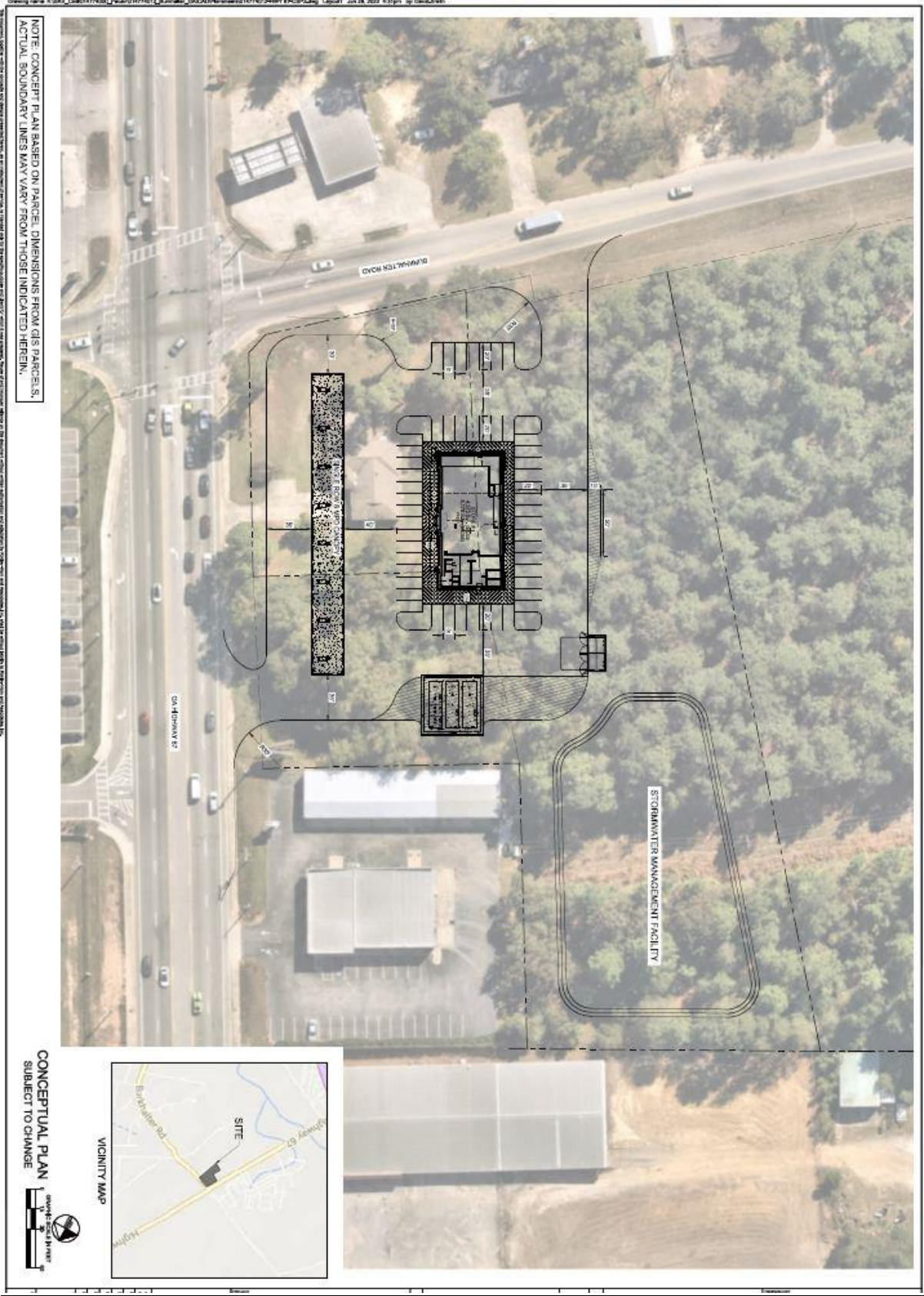




SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: HC (Highway Commercial County Zoning)	Auto Tinting and Sales Facility
Northeast	Location Area #2: R-4 (High-Density Residential)	Multi-Family Development
Northwest	Location Area #3: HC (Highway Commercial County Zoning)	Single-Family Residential Dwelling
East	Location Area #4: CR (Commercial Retail)	Stay Plus Extended Stay
West	Location Area #5: HC (Highway Commercial County Zoning)	Rural/Open Land
Southwest	Location Area #6: HC (Highway Commercial County Zoning)	Rural/Open Land
Southeast	Location Area #7: HC (Highway Commercial County Zoning)	Service Station
South	Location Area #8: HC (Highway Commercial County Zoning)	Service Station

EXHIBIT ONE



SUBJECT SITE

The subject site is two vacant and one deteriorated single-family lot totaling 3.8 acres, on the intersection of Burkhalter and Highway 67. The property has been used as a single-family home, with the remaining acreage wooded, and is contiguous to the City Limits, allowing eligibility for annexation.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in the “Emerging Business” area, which currently is set aside for the development of offices, entertainment, services, mixed use development and a range of high density residential development.

ENVIRONMENTAL SITE ANALYSIS

The subject property listed for annexation does not contain wetlands and is not located in a flood zone. The adjacent properties are also not affected by wetlands.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but initial discussion with the developer has determined that water, sewer, and gas can be extended to serve the site.

ANNEXATION COST ANALYSIS

At this time, it has not been determined what change in the general tax base this annexation would cause, but this property opens additional land to the South and Southeast for additional annexation. In addition, the extended utilities to the site would assist in providing utilities to developing sites further Southeast.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

The mayor and city council in exercising its zoning power, shall be governed by the following standards in making its determination and balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property:

1. Existing uses and zoning or [of] property nearby.

- The proposed use is of an equivalent zoning use as currently available in the County. In addition, this property is in a highly trafficked intersection with adjacent uses of a similar manner.

2. The extent to which property values are diminished by the particular zoning restrictions.

- Although an appraisal has not been conducted on the property, it is Staff’s opinion that the proposal will not likely reduce the overall value of property in the area.

Under current annexation requirements, R40 zoning is the default zoning for any land annexed into the city limits.

3. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.

- The property would serve as a higher use than currently serving, as the property is a dilapidated single-family home.

4. The relative gain to the public, as compared to the hardship imposed upon the property owner.

- A portion of the site has not been developed at this time, and the removal of the dilapidated structure improves the general corridor to the entrance of the City. This also provides additional service areas for existing utilities in the Southern area of the City.

5. The suitability of the subject property for the zoned purposes.

- This property would be developed in addition to the adjacent property, which provides significant space for the completion of the project.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.

- The majority of the property has not been developed, and the existing home has not currently been vacant for at least 2 years.

7. The extent the proposed change would impact the following:

- Population density in the area.
 - The population density would not increase as a result of this new development in the area.
- Community facilities.
 - There will need to be some expansion of the existing facilities in the area to ensure that the property can be appropriately served.
- Living conditions in the area.
 - The addition of this property if developed would increase the ability of residents at the periphery of the City to receive service heading South.
- Traffic patterns and congestion.
 - Congestion of this road may be a significant issue. At this time, the existing intersection tends to significantly back up during various times of the day. Significant investment will be needed in the area to ensure that the traffic concerns can be mitigated.
- Environmental aspects.
 - No wetlands will be affected by this development, as there are none on the site. Tree buffering and canopy requirements will be enforced on this site.
- Existing and future land use patterns.
 - There is a mixture of development types in the area, likely due to the lack of historical development planning. This would also serve developments being considered to the South of the project, which in the future is likely to be annexed due to utility needs.
- Property values in the adjacent areas.
 - Additional development could drive the cost of surrounding property higher.

8. Consistency with other governmental land use, transportation, and development plans for the community.

- The proposed use of the property is in alignment with the Comprehensive Plan as an area meant for mixed-use development. In addition, this area is a major thoroughfare into the City proper, which is also looked at for potential future annexation.

Subject Property



Southern Property



Northern Property



Eastern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of AN 22-09-03 and RZ 22-09-04**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Annexation & Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project(s) will be required to meet all City Ordinances and applicable building codes.
- (2) Prior to construction commencement, the applicant must ensure that the completion of a traffic study is submitted to the City Engineering Department for the purpose of confirming any possible traffic calming opportunities.
- (3) A recombination PLAT must be submitted and recorded before the issuance of any Land Disturbance permits for the project.

At the regularly scheduled meeting of the Planning Commission on Tuesday, October 5, 2022, the Commission recommended approval of the Annexation and Zoning Map Amendment with staff conditions by a 4-0 vote.

ORDINANCE # 2022- 05:
AN ORDINANCE TO ANNEX PROPERTY
INTO THE CITY OF STATESBORO

WHEREAS, the Mayor and City Council of the City of Statesboro, Georgia have received and accepted a petition from Lorna T Sanders & The Parker Companies, who are the owners of 100 percent of the property to be annexed; and

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

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

Section 1. The area contiguous to the City of Statesboro as described in Appendix A, which is attached to and incorporated as part of this ordinance, is hereby annexed into the City of Statesboro and is made a part of said city. Said property also being known as Bulloch County tax map parcels MS88000006 000, MS88000005 000, & MS88000007 000 and further described under Appendix A:

Section 2. This ordinance shall become effective on November 1, 2022.

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

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

Section 5. This property shall be zoned and located within the Emerging Business character area on the City of Statesboro Future Development Map pursuant to the vote of the Statesboro City Council held on October 18, 2022, subsequent to a public hearing regarding the zoning of said property.

Section 6. All ordinances and parts of ordinances in conflict with this ordinance are repealed.
APPROVED this 18th day of October, 2022 by the Mayor and Council of the City of Statesboro.

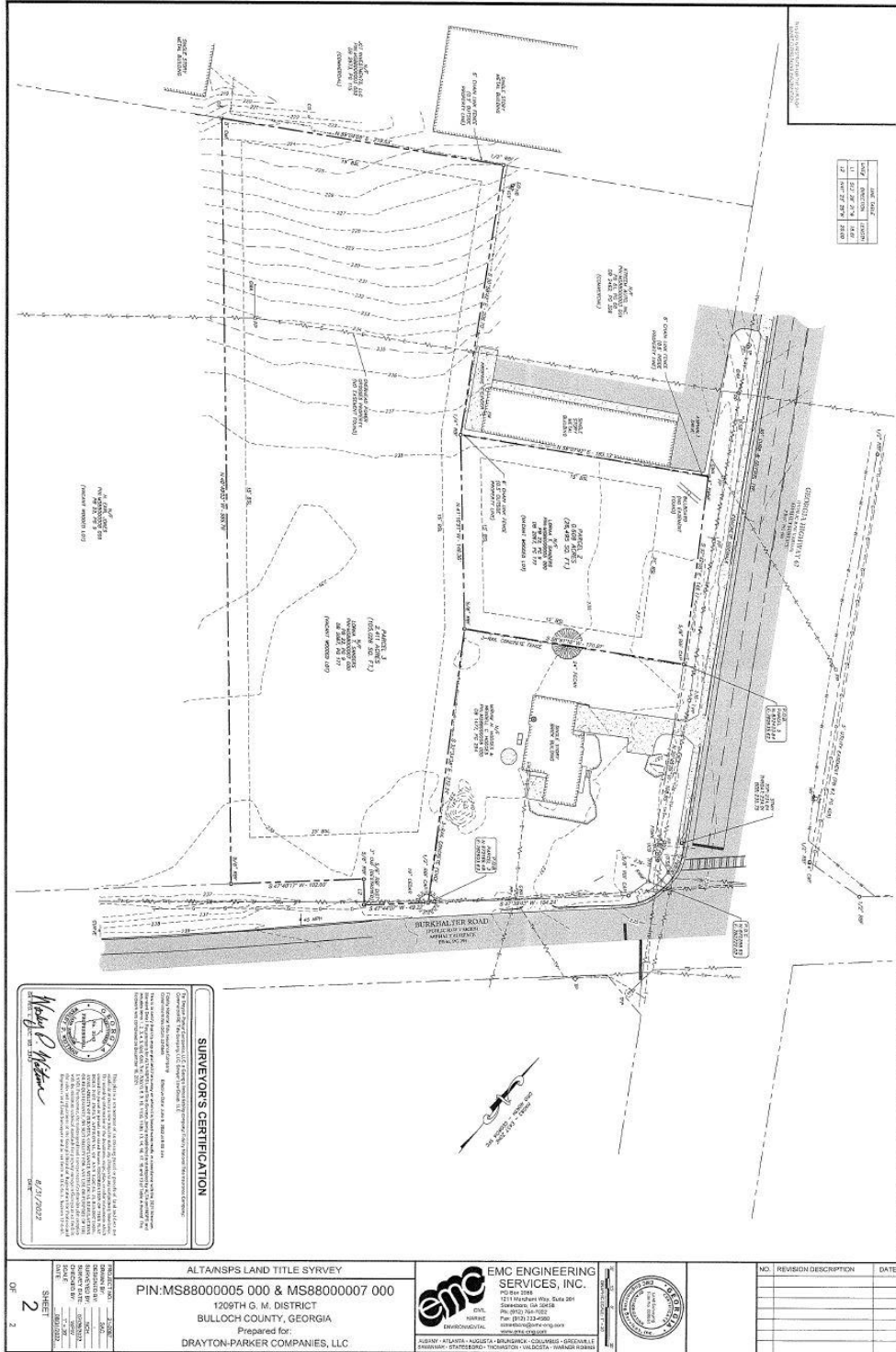
ATTEST:

Jonathan M. McCollar, Mayor

Leah Harden, City Clerk

Appendix A

Property to be annexed on the surveys below and more further describes as approximately 3.8 +/- acres of undeveloped and developed land located on Veterans Memorial Parkway (Tax Parcels # MS88000006 000, MS88000005 000, & MS88000007 000).



CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Paulette Chavers
Venus Mack
John C. Riggs
Shari Barr



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

From: Kathy Field, Director of Planning & Development

Date: October 5, 2022

RE: October 18, 2022 City Council Agenda Items

Policy Issue: *First reading of amendment to Appendix A of City Code of Ordinances section 2506-A revising amount of amenity space required and the types of outdoor areas that qualify as such.*

Recommendation: Approve

Background: At September 20, 2022, work session Mayor and Council directed that proposed ordinance revision be presented to Planning Commission for review. Planning Commission reviewed amendment proposal on October 4, 2022 and voted unanimously in favor of amendment.

Budget Impact: N/A

Council Person and District: All

Attachments: Proposed Ordinance revision

Ordinance 2022-06:

Section 2506-A Open Space – Original Language

At least 5% of the site acreage, calculated based on the total lot area before development, must be dedicated as amenity space. Amenity space is defined as any at-grade outdoor area of at least 100 square feet intended for use by the residents of the development and their guests, but not for the exclusive use of an individual dwelling unit. Amenity space specifically excludes required sidewalks, stream buffers, zoning buffers, stormwater facilities, and natural water bodies. Amenity space may include, but is not limited to, the following spaces: playgrounds, pool areas, tennis courts, basketball courts, other sports courts, community lawns, community gardens, hardscape areas improved for pedestrian enjoyment, and wooded areas.

Sec. 2506-A. ~~OPEN~~ Amenity Space- Proposed Amendment

For developments equal to or exceeding 5.0 acres at least 10% of the site acreage, calculated based on the total lot area before development, must be dedicated as amenity space. For developments smaller than 5.0 acres at least 5% of site acreage must be dedicated as amenity space. Amenity space is defined as any at-grade outdoor area of at least 100 square feet intended for use by the residents of the development and their guests, but not for the exclusive use of an individual dwelling unit. Amenity space specifically excludes required sidewalks, stream buffers, zoning buffers, stormwater facilities, and natural water bodies. Amenity space may include, but is not limited to, the following spaces: playgrounds, pool areas, tennis courts, basketball courts, other sports courts, community lawns, community gardens, hardscape areas improved for pedestrian enjoyment, splash pads, walking trails, dog parks, and wooded areas.

CITY OF STATESBORO

COUNCIL

Phillip A. Boyum
Paulette Chavers
Venus Mack
John C. Riggs
Shari Barr



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

From: Kathy Field, Director of Planning & Development

Date: October 5, 2022

RE: October 18, 2022 City Council Agenda Items

Policy Issue: *First reading of amendment to Article XIV of Appendix A of City Code of Ordinances adding requirement of mixed use concurrency in Planned Unit Developments (PUDs).*

Recommendation: Approve

Background: At September 20, 2022, work session Mayor and Council directed that proposed ordinance revision be presented to Planning Commission for review. Planning Commission reviewed amendment proposal on October 4, 2022 and voted unanimously in favor of amendment.

Budget Impact: N/A

Council Person and District: All

Attachments: Proposed Ordinance revision

Ordinance 2022-07

Section 1404 –Mixed Use Concurrency Requirements

- A. At least 20% of the total gross floor area of the completed PUD development shall be devoted to residential uses and at least 20% of the total gross floor area of the completed PUD development shall be devoted to non-residential uses.
- B. No more than 75 residential units shall be issued a certificate of occupancy in a PUD development until such time as at least 20,000 gross square feet of non-residential floor area has been issued a certificate of occupancy. Any mixed-use concurrency requirements beyond the first 75 residential units may be required by conditional zoning.
- C. No certificate(s) of occupancy shall be issued for more than 100,000 gross square feet of non-residential floor area in a PUD development until such time as a certificate of occupancy has been issued for at least 20 residential units. Any mixed-use concurrency requirements beyond the first 100,000 gross square feet may be required by conditional zoning.