



**November 6, 2018 9:00 am**

1. Call to Order by Mayor Jonathan McCollar
2. Invocation and Pledge of Allegiance by Councilman Sam Lee Jones
3. Recognitions/Public Presentations
  - A) Presentation of Proclamation recognizing “National Radiology Technology Week”
  - B) Recognition of “Employee of the Quarter”
  - C) Presentation by Statesboro Fire Chief and Bulloch County Fire Chief regarding the Insurance Services Office (ISO) and its Public Protection Classification (PPC) Program.
4. Public Comments (Agenda Item):
5. Consideration of a Motion to approve the Consent Agenda
  - A) Approval of Minutes
    - a) 10-16-2018 Council Minutes
    - b) 10-30-2018 Called Council Minutes
6. Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 18-09-07**: Robert Forrest (Stonewalk Companies) requests a variance from Article XIV, Section 1402 to reduce the minimum lot size requirements for property to be considered for the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).
7. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 18-09-06**: Robert Forrest (Stonewalk Companies) requests a zoning map amendment of 2.994 acres located at University Plaza from the CR (Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

8. Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 18-09-08**: Robert Forrest (Stonewalk Companies) requests a variance from Article XVI, Section 1600 to reduce the minimum parking requirements in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).
9. Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 18-09-09**: Robert Forrest (Stonewalk Companies) requests a variance from Article X, Section 1002 to increase the allowable building height in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).
10. Consideration of a Motion to approve **Resolution 2018-30**: A Resolution to dispose of a portion of West Cherry between South College and Martin Luther King Jr. Drive.
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

## NATIONAL RADIOLOGY TECHNOLOGY WEEK

WHEREAS, the health of our citizens is a major concern and responsibility of health care professionals serving the citizens of Statesboro; and

WHEREAS, qualified practitioners who specialize in the use of medical radiation and imaging technology to aid in the diagnosis and treatment of disease share a commitment to bring the people of this community a safer, more compassionate environment now and in the future; and

WHEREAS, professionals in the radiologic sciences are dedicated to the highest standard of professionalism and continually maintain those standards through education, lifelong learning, credentialing and personal commitment; and

WHEREAS, November 4-10, 2018, has been designated National Radiologic Technology Week to focus on the safe medical radiation environment provided through the skilled and conscientious efforts of radiologic technologist;

NOW, THEREFORE I, Jonathan McCollar, Mayor of the City of Statesboro, do hereby proclaim November 4-10, 2018,

“Radiologic Technology Week”

in Statesboro, Georgia, and urge all of our citizens to recognize this event and participate in its observance.

Given Under My Hand this 6<sup>th</sup> day of November 2018.

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Jonathan McCollar, Mayor

## Overview of ISO Public Protection Classification (PPC)



Tim Grams  
Fire Chief

Statesboro Fire Department  
tim.grams@statesboroga.gov



Chris Ivey  
Fire Chief

Bulloch County Fire Department  
chiefivey@bullochema.com

## Who is ISO?

- The Insurance Services Office (ISO) is an independent company that provides data regarding a communities fire protection services to insurance companies through their Public Protection Classification Program (PPC).
- ISO gathers and analyzes fire protection data by utilizing the Fire Suppression Rating Schedule (FSRS)

## The PPC as it relates to Insurance Companies & Premiums

- Fire Departments have no direct involvement or influence with how individual insurance company's assign the PPC Classification nor how the PPC Classification is utilized in determining premiums for property insurance policies.
- Insurance Company and/or their Underwriters that have a subscription to ISO should have an ISO Representative or "Liaison" that can be contacted with questions, concerns, disputes, etc.
- Fire Departments work with ISO when questions exist regarding a specific property location (i.e. distance from a fire station, location of water sources, etc.).

## The PPC as it relates to the Fire Department (BCFD and SFD)

- Both the Bulloch County Fire Department and the Statesboro Fire Department utilizes the ISO FSRs along with other standards to ensure the best possible services are delivered within our community.
- Both Departments actively works toward achieving and maintaining the best PPC Rating possible.

## The Fire Suppression Rating Schedule

- ◉ The FSRS evaluates four (4) elements of a community's fire protection system:
  - Communications = 10 Possible Points
  - Fire Department = 50 Possible Points
  - Water Supply = 40 Possible Points
  - \*Community Risk Reduction = 5.5 Possible Points
- ◉ ISO assigns the communities PPC Rating or Classification based on the total number of points credited during the FSRS.
- ◉ Classifications range from 1 through 10
  - Class 1 representing exceptional Fire Protection and a Class 10 representing fire protection doesn't meet ISO minimum criteria.

## Current ISO PPC Classifications for Statesboro & Bulloch County Fire Departments

- ◉ Both Bulloch County and Statesboro Fire Departments currently have "Split Classifications"
- ◉ Bulloch County Fire Department is currently a ISO Class **5/5X**
  - Class 5X was formally listed as "9"
  - Last ISO evaluation was 2017.
- ◉ Statesboro Fire Department is an ISO Class **2/2Y** as of October 1<sup>st</sup> 2018.
  - Class 2Y formally listed as "8B"

## Criteria for Individual Properties

Property Location	BCFD	SFD
Within 5 road miles of a fire station & within 1000' of a ISO recognized water source.	Class 5	Class 2
Within 5 road miles of a fire station with <b>no</b> ISO recognized water source within 1000'.	Class 5X	Class 2Y
**More than 5 road miles but less than 7 road miles & within 1000' of a ISO recognized water source.	Class 10W	Class 10W
More than 5 road miles but less than 7 road miles with <b>no</b> ISO recognized water source within 1000' OR more than 7 road miles regardless of recognized water source proximity.	Class 10	Class 10

## Creditable Water Sources

- ◉ As part of the FSRS ISO has specific requirements and/or criteria for water sources to be recognized as “Creditable Water”.
- ◉ Creditable Water Sources include:
  - Fire Hydrants
  - Draft or Suction Points (i.e. Pond, Lake, River, etc.)

## Creditable Water Sources

- ◉ The criteria for a Fire Hydrant to be recognized as a creditable water source includes:
  - Must be able to produce a minimum of 250 GPM for a duration of 2 hours.
  - Must be tested and maintained in accordance with ISO standards.
  - A user agreement must exist between the owner of the water system which supplies the Fire Hydrant(s) and the responding Fire Department.

## Creditable Water Sources

- ◉ The criteria for a Draft or Suction Point to be recognized as a creditable water source includes:
  - Must have a 50 year drought study completed.
  - The “site” must be all weather accessible 24/7/365.
  - A user agreement must exist between the property owner of where the draft or suction point site is located and the responding Fire Department.
    - ◉ This is usually in the form of an easement.
  - Must be able to produce a minimum of 250 GPM for a duration of 2 hours.
  - Must be tested and maintained in accordance with ISO standards.



# Questions



Tim Grams  
Fire Chief

Statesboro Fire Department  
[tim.grams@statesboroga.gov](mailto:tim.grams@statesboroga.gov)



Chris Ivey  
Fire Chief

Bulloch County Fire Department  
[chiefivey@bullochema.com](mailto:chiefivey@bullochema.com)



CITY OF STATESBORO  
COUNCIL MINUTES  
OCTOBER 16, 2018

A regular meeting of the Statesboro City Council was held on October 16<sup>th</sup> 2018 at 5:30p.m. in the Council Chambers at City Hall. Present were Mayor Jonathan McCollar, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Derek Duke. Also present were City Manager Randy Wetmore, City Clerk Sue Starling and City Attorney Cain Smith.

The Meeting was called to Order by Mayor Jonathan McCollar.

The Invocation was given by representatives of the Trail Life USA organization from First Baptist Church and Pledge of Allegiance was led by Mayor McCollar.

**Recognitions/Public Presentations**

**A) Proclamation recognizing Domestic Violence Awareness Month**

Mayor McCollar presented a proclamation to Kimberly Billings recognizing Domestic Violence Awareness Month.

Fire Chief Tim Grams made an announcement to keep the entry ways clear because of the crowded Council Chambers.

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

Consideration of a Motion to approve the Consent Agenda

**A) Approval of Minutes**

**a) 10-02-2018 Council Minutes**

Councilman Yawn made a motion, seconded by Councilman Riggs to approve the consent agenda in its entirety. Councilman Boyum, Jones, Yawn, Riggs, and Duke voted in favor of the motion. The motion carried by a 5-0 vote.

**Second Reading and Consideration of a Motion to approve Ordinance 2018-09: An Ordinance Amending Article 2, Section 2 of the City of Statesboro Code of Ordinances to establish the Statesboro Commission on Diversity and Inclusion pursuant to City Charter 2-6.**

City Attorney stated the three ordinance items would be in reference to Sec. 3-7 of the Charter instead of 2-6.

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Marcus Toole, Jane Page, April Schultz spoke in favor of the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

After more than an hour of much discussion among Councilmembers, Councilman Jones made a motion, seconded by Councilman Boyum to table the item until the second meeting in November. Councilman Boyum, Jones, Yawn, Riggs and Duke voted in favor of the motion. The motion carried by a 5-0 vote.

**Second Reading and Consideration of a Motion to approve Ordinance 2018-10: An Ordinance Amending Article 2, Section 2 of the City of Statesboro Code of Ordinances to establish the Statesboro Youth Commission pursuant to City Charter Section 2-6.**

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Abram Brazille spoke in favor of the request.

Councilman Duke made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Duke made a motion, seconded by councilman Yawn to approve **Ordinance 2018-10: An Ordinance Amending Article 2, Section 2 of the City of Statesboro Code of Ordinances to establish the Statesboro Youth Commission pursuant to City Charter Section 2-6.** Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Second Reading and Consideration of a Motion to approve Ordinance 2018-11: An Ordinance Amending Article 2, Section 2 of the City of Statesboro Code of Ordinances to establish the Statesboro Works! Commission pursuant to City Charter Section 2-6.**

There was no vote taken to open a public hearing.

Mr. Woody, Frank Qualls and Marcus Toole spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Duke to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Riggs to approve **Ordinance 2018-11: An Ordinance Amending Article 2, Section 2 of the City of Statesboro Code of Ordinances to establish the Statesboro Works! Commission pursuant to City Charter Section 2-6.** Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION CBD 18-09-01: Justin Peay requests approval of the proposed architectural plans submitted for 0.03 acres of property located at 19 Courtland Street, which is located in the Central Business District (CBD). Per Article VIII, Section 803, development in the CBD zoning district requires a recommendation from City Council to affirm that the plans will keep in mind the integrity and harmony of the Central Business District (Tax Parcel S28 000023 000).**

Councilman Yawn made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Justin Peay spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Duke to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Boyum to approve **APPLICATION CBD 18-09- 01**: Justin Peay requests approval of the proposed architectural plans submitted for 0.03 acres of property located at 19 Courtland Street, which is located in the Central Business District (CBD). Per Article VIII, Section 803, development in the CBD zoning district requires a recommendation from City Council to affirm that the plans will keep in mind the integrity and harmony of the Central Business District (Tax Parcel S28 000023 000). Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-02: Ogburn Realty, Inc. requests a variance from Article X, Section 1003(H) to reduce the required rear yard setback in order to construct an auto parts store on 1 acre of property located at 1044 South Main Street (Tax Parcel MS43 000018 000).**

Councilman Duke made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Patterson Ogburn spoke in favor of the request.

Councilman Duke made a motion, seconded by Councilman Yawn to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Boyum made a motion, seconded by Councilman Yawn to approve **APPLICATION V 18-09-02**: Ogburn Realty, Inc. requests a variance from Article X, Section 1003(H) to reduce the required rear yard setback in order to construct an auto parts store on 1 acre of property located at 1044 South Main Street (Tax Parcel MS43 000018 000) with staff recommendations. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 18-09-03: Bethany Assisted Living, Inc. requests a zoning map amendment of 26.477 acres, a portion of a larger 39.86 acre tract located at 77 Bethany Way from PUD (Planned Unit Development) to the R-4 (High Density Residential) zoning district in order to develop residential duplex, triplex, and/or single family attached dwelling units (Tax Parcel MS40 000074 000).**

Councilman Boyum made a motion, seconded by Councilman Riggs to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Joey Maxwell spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Duke made a motion, seconded by Councilman Yawn to approve **APPLICATION RZ 18-09- 03:** Bethany Assisted Living, Inc. requests a zoning map amendment of 26.477 acres, a portion of a larger 39.86 acre tract located at 77 Bethany Way from PUD (Planned Unit Development) to the R-4 (High Density Residential) zoning district in order to develop residential duplex, triplex, and/or single family attached dwelling units (Tax Parcel MS40 000074 000). Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 18-09-04:** JGR Development, LLC requests a zoning map amendment of 138.06 acres, a portion of a larger 225.45 acre tract located at 2457 Old Register Road from R-40 (Single Family Residential) to the PUD (Planned Unit Development) zoning district in order to develop the property as mixed use, commercial, office, and residential (Tax Parcel 076 000001 000).

Councilman Riggs made a motion, seconded by Councilman Boyum to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Darin Van Tassell spoke in favor of the request.

Councilman Duke made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by Councilman Riggs to approve **APPLICATION RZ 18-09- 04:** JGR Development, LLC requests a zoning map amendment of 138.06 acres, a portion of a larger 225.45 acre tract located at 2457 Old Register Road from R-40 (Single Family Residential) to the PUD (Planned Unit Development) zoning district in order to develop the property as mixed use, commercial, office, and residential (Tax Parcel 076 000001 000). Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION RZ 18-09-05:** JGR Development, LLC requests a zoning map amendment of 19.23 acres, a portion of a larger 19.52 acre tract located at 2802 Old Register Road from PUD/CR (Planned Unit Development/Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop a soccer stadium complex (Tax Parcel 076 000001 002).

Councilman Duke made a motion, seconded by Councilman Yawn to open the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Darin Van Tassell spoke in favor of the request.

Councilman Yawn made a motion, seconded by Councilman Riggs to close the public hearing. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion, seconded by councilman Boyum to approve **APPLICATION RZ 18-09- 05:** JGR Development, LLC requests a zoning map amendment of 19.23 acres, a portion of a larger 19.52 acre tract located at 2802 Old Register Road from PUD/CR (Planned Unit Development/Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop a soccer stadium complex (Tax Parcel 076 000001 002). Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 18-09- 07:** Robert Forrest (Stonewalk Companies) requests a variance from Article XIV, Section 1402 to reduce the minimum lot size requirements for property to be considered for the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 18-09- 06:** Robert Forrest (Stonewalk Companies) requests a zoning map amendment of 2.994 acres located at University Plaza from the CR (Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

Public Hearing and Consideration of a Motion to Approve: **APPLICATION V 18-09- 08:** Robert Forrest (Stonewalk Companies) requests a variance from Article XVI, Section 1600 to reduce the minimum parking requirements in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

Public Hearing and Consideration of a Motion to Approve: **APPLICATION RZ 18-09- 09:** Robert Forrest (Stonewalk Companies) requests a variance from Article X, Section 1002 to increase the allowable building height in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

Councilman Riggs made a motion, seconded by Councilman Yawn to open the public hearing for **APPLICATION V 18-09- 07, APPLICATION RZ 18-09- 06, APPLICATION V 18-09- 08, APPLICATION RZ 18-09-09.** Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Joey Maxwell and Rob Forrest spoke in favor of the request.

Margie Williamson, Nancy Floyd, Jamie Reese, and Lauren Groover spoke against the request. Councilman Yawn made a motion, seconded by Councilman Jones to close the public hearing for APPLICATION V 18-09- 07, APPLICATION RZ 18-09- 06, APPLICATION V 18-09- 08, APPLICATION RZ 18-09-09. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Yawn made a motion to deny the application. There was no second to the motion. Councilman Riggs made a motion, seconded by Councilman Boyum to table APPLICATION V 18-09- 07, APPLICATION RZ 18-09- 06, APPLICATION V 18-09- 08, APPLICATION RZ 18-09-09. until the next council meeting. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-10:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign height limit of 8 feet, in order to place a 8.75 foot sign at 6922 Veterans Memorial Parkway(Tax Parcel MS42000012 000).

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-11:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign height limit of 8 feet, in order to place a 36.708 foot sign at 6922 Veterans Memorial Parkway(Tax Parcel MS42000012 000).

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-12:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign square footage allowance of 120 square feet in order to place 2 signs totaling 239.507 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS42000012 000).

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-13:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the wall sign square footage allowance of 200 square feet in order to place signs totaling 330.746 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-14:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the wall sign limit per elevation to place four (4) wall signs on one elevation at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).

**Public Hearing and Consideration of a Motion to Approve: APPLICATION V 18-09-15:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the aggregate square footage allowance of 300 square feet in order to place signage totaling 570.253 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).

Councilman Duke made a motion, seconded by Councilman Yawn to open the public hearing for **APPLICATION V 18-09- 10, APPLICATION V 18-09- 11, APPLICATION V 18-09- 12, APPLICATION V 18-09- 13, APPLICATION V 18-09- 14, APPLICATION V 18-09- 15.**

Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Sandy Ribron spoke in favor of the request.

Councilman Boyum made a motion, seconded by Councilman Yawn to close the public hearing for **APPLICATION V 18-09- 10, APPLICATION V 18-09- 11, APPLICATION V 18-09- 12, APPLICATION V 18-09- 13, APPLICATION V 18-09- 14, APPLICATION V 18-09- 15.**

Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Boyum made a motion, seconded by Councilman Yawn to approve **APPLICATION V 18-09- 10, APPLICATION V 18-09- 11, APPLICATION V 18-09- 12, APPLICATION V 18-09- 13, APPLICATION V 18-09- 14, APPLICATION V 18-09- 15.** Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Public Hearing and Consideration of a Motion to Approve: APPLICATION CUV 18-09-16: Journey to Sober Living, LLC request a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.55 acres of property located at 24 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel S59 000083 000).**

**Public Hearing and Consideration of a Motion to Approve: APPLICATION CUV 18-09-17: Journey to Sober Living, LLC request a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.48 acres of property located at 17 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel S59 000090 000).**

**Public Hearing and Consideration of a Motion to Approve: APPLICATION CUV 18-09-18: Journey to Sober Living, LLC request a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.55 acres of property located at 207 Donaldson Street to utilize the property as a community living arrangement facility (Tax Parcel S29 000123 000).**

Councilman Yawn made a motion, seconded by Councilman Duke to open the public hearing for **APPLICATION CUV 18-09-16, APPLICATION CUV 18-09-17, APPLICATION CUV 18-09-18,** Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

J.W. Cliff, Shawn Gay, as well as several others, spoke in favor of the request.

Councilman Riggs made a motion, seconded by Councilman Yawn to close the public hearing for **APPLICATION CUV 18-09-16, APPLICATION CUV 18-09- 17, APPLICATION CUV 18-09-18,**

Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

Councilman Boyum made a motion, seconded by Councilman Yawn to approve **APPLICATION CUV 18-09-16, APPLICATION CUV 18-09-17, APPLICATION CUV 18-09-18.** Councilman Boyum, Jones, Yawn and Riggs approved the motion. Councilman Duke voted against the motion. The motion carried by a 4-1 vote.



**Consideration of a Motion to approve an application for Sec.6-17(d) exemptions to open container prohibition.**

**A) Eagle Creek Brewing Company**  
106 Savannah Ave Suite B

**B) The Blue Room**  
1830 Chandler Rd

Councilman Yawn made a motion, seconded by Councilman Boyum to approve the alcohol application Sec. 6-17 (d) exemptions to open container for Eagle Creek Brewing Company and The Blue Room. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to Approve Resolution 2018-27: A Resolution to adopt the first amendment to the six-year capital improvements program for the Fiscal Year 2018-2019 through 2023-2024 for the City of Statesboro, Georgia.**

Councilman Boyum made a motion, seconded by Councilman Yawn to approve Resolution 2018-27: A Resolution to adopt the first amendment to the six-year capital improvements program for the Fiscal Year 2018-2019 through 2023-2024 for the City of Statesboro, Georgia. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to award a contract for the purchase of vehicles to Wade Ford as they have submitted the lowest responsive sealed bid for the following vehicles:**

- |                                 |                        |                   |
|---------------------------------|------------------------|-------------------|
| 1. Wade Ford (10) Explorer SUVs | \$29,009.00 each (SWC) | \$290,090.00      |
| Total                           |                        |                   |
| 2. Wade Ford (1) F-150 Crew     | \$26,476.00 each       | \$26,476.00       |
| Total                           |                        |                   |
| 3. Wade Ford (2) F-150          | \$21,397.00 each       | \$42,794.00       |
| Total                           |                        |                   |
| 4. Wade Ford (1) Cab & Chas.    | \$35,297.00 each       | \$35,297.00 Total |

**The Police vehicles are funded under CIP# PD-1 with remaining funds from the recent 1 mill increase with a budget not to exceed \$545,000.00 and the Waste Water Department trucks are funded by general operational funds under CIP# WWD-49 (\$75,050), WWD-101(\$30,000) and WWD-139 (\$30,000).**

Councilman Duke made a motion, seconded by Councilman Riggs to approve a contract for the purchase of vehicles to Wade Ford as they have submitted the lowest responsive sealed bid for the following vehicles:

- |                                 |                        |                    |
|---------------------------------|------------------------|--------------------|
| 5. Wade Ford (10) Explorer SUVs | \$29,009.00 each (SWC) | \$290,090.00 Total |
| 6. Wade Ford (1) F-150 Crew     | \$26,476.00 each       | \$26,476.00 Total  |
| 7. Wade Ford (2) F-150          | \$21,397.00 each       | \$42,794.00 Total  |
| 8. Wade Ford (1) Cab & Chas.    | \$35,297.00 each       | \$35,297.00 Total  |

The Police vehicles are funded under CIP# PD-1 with remaining funds from the recent 1 mill increase with a budget not to exceed \$545,000.00 and the Waste Water Department trucks are funded by general operational funds under CIP# WWD-49 (\$75,050), WWD-101(\$30,000)

and WWD-139 (\$30,000). Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to approve a contract to provide a compensation study to Condrey and Associates in the amount of \$29,900.00. If approved, this would be funded out of the General Fund of Human Resources.**

Councilman Yawn made a motion, seconded by councilman Riggs to approve a contract to provide a compensation study to Condrey and Associates in the amount of \$29,900.00. If approved, this would be funded out of the General Fund of Human Resources. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to award a contract to provide a managed security door system for the Police Department in the amount of \$34,500.00 for the installation of equipment and an amount of \$528.00 for monthly monitoring/maintenance to ADS. ADS is the sole source provider of the Secure Door brand security system currently in use at the Fire Department facilities. This project was approved as a CIP in the amount of \$45,000.00.**

Councilman Yawn made a motion, seconded by Councilman Riggs to approve a contract to provide a managed security door system for the Police Department in the amount of \$34,500.00 for the installation of equipment and an amount of \$528.00 for monthly monitoring/maintenance to ADS. ADS is the sole source provider of the Secure Door brand security system currently in use at the Fire Department facilities. This project was approved as a CIP in the amount of \$45,000.00. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to Adopt Resolution #2018- 28 : A Resolution approving the City of Statesboro's proposed FY 2019 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) Application. GDOT will allocate \$300,561.86 to the City of Statesboro and this grant requires 30% matching funds. The City will be providing \$772,000 in matching funds from TSPLOST for a total budget of \$1,072,561.86.**

Councilman Yawn made a motion, seconded by Councilman Boyum to approve Resolution #2018- 28 : A Resolution approving the City of Statesboro's proposed FY 2019 Street Resurfacing List, and further authorizing the Mayor to execute the GDOT Local Maintenance Improvement Grant (LMIG) Application. GDOT will allocate \$300,561.86 to the City of Statesboro and this grant requires 30% matching funds. The City will be providing \$772,000 in matching funds from TSPLOST for a total budget of \$1,072,561.86. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

**Consideration of a Motion to Approve Resolution 2018-29: A Resolution to Abandon a Portion of West Cherry Street, Between South College Street and Martin Luther King, Jr. Drive.**

Councilman Jones made a motion, seconded by Councilman Yawn to approve **Resolution 2018-29**: A Resolution to Abandon a Portion of West Cherry Street, Between South College Street and Martin Luther King, Jr. Drive. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

### **Other Business from City Council**

Mayor McCollar reminded everyone of the search meeting for a GSU President that will be held on the Georgia Southern Campus.

### **City Managers Comments**

City Manager Randy Wetmore reminded Council of the Called Council Meeting set for Tuesday October 30, 2018 at 7:30 am in the Council Chambers at City Hall.

**Public Comments (General)** None

**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)**

No Executive Session was held.

### **Consideration of a Motion to Adjourn**

Councilman Riggs made a motion, seconded by Councilman Duke to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Duke approved the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 9:45 pm.



CITY OF STATESBORO  
CALLED COUNCIL MINUTES  
OCTOBER 30, 2018

A Called meeting of the Statesboro City Council was held on October 30, 2018 at 7:30a.m. in the Council Chambers at City Hall. Present were Mayor Jonathan McCollar, Council Members: Phil Boyum, Sam Lee Jones, Jeff Yawn, John Riggs and Derek Duke. Also present were City Manager Randy Wetmore, City Clerk Sue Starling and City Attorney Cain Smith.

The Meeting was called to Order by Mayor Jonathan McCollar.  
The Invocation and Pledge of Allegiance was led by Councilman Phil Boyum.

**Public Hearing and Consideration of a Motion to approve application for an alcohol license Sec. 6-5.**

**A) Blue Water Seafood LLC  
d/b/a Shuckin' Shack  
26 Independence Way**

Councilman Riggs made a motion, seconded by Councilman Yawn to approve the alcohol application for Blue Water Seafood LLC. Councilman Boyum, Jones, Yawn, Riggs and Duke voted in favor of the motion. The motion carried by a 5-0 vote.

**Presentation and Discussion from Davenport & Company regarding Capital Project Funding.**

Courtney Rogers and Doug Gerhardt, representing Davenport and Company presented Council with an overview of the capital project funding and options for funding.

**Discussion regarding prioritization and schedule of TSPLOST Projects**

Director of Public Works and Engineering Jason Boyles presented Council with a list of the TSPLOST projects.

City Manager Randy Wetmore stated the Board of Education did not want to participate in the joint radio system.

Councilman Duke questioned the resolution that would hire 2 Assistant City Managers but was asked to postpone the discussion until the November 20<sup>th</sup>, 2018 Council meeting.

**Consideration of a Motion to Adjourn**

Councilman Yawn made a motion, seconded by Councilman Riggs to adjourn the meeting. Councilman Boyum, Jones, Yawn, Riggs and Duke voted in favor of the motion. The motion carried by a 5-0 vote.

The meeting was adjourned at 8:48 am.

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Derek Duke, District 5



Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Owen Dundee, City Planner II

**Date:** October 26, 2018

**RE:** November 6, 2018 City Council Agenda Items

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

**Recommendation:** Staff recommends approval of the variance requested by application V 18-09-07.

**Background:** Robert Forrest (Stonewalk Companies) requests a variance from Article XIV, Section 1402 to reduce the minimum lot size requirements for property to be considered for the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

**Budget Impact:** None

**Council Person and District:** Riggs (District 4)

**Attachments:** Development Services Report V-18-09-07, RZ 18-09-06, V-18-09-08, V-18-09-09

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
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Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
Sue Starling, City Clerk  
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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Owen Dundee, City Planner II

**Date:** October 26, 2018

**RE:** November 6, 2018 City Council Agenda Items

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

**Recommendation:** Staff recommends approval with conditions of the zoning map amendment requested by application RZ 18-09-06.

**Background:** Robert Forrest (Stonewalk Companies) requests a zoning map amendment of 2.994 acres located at University Plaza from the CR (Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

**Budget Impact:** None

**Council Person and District:** Riggs (District 4)

**Attachments:** Development Services Report V-18-09-07, RZ 18-09-06, V-18-09-08, V-18-09-09

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Randy Wetmore, City Manager  
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I. Cain Smith, City Attorney

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

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Owen Dundee, City Planner II

**Date:** October 26, 2018

**RE:** November 6, 2018 City Council Agenda Items

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

**Recommendation:** Staff recommends approval with conditions of the variance requested by application V 18-09-08.

**Background:** Robert Forrest (Stonewalk Companies) requests a variance from Article XVI, Section 1600 to reduce the minimum parking requirements in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

**Budget Impact:** None

**Council Person and District:** Riggs (District 4)

**Attachments:** Development Services Report V-18-09-07, RZ 18-09-06, V-18-09-08, V-18-09-09

# CITY OF STATESBORO

## COUNCIL

Phil Boyum, District 1  
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Jonathan M. McCollar, Mayor  
Randy Wetmore, City Manager  
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50 EAST MAIN STREET • P.O. BOX 348 • STATESBORO, GEORGIA 30459-0348

**To:** Randy Wetmore, City Manager and Sue Starling, City Clerk

**From:** Owen Dundee, City Planner II

**Date:** October 26, 2018

**RE:** November 6, 2018 City Council Agenda Items

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

**Recommendation:** Staff recommends approval of the variance requested by application V 18-09-09.

**Background:** Robert Forrest (Stonewalk Companies) requests a variance from Article X, Section 1002 to increase the allowable building height in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

**Budget Impact:** None

**Council Person and District:** Riggs (District 4)

**Attachments:** Development Services Report V-18-09-07, RZ 18-09-06, V-18-09-08, V-18-09-09






# 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 18-09-07, V 18-09-08, V 18-09-09, & RZ 18-09-06 VARIANCE & ZONING MAP AMENDMENT REQUESTS

**University Place: 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 & 8 University Place, and 6 University Plaza**

<b>LOCATION:</b>	University Plaza	
<b>REQUEST:</b>	Zoning Map Amendment from CR (Commercial Retail) to PUD (Planned Unit Development); Variance from Article XIV Section 1402 regarding lot regulations; Variance from Article XVI Section 1600 regarding off street parking facilities; Variance from Article X Section 1002 regarding building height regulations	
<b>APPLICANT:</b>	Robert Forrest (Stonewalk Companies)	
<b>OWNER(S):</b>	LSCG Fund 2 University Plaza LLC, Henry & Charlene Doyle, and Doyle Rentals, LLC	
<b>ACRES:</b>	2.994 acres (combined)	
<b>PARCEL TAX MAP #:</b>	MS61 000056 000 (0.33 acres) MS61 000058 000 (0.35 acres) MS61 000052 B000 (0.30 acres) MS61 000052 A000 (0.27 acres) MS61 000055 A000 (0.15 acres) MS61 000052 000 (1.67 acres)	
<b>COUNCIL DISTRICT:</b>	District 4 (Riggs)	

### PROPOSAL:

The applicant is proposing to construct a new mixed-use development on a combination of parcels (University Plaza) located on Georgia Avenue, near the corner of Chandler Road, to be used for student housing and retail. The proposed design includes ground floor retail (18,500 SF), leasing office and community amenity spaces including an elevated amenity terrace, gym, and study rooms (10, 103 SF), and residential units (464 total beds across 116 units). The applicant requests a variance from Article XIV Section 1402 regarding lot regulations, which requires a minimum lot size of ten (10) acres to be considered for the PUD (Planned Unit Development) zoning district. The applicant is proposing a minimum lot size of 2.994 acres. Next, the applicant is requesting a zoning map amendment from the CR (Commercial Retail) zoning district to the PUD (Planned Unit Development) zoning district in order to develop the property as mixed-use student housing, which is not an allowed use in the existing zoning designation. Additionally, the applicant requests a variance from Article XVI Section 1600 regarding off street parking facilities, which requires a minimum of four hundred and ninety-four (494) parking spaces for type of proposed development. The applicant is proposing a minimum of two hundred and seventy (270) parking spaces. Finally, the applicant is requesting a variance from Article X Section 1002 regarding building height regulations, which restricts building heights to a maximum height of fifty (50) feet when approved by the board of appeals. The applicant is proposing a maximum building height of sixty-eight (68) feet (see **Exhibit D—Site and Landscape Plan**, **Exhibit E – Schematic Elevations**, **Exhibit F – ALTA Land Title Survey**, **Exhibit G – Proposed Development Matrix**, **Exhibit H – Proposed Floor Plans**).

Specifically of note in **Exhibit(s) D, E, F, G, and H:**

- A. The proposed subject site is less than ten acres in size.
- B. The proposed development is not an allowed use in the existing CR (Commercial Retail) zoning designation.
- C. The proposed development only allows enough parking for approximately 0.54 spaces per bed.
- D. Proposed development's schematic elevations exhibit a building height of approximately 70 feet to the top of the elevator height.

#### **BACKGROUND:**

Located directly adjacent to Georgia Southern University, University Plaza is currently a retail center, which contains nightlife destinations, bars, and restaurants. Not including university buildings, convenience stores, and/or body piercing businesses, there have been approximately 12 restaurant businesses that have been opened or are currently open at the University Plaza location. Currently, the plaza contains Shenanigans Bar, Orient Express restaurant, Fast and Easy Convenience Store, Rumrunners Daiquiri's, Wings & Pizza, Jerry's Barber Shop, Charlie's Fried Chicken restaurant, and vacant retail space (See **Exhibit C** – Photos of Subject Site). The University Plaza businesses primarily serve the student population due to the location's proximity to student housing and the Georgia Southern University campus.

On February 22, 2002, variance application request #V 02-03-03 regarding Article X: Section 1003: Minimum Lot Size, was approved by Council in order to construct a 6,000 square foot commercial building within the Plaza. On December 5, 2006, variance application request #V 06-11-03 was denied by Council. This variance request was regarding a reduction in the minimum number of parking spaces required for a commercial use. The applicant requested a reduction in parking space from 296 to 129.

#### **SURROUNDING LAND USES/ZONING:**

	<b>ZONING:</b>	<b>LAND USE:</b>
<b>NORTH:</b>	CR (Commercial Retail), R-3 (Medium Density Multiple Family Residential)	Dingus Magee's Restaurant, Apartment Homes, and Single Family Homes
<b>SOUTH:</b>	EXPT (Exempt)	Georgia Southern University Parking Facilities (C lot and J Lot) and Student Housing (Eagle Village)
<b>EAST:</b>	EXPT (Exempt)	Georgia Southern University Parking Facilities
<b>WEST</b>	CR (Commercial Retail), EXPT (Exempt)	Zaxby's Restaurant, Georgia Southern University (GSU) Campus, GSU Dining Commons, GSU Student Housing (Centennial Place)
The subject property is located within the CR (Commercial Retail) zoning district. Surrounding properties include Dingus Magee's Restaurant, single family residences, apartment homes, Georgia Southern University (GSU), GSU Student Housing, GSU Parking facilities, GSU Dining Commons, and Zaxby's Restaurant. (See <b>Exhibit A</b> –Location Map, <b>Exhibit C</b> —Photos of Subject Site).		

**ATTACHMENTS:** **Exhibit A** (Location Map), **Exhibit B** (Future Development Map) **Exhibit C** (Photos of Subject Site), **Exhibit D** (Site and Landscape Plan), **Exhibit E** (Schematic Elevations), **Exhibit F** (ALTA Land Title Survey), **Exhibit G** (Proposed Development Matrix), and **Exhibit H** (Proposed Floor Plans)

## COMPREHENSIVE PLAN:

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

<b><u>"University District"</u></b>	
<b><i>Vision</i></b>	<b><i>Suggested Development &amp; Implementation Strategies</i></b>
The <b><i>University District</i></b> is anchored by Georgia Southern University, a traditional four-year college campus. Academic and administrative buildings, residence halls and dorms, student activity centers, cafeterias, performing arts venues, and ancillary buildings are found in the campus core, which is organized around an internal pedestrian circulation system. Pedestrian and bicycle connectivity within the campus is excellent. Parking lots are found along the periphery, allowing students, faculty and staff to park and walk to buildings and facilities in the core, but this has caused the City exterior circulation issues.	<ul style="list-style-type: none"><li>• Collaboratively address parking needs on campus that affects public and private property in surrounding areas.</li><li>• Consider the installation of parking structures on campus as a parking solution. Potential sites include the existing parking areas near the Hwy 67 entrance, along Old Register Road, and along Chandler Road.</li><li>• Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions.</li></ul> <p><i>Statesboro Comprehensive Master Plan, Community Agenda page 30-31.</i></p>

In addition, the *Character Areas Narrative* of the Comprehensive Plan states the following:

- "Development within this area, whether on campus or nearby, should focus heavily on pedestrian and bike accessibility, as well as transit. Transitioning the area along the northern side of campus into more active uses, such as residences, educational buildings, activity centers, etc. could significantly bridge the physical gap between downtown and the university."
- A suggested development strategy to "ensure adequate bicycle and pedestrian facilities for students commuting to and from GSU campus".

*Statesboro Comprehensive Master Plan, Community Agenda pages 30-31.*

Also, the *Issues & Opportunities Narrative* of the Comprehensive Plan states the following:

"Planned unit developments, or PUDs, typically offer greater flexibility in development standards than a conventional zoning district. With this flexibility, there is also an opportunity to include housing diversity, mixed uses, and amenities. A PUD should be viewed as an alternative available for regulating development when existing land use regulations may not adequately address unique circumstances or opportunities for a particular development. The City may grant more leeway in the certain areas of the regulations for a PUD, but in exchange, there are expectations of the development community for additional design features, amenities, etc. As mentioned previously, an update of the city's land use regulations can provide better alternatives for producing quality development without necessitating the use of a PUD".

*Statesboro Comprehensive Master Plan, Issues & Opportunities page 67.*

Lastly, the *Future Development Map* of the Comprehensive Plan states the following:

"Mixed use is listed as a preferred development strategy. True mixed use developments place a high priority on scale and design to create places which encourage pedestrian activity through relationships between buildings, interesting streetscapes, and appropriate treatment of parking. Simply placing one use next to another does not constitute mixed use. The components must be evaluated in context with their surroundings for mixed use to be successful".

*Statesboro Comprehensive Master Plan, Future Development Map Narrative page 10.*

## ANALYSIS

### TRANSPORTATION:

Per the 2035 *Bulloch County/City of Statesboro Long Range Transportation Plan*, Georgia Southern University (GSU) has a shortage of parking facilities, particularly for students who live off-campus and must commute to school. Based on the 2009 parking data, the University estimates that there is a daily demand for 12,000 parking spaces, but there are only 8,000 spaces available in the campus core. The Southern Express system does help ease this shortage. All students are allowed to park at Paulson Stadium free of charge (no permit required) and use the shuttle to get to the center of campus. The University allocates four to five-hundred spaces at Paulson Stadium for transit parking.

As this zoning map amendment request has the potential to significantly increase vehicle trips on existing streets, a traffic study in order to determine the trip generation potential of the site, and what type of operational improvements to Georgia Avenue may be required by the developer. Additionally, City Council should consider certain street improvements as well as pedestrian and bicycle system improvements which may not be otherwise incorporated into a standard development.

### COMMUNITY FACILITIES:

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on community facilities or 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. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

### ZONING CONSIDERATIONS:

**Whether or not to grant a zoning map amendment from the CR (Commercial Retail) zoning district to the PUD (Planned Unit Development) zoning district.**

The request should be considered in light of:

- the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*
- the vision and community policies articulated within the *Statesboro Comprehensive Plan*
- the 2035 *Bulloch County/City of Statesboro Long Range Transportation Plan*
- the potential for the property to develop and be utilized in conformance with the requirements of the proposed PUD (Planned Unit Development) district as set forth in the *Statesboro Zoning Ordinance*.

Current Zoning	Requested Zoning
The commercial retail (CR) district can accommodate a variety of business types and some residential uses. These uses include, but are not limited to retail establishments, business offices, food service facilities, places of indoor amusement, hotel, churches, upper floor apartments, and healthcare facilities. However, "mixed-use development", is not listed as a permissible use allowable by right in the CR district.	The PUD (Planned Unit Development) district typically offers greater flexibility in development standards than the conventional zoning district. With this flexibility, there is also an opportunity to include housing diversity, mixed uses, and amenities. A PUD should be viewed as an alternative available for regulating development when existing land use regulations are not adequate for a particular development, such as a mixed-use student housing development, which is the applicant's intended use.

## STANDARDS: ZONING MAP AMENDMENT

Section 2007 of the *Statesboro Zoning Ordinance* provides **eight (8) standards** for the Mayor and City Council to consider “in making its determination” regarding a zoning map amendment, in “**balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.**” Those standards are as follows:

- (1) **Existing uses and zoning or (of) property nearby**
  - a. Existing uses and zoning of property nearby varies. The surrounding lots are zoned CR (Commercial Retail), R-3 (Medium Density Multiple Family Residential), and EXPT (Exempt), and are occupied by Dingus Magee’s restaurant and bar, apartment homes, single family homes, Georgia Southern University (GSU) parking facilities, GSU Student Housing, GSU dining commons, GSU campus, and Zaxby’s restaurant.
- (2) **The extent to which property values are diminished by the particular zoning restrictions.**
  - a. The proposed use 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 map amendment on the property value.
- (3) **The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
- (4) **The relative gain to the public, as compared to the hardship imposed upon the property owner.**
  - a. The subject site is currently zoned CR (Commercial Retail). This parcel can currently be occupied by land use permitted in Article X Commercial Retail District of the *Statesboro Zoning Ordinance*. Under the proposed zoning, the applicant would be able to develop a mixed-use student housing development as a PUD zoning provides the subject site greater flexibility in development standards than a conventional zoning district.
- (5) **The suitability of the subject property for the zoned purposes.**
- (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.**
- (7) **The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas; and**
  - a. Impacts on local traffic should be considered.
  - b. Proposed land use change would cause an increase in population density. While population growth presents great opportunities, rapid development and lack of direction can erode community character. Growth should be guided to ensure Statesboro maintains its defining character.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**
  - a. Use of the property as a mixed use development with both a residential and retail component is consistent with the appropriate land uses of the “University District” character area as articulated within the *Statesboro Comprehensive Plan*.

## VARIANCE ANALYSIS

### I. Variance from Article XIV: Section 1402: Lot regulations. (V 18-09-07)

The applicant is requesting a variance from Article XIV: Section 1402, Lot Regulations, which states: “The provisions of this section may be applied upon application of the owner, to any lot exceeding ten acres in size. The owner shall file with the planning commission a proposed site plan and detailed description of the structures to be erected, the other facilities of the project and the land uses involved. In addition, he shall furnish such other information as the planning commission may reasonably require. In acting upon the application, the planning

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commission may alter setback requirements, height limits, building size limits, off street parking regulations, landscaping rules and density and intensity limits but only with approval from the zoning board of appeals”.

The variance in question is regarding the total area of the subject site, which is proposed to be 2.994 acres. The subject site is approximately 7.006 acres less than the minimum 10 (ten) acres required to be considered for the planned unit development (PUD) zoning district (see **Exhibit F** – ALTA Land Title Survey).

## **II. Variance from Article XVI: Section 1600: Off Street Parking and Loading. (V 18-09-08)**

The applicant is requesting a variance from Article XVI: Section 1600, Off Street Parking Facilities, which states: Multiple-family uses shall be required to have one (1) parking space per bedroom and one (1) per ten (10) dwelling units. Additionally, one (1) parking space per every 1,000 square feet of retail sales area, applicable only to restaurant, cafeteria, and fast food uses (with seating).

The variance in question is regarding the total number of proposed parking spaces for this project, which is stated to be 270 parking spaces (0.54 per bed). The project, as shown within this development services report, does not meet the ordinance requirements for parking. The parking requirements are enforced across all zoning districts. Under Article XVI, this type of proposed development would typically be required to provide 494 parking spaces (see **Exhibit G**—Proposed Development Matrix and **Exhibit H** – Proposed Floor Plans).

## **III. Variance from Article X: Section 1002: Height Regulations. (V 18-09-09)**

The applicant is requesting a variance from Article X: Section 1002, which states: “The maximum height of any building or other structure erected or used in this district shall be 35 feet except that the height of any such other building or structure may be increased to a maximum of 50 feet when approved by the board of appeals. Said board shall make a finding that any excess height over 35 feet will not be detrimental to the light, air, privacy, or architectural scheme of any other structure or use currently existing or anticipated, provided that for every foot in height in excess of 35 feet there shall be added to each yard requirement one corresponding foot of width or depth.

The variance in question is regarding the proposed building height, which is stated to be approximately 70 feet. The proposed site plan does include increased front, rear, and side yard setbacks due to the increased building height. It should be noted that staff required this variance due to the development’s proposed maximum building height exceeding every allowable building height under *City of Statesboro Zoning Ordinance*.

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.”

**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 overall approval of the PUD requested with conditions.

Staff recommends approval of the variance requested by V 18-09-08.

Staff recommends approval of the variance requested by V 18-09-07 and V 18-09-09.

Staff recommends approval of the zoning map amendment requested by RZ 18-09-06.

At the regularly scheduled meeting held Tuesday, October 2, 2018 at 5:00 PM, the Planning Commission voted 6-0 to approve the variances and zoning map amendment requested by V 18-09-07, RZ 18-09-06, V 18-09-08, and V 18-09-09 with the following condition(s):

- (a) By-laws and restrictive covenants required to be recorded prior to construction commencement.

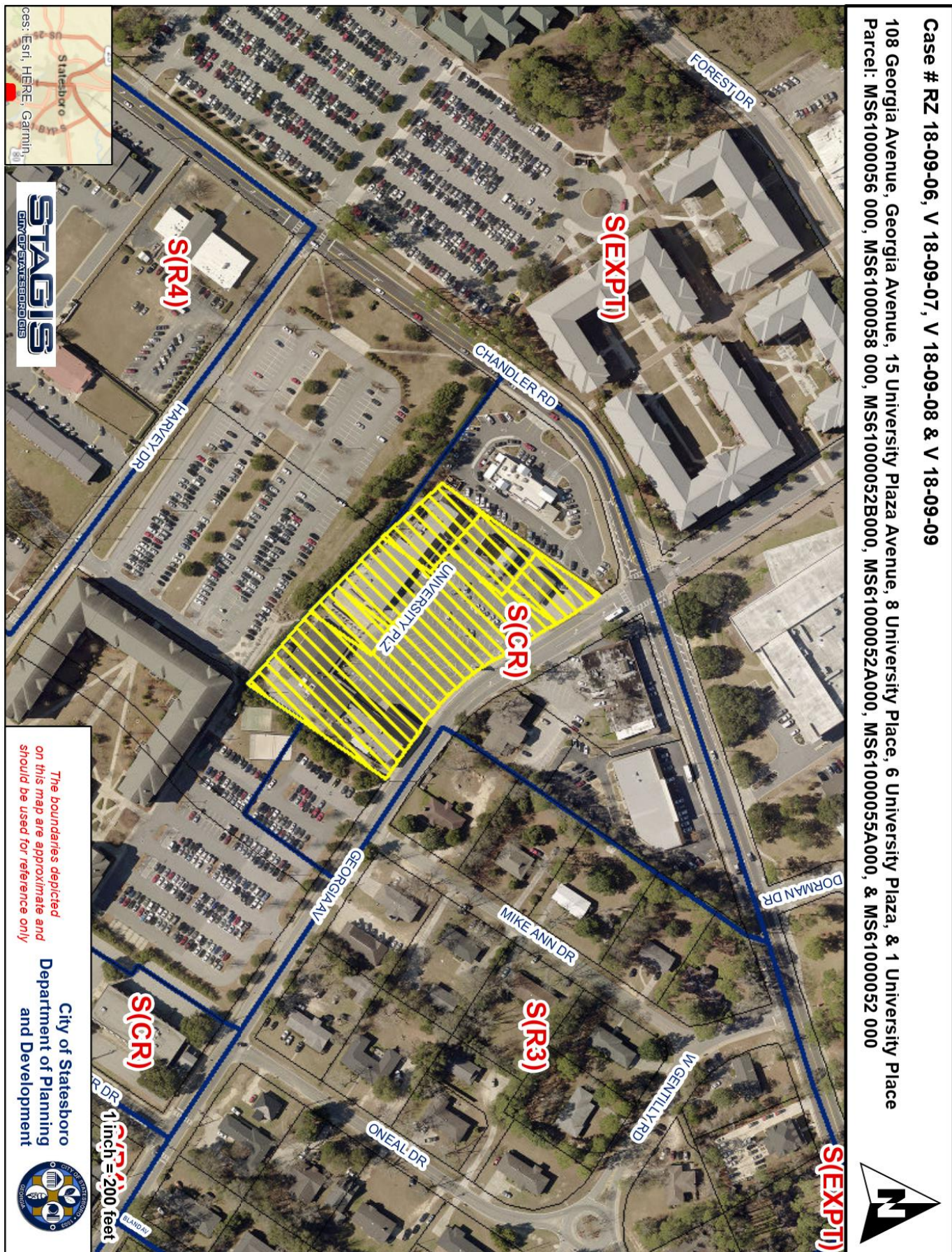
Since Planning Commission meeting held Tuesday, October 2, 2018, Planning Staff has met with the developer and recommends overall PUD approval based on the following conditions:

- (a) Minimum requirement of 0.7 parking spaces required per bed (325 Total); 0.54 parking spaces per bed (251 on-site total) will be required on-site and 0.16 parking spaces per bed (74 off-site total) required within a one mile radius of the development site's location. This condition does not include the required parking spaces for the proposed commercial space. Required parking spaces for the commercial space will be per ordinance.
- (b) Rental lease agreement for each dwelling unit limited to two parking spaces. Rental lease agreement required to be reviewed and approved by Staff prior to Certificate of Occupancy issuance.
- (c) Staff approval of PUD site plan dated August 28, 2018.

At the regularly scheduled meeting held Tuesday, October 16, 2018, City Council voted 5-0 to table the variances and zoning map amendment requested by V 18-09-07, RZ 18-09-06, V 18-09-08, and V 18-09-09 until the November 6, 2018, 9:00 AM City Council meeting. City Council requests an effort of the Developers to propose revisions to the University Plaza Project in consideration of the current occupancy levels within the City of Statesboro's student housing/apartment market.

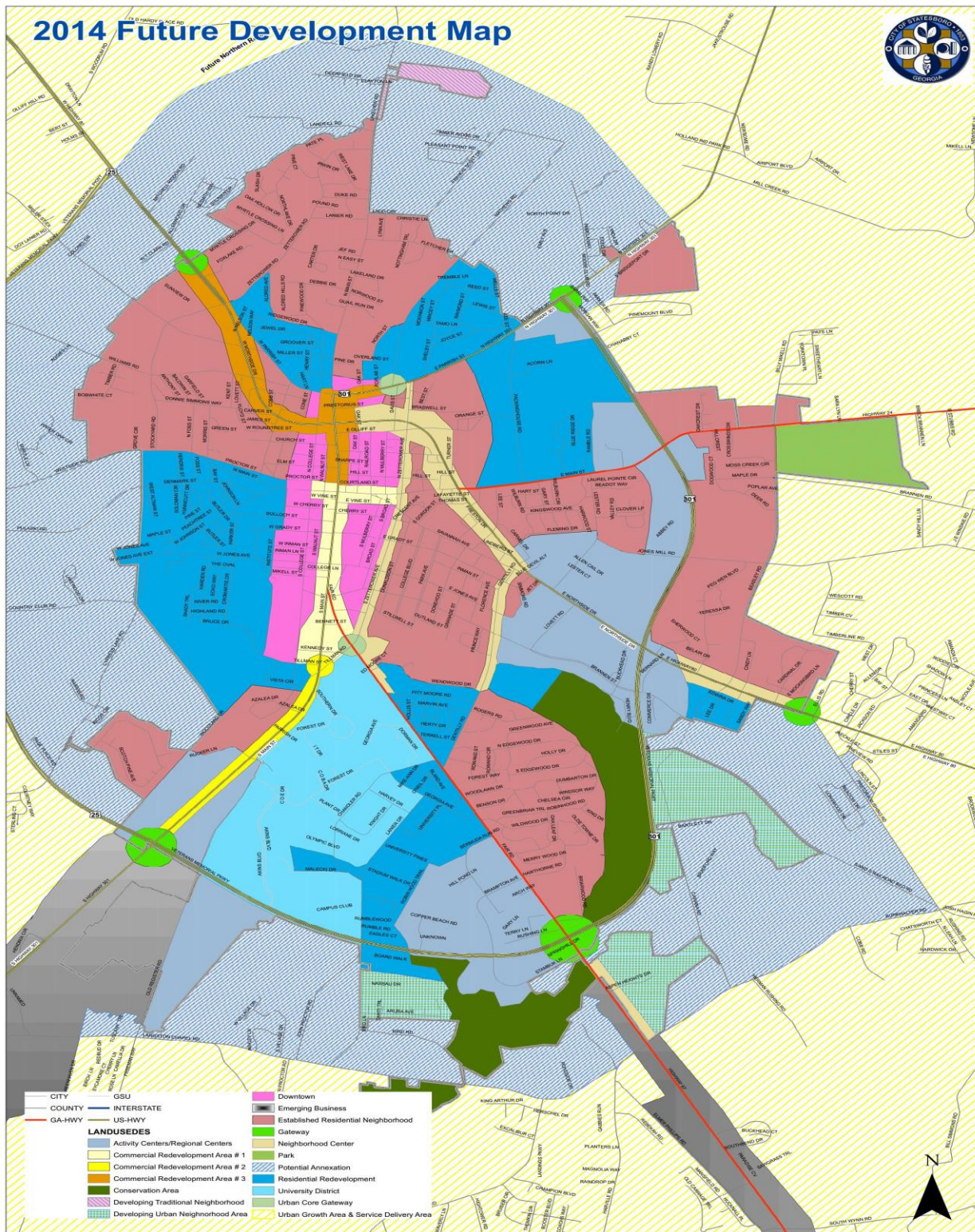


# EXHIBIT A: LOCATION MAP





## EXHIBIT B: FUTURE DEVELOPMENT MAP





## EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

**Picture 1:** View of subject site from Georgia Avenue at the northwestern corner of the site.



**Picture 2:** View of subject site from Georgia Avenue at the southeastern corner of the site.



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

**Picture 3:** Looking south along Georgia Avenue, view of the subject site's frontage along Georgia Avenue.



**Picture 4:** Looking north along Georgia Avenue, view of the subject site's frontage along Georgia Avenue.





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

**Picture 5:** Looking northwest from the subject site, currently Zaxby's restaurant.



**Picture 6:** View of surrounding properties to the northwest of the subject site, currently Georgia Southern University student housing, Centennial Place.





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

**Picture 7:** View of surrounding properties to the northwest of the subject site, currently Georgia Southern University Campus and Dining Commons.



**Picture 8:** View of surrounding properties to the north of the subject site, currently Dingus Magee's Bar & Restaurant.





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

**Picture 9:** View of surrounding properties to the east of the subject site, currently Georgia Southern University student housing, Eagle Village.



**Picture 10:** View of surrounding properties to the northeast of the subject site, currently single family homes.





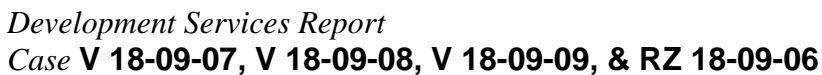
**EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)**

**Picture 11:** View of the property on the southern boundary of the subject site, currently Georgia Southern University student parking facilities, Lot C and Lot J.





*Development Services Report*  
**Case V 18-09-07, V 18-09-08, V 18-09-09, & RZ 18-09-06**



**EXHIBIT E: Schematic Elevations**





**EXHIBIT E: Schematic Elevations (Continued)**



**EXHIBIT E: Schematic Elevations (Continued)**





# EXHIBIT F: ALTA Land Title Survey

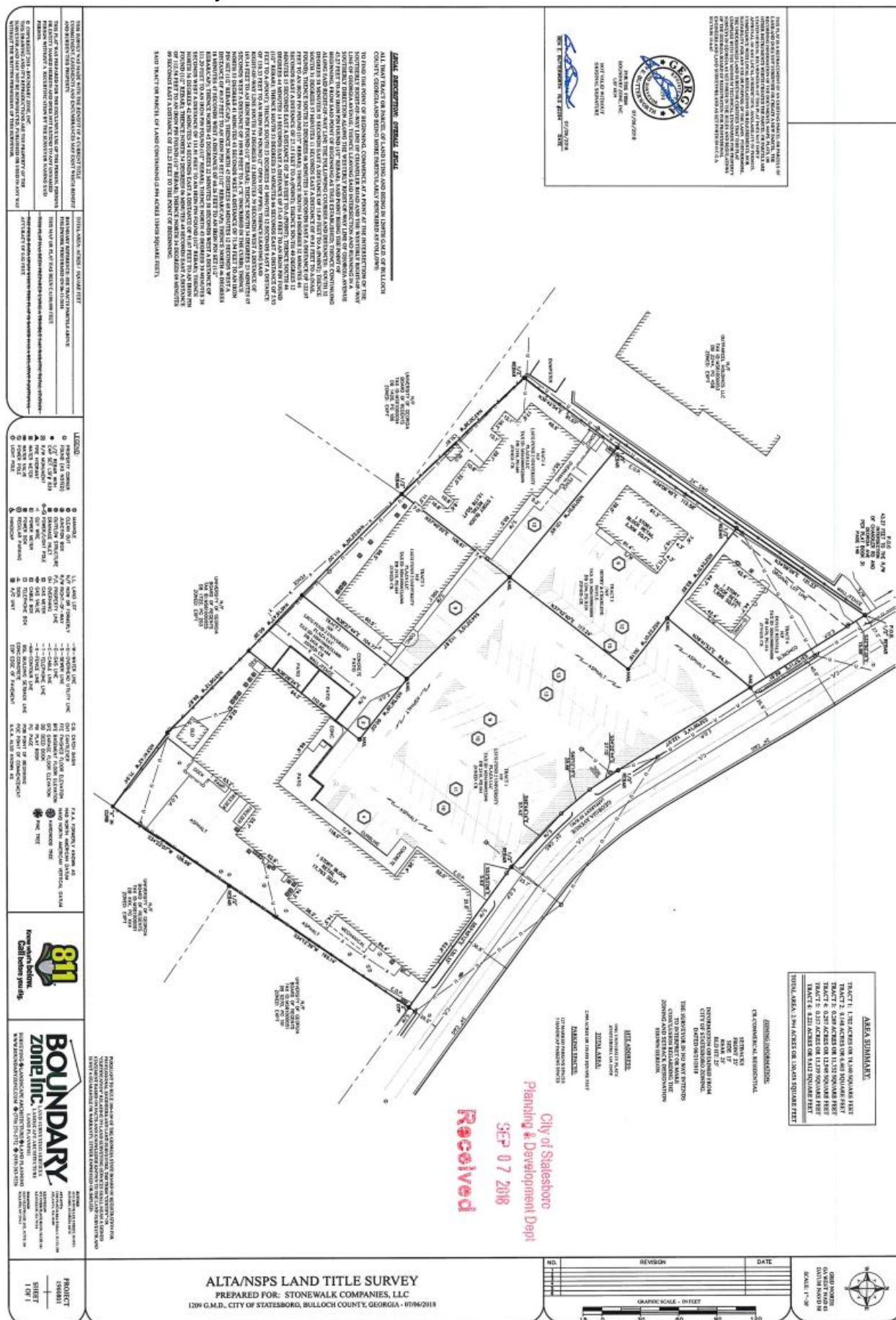


EXHIBIT G: Proposed Development Matrix

Matrix

Statesboro, Georgia

9/6/2018

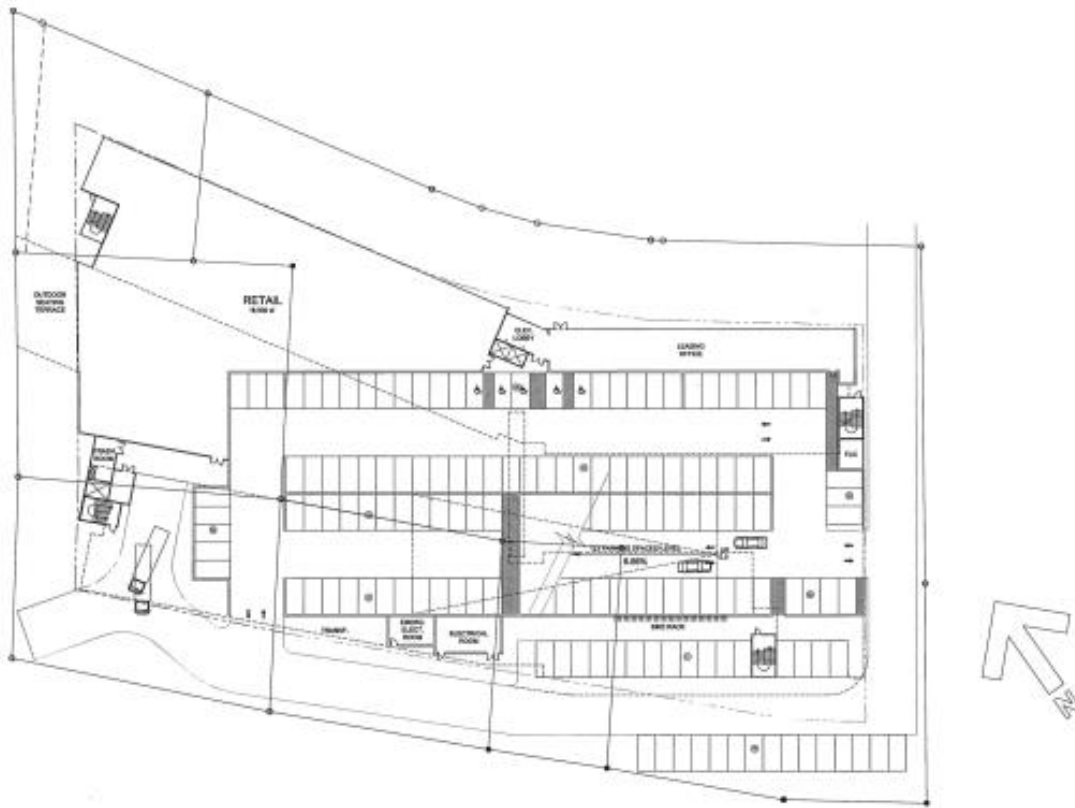
UNIVERSITY PLACE  
A STUDENT HOUSING DEVELOPMENT BY STONEWALK COMPANIES

NILES BOLTON ASSOCIATES

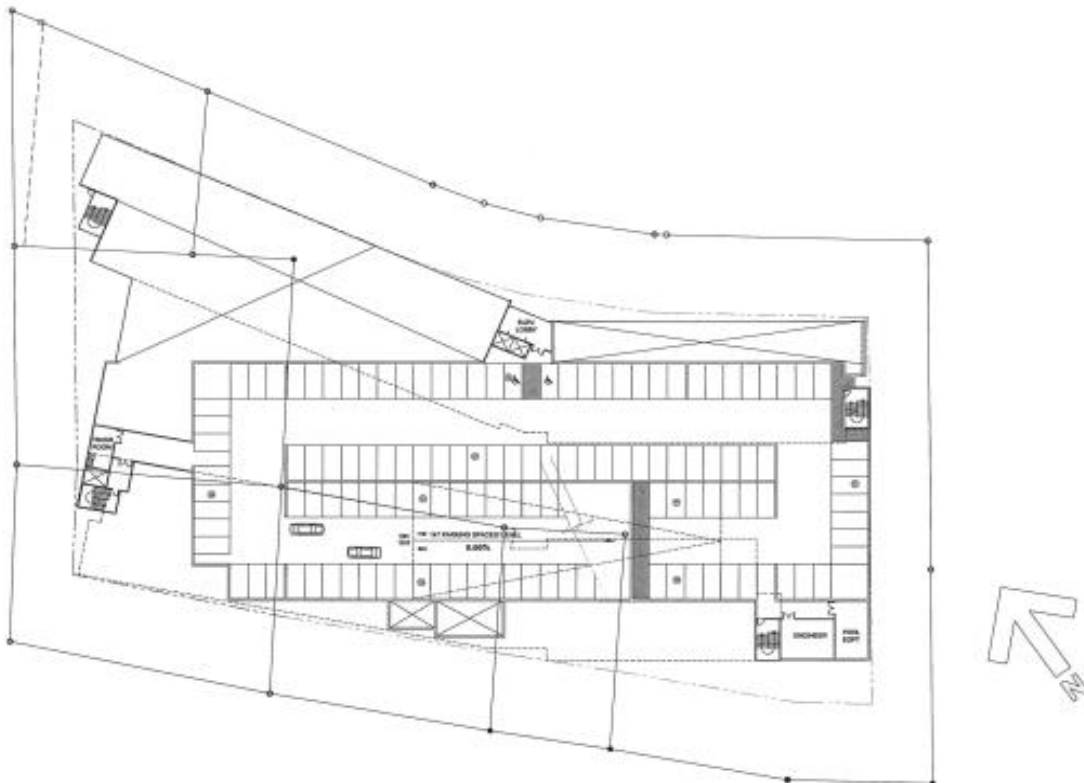
LEVEL	DESCRIPTION	PARKING		RETAIL	AMENITIES (U)				UNIT TYPE						TOTAL			GARAGE AREA (NON-CONDITIONED)	TOTAL BUILDING AREA (CONDITONED ONLY)	TOTAL BUILDING AREA (RPH COND & NON-CONDITONED) GSF (SF)	
		RETAIL (1 PM/1000 SF)	RESIDENTIAL		CONDITIONED SPACE	LOBBY	GYM	STUDY ROOM	2+4		4+4		UNITS	BEDROOMS	BEDS						
									UNITS	BEDROOM	UNITS	BEDROOM				UNITS	BEDROOM				BEDS
1st LEVEL	Lobby & Garage	19	104	18,500 SF	3,930 SF													39,347 SF	25,465 SF	64,812 SF	
2nd LEVEL	Garage		147															41,128 SF	3,907 SF	45,035 SF	
3rd LEVEL	Residences & Outdoor Amenities					2,153 SF	1,005 SF	8	16	32	21	84	84						6,710 SF	47,612 SF	47,612 SF
4th LEVEL	Residences						1,005 SF	8	16	32	21	84	84						7,190 SF	45,939 SF	45,939 SF
5th LEVEL	Residences						1,005 SF	8	16	32	21	84	84						7,190 SF	45,939 SF	45,939 SF
6th LEVEL	Residences						1,005 SF	8	16	32	21	84	84						7,190 SF	45,939 SF	45,939 SF
TOTAL		19	251	18,500 SF	3,930 SF	2,153 SF	4,000 SF	32	64	128	84	336	336	116	400	464		80,475 SF	214,801 SF	295,276 SF	
			270			10,103 SF															
													</								

**EXHIBIT H: Proposed Floor Plans**

**Proposed 1st Floor Plan - Lobby**  
Statesboro, Georgia



**Proposed 2nd Floor Plan**  
Statesboro, Georgia





## Proposed 3rd Floor Plan - Amenities

Statesboro, Georgia



## Proposed Typical Floor Plan

Statesboro, Georgia



# CITY OF STATESBORO



## COUNCIL

Phil Boyum, District 1  
Sam Jones, District 2  
Jeff Yawn, District 3  
John Riggs, District 4  
Derek Duke, District 5

Jonathan McCollar, Mayor  
Randy Wetmore, City Manager  
Sue Starling, City Clerk  
I. Cain Smith, City Attorney

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

**To:** Randy Wetmore, City Manager

**From:** Jason Boyles, Director of Public Works and Engineering  
David Campbell, Interim City Engineer

**Date:** 10/26/2018

**RE:** Consideration to Dispose of West Cherry Street between South College Street and Martin Luther King Jr. Drive

**Policy Issue:** Disposal of Property and Right-of-Way

### Recommendation:

Engineering Staff recommends approval of Resolution for disposal of West Cherry Street between South College Street and Martin Luther King Jr. Drive.

### Background:

The West District Development has requested that the City abandon and dispose of the segment of West Cherry Street from South College Street to Martin Luther King, Jr. Drive. In addition to currently developing the property to the south of West Cherry Street the owners of the development have recently acquired the property to the north of West Cherry Street and are seeking to utilize the currently right of way as a common area to both improvements. Mayor and Council resolved to abandon the parcel during the October 16, 2018 meeting. OCGA §32-7-4(a)(2)(B) allows municipalities to negotiate the sale of abandoned properties valued less than \$75,000. Proposal is to grant the property to West District Development in exchange for maintenance of the roadway and public access through it in perpetuity.

### Budget Impact:

The disposal of this segment of West Cherry Street will remove the City's obligation for street maintenance and repair from the overall budget. This road is currently in disrepair and in need of resurfacing.

**Council Person and District:** Sam Jones, District 2

### Attachments:

- Utility Easement for West District
- Resolution for Disposal of West Cherry Street

**RESOLUTION 2018-30:**

**A RESOLUTION TO DISPOSE OF A PORTION OF WEST CHERRY BETWEEN SOUTH COLLEGE AND MARTIN LUTHER KING JR. DRIVE.**

THAT WHEREAS, OCGA § 32-7-4(a)(2)(B) vests the Mayor and City Council of Statesboro authority to dispose of public streets and alleys after it finds that an abandonment of a public street or alley to be in the interest of the public at large;

WHEREAS, West Cherry is the subject of this resolution is identified on the Attached Exhibit A.

WHEREAS, a Public Hearing on this matter was held on October 16, 2018 before the Mayor and City Council where it was decided to abandon said parcel;

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

Section 1. The Mayor and City Council made the following findings of fact based on the evidence presented at the Public hearing that was held on October 2, 2018. The Mayor and City Council agree with the City Engineer's analysis. The entirety of the adjacent properties, as indicated on Exhibit A, are now owned by a single entity instead of individual property owners. Thus, the city is utilizing public funding and personnel to maintain a roadway that is rarely used by the traveling public.

Section 2. The Mayor and City Council should retain appropriate utility easements in the property, and grant appropriate easements to others prior to deeding the City's interest in the property to the adjoining landowner.

Section 3. Based on the above finding of fact the Mayor and City Council finds that the disposal of this roadway identified in Exhibit A is for the benefit of the public at large, and hereby authorize the Mayor to execute any documents necessary to retain needed easements in the property; grant a warranty deed to adjacent landowner, and to execute any documents necessary to convey the City's remaining interest in the property to the adjoining landowners.

Section 4. That this Resolution shall be and remain effective from and after its date of adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2018

CITY OF STATESBORO, GEORGIA

By: \_\_\_\_\_  
Jonathan McCollar, Mayor

Attest: \_\_\_\_\_  
Sue Starling, City Clerk

**Return to:  
Cain Smith  
City Attorney  
City of Statesboro  
P.O. Box 348  
Statesboro, GA 30459**

---

**WARRANTY DEED**

STATE OF GEORGIA

COUNTY OF BULLOCH

THIS INDENTURE, Made the \_\_\_\_ day of November 2018, between **MAYOR AND CITY COUNCIL OF THE CITY OF STATESBORO** of the County of Bulloch, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **WHITFIELD SIGNS HOLDINGS LLC & WEST DISTRICT DEVELOPMENT LLC** as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor for and in consideration of Grantee assuming maintenance of the roadway and public access through it in perpetuity and the sum of TEN DOLLARS (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following property:

ALL THAT CERTAIN PARCEL OF LAND CONTAINING 0.569 ACRES LOCATED IN THE 1209TH G.M.D., BULLOCH COUNTY, CITY OF STATESBORO, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED BY A PLAT PREPARED BY MAXWELL-REDDICK AND ASSOCIATES, INC. DATED SEPTEMBER 10, 2018 WHICH READS AS FOLLOWS:

BEGINNING AT A PK-NAIL SET (PKNS) AT THE INTERSECTION OF THE WESTERN RIGHT-OF-WAY OF SOUTH COLLEGE STREET (40' R/W) AND THE SOUTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W); THENCE ALONG THE SOUTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W), NORTH 84°51'10" WEST A DISTANCE OF 619.48 FEET TO A CAPPED REBAR SET (CRBS) AT THE INTERSECTION OF THE SOUTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W) AND THE EASTERN RIGHT-OF-WAY OF MARTIN LUTHER KING JR. DRIVE (40' R/W); THENCE LEAVING THE SOUTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W) AND FOLLOWING THE EASTERN RIGHT-OF-WAY OF MARTIN LUTHER KING JR. DRIVE (40' R/W), NORTH 04°42'56" EAST A DISTANCE OF 40.00 FEET TO A POINT AT THE INTERSECTION OF THE EASTERN RIGHT-OF-WAY OF MARTIN LUTHER KING JR. DRIVE (40' R/W) AND THE NORTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W); THENCE LEAVING THE EASTERN RIGHT-OF-WAY OF MARTIN LUTHER KING JR. DRIVE (40' R/W) AND FOLLOWING THE NORTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W), SOUTH 84°51'10" EAST A DISTANCE OF 618.79 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W) AND THE WESTERN RIGHT-OF-WAY OF SOUTH COLLEGE STREET (40' R/W); THENCE LEAVING THE NORTHERN RIGHT-OF-WAY OF WEST CHERRY STREET (40' R/W) AND FOLLOWING THE WESTERN RIGHT-OF-WAY OF SOUTH COLLEGE STREET (40' R/W), SOUTH 03°43'55" WEST A DISTANCE OF 40.01 FEET TO A PK-NAIL SET (PKNS), WHICH IS THE POINT OF BEGINNING.

SAID PARCEL IS BOUND AS FOLLOWS:  
ON THE NORTH BY THE LANDS OF THOMAS F. RENFROW JR.  
ON THE SOUTH BY THE LANDS OF WHITFIELD SIGNS HOLDINGS LLC. &  
WEST DISTRICT DEVELOPMENT LLC  
ON THE EAST BY SOUTH COLLEGE STREET (40' R/W)  
ON THE WEST BY MARTIN LUTHER KING JR. DRIVE (40' R/W)

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

---

Jonathan M McCollar, in his  
capacity as Mayor

Signed, sealed and delivered  
in presence of:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Sue Starling, in her capacity as  
City Clerk of the City of Statesboro.

\_\_\_\_\_  
Unofficial Witness  
Print Name: