



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

P.O. Box 348

» (912) 764-0630

Statesboro, Georgia 30458

Statesboro, Georgia 30459

» (912) 764-0664 (Fax)

Statesboro Planning Commission

July 5, 2023

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. June 6, 2023

IV. New Business

1. **APPLICATION RZ 23-05-04:** Jared O'Sako requests a Zoning Map Amendment from the R-40 (Single-Family Residential) to the R-6 (Single-Family Residential) zoning district in order to develop approximately 142 homes on 54.06 acres of property located on Cawana Road (Tax Parcel# 107 000003 000).
2. **APPLICATION SE 23-06-01:** Encore Capital Management LLC, request a special exception from the R-3 (Medium Density Residential) zoning district in order to allow for a real estate property office on approximately 4.399 acres of property located at 1301 Fair Road.
3. **APPLICATION RZ 23-06-02:** Mitchell Ball request a Zoning Map Amendment from the R-20 (Single-family residential) zoning district to the R-2 (Townhouse Residential) zoning district in order to develop approximately 78 units on 11.54 acres at 380 Westside Road (Tax Parcel# MS30 000025 002).

V. Announcements

VI. Adjourn



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Statesboro Planning Commission

June 6, 2023

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

Present: Planning Commission members: Benjamin McKay, Cathy Dixon, Ronald Simmons and James Thibideau, James Byrd Sr. and Jamey Cartee; **City of Statesboro Staff:** Kathleen Field (Director of Planning & Development), Justin Williams (Planning & Housing Administrator) Jermaine Foster (Planner) **Absent:** Michele Hickson

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. April 4, 2023

IV. New Business

1. **APPLICATION RZ 23-04-02:** Bel Air Estates Inc. requests a Zoning Map Amendment from the R-40 (Single-Family Residential) to the R-6 (Single-Family Residential) zoning district in order to develop approximately 124 homes on approximately 36.55 acres of property located on Beasley Road (Tax Parcel# MS91000013 000).

Kathy Field introduced case 23-04-02. Commissioner Cartee made a motion to open the public hearing. Commissioner McKay seconded, and the motion carried 6-0. Residents (Susan Riley, Raybon Anderson) of the area expressed their concerns and recommendations for the future project. Lamar Smith of Smith Family Homes, LLC gave a presentation on what the property is being used for and his intentions to do good work using the allotted property. Commissioner McKay made a motion to close the public hearing with a second from Commissioner Cartee. The motion passed 6-0. After deliberation, Commissioner McKay made a motion to approve the application. Commissioner Cartee seconded and the motion passed 6-0.

2. **APPLICATION RZ 23-05-01:** Joseph Lanier requests a Zoning Map Amendment from the R-15 (Single-Family Residential) zoning district to the R-6 (Single-Family Residential) zoning district on a portion of an approximately 2.59 acre property in order to develop single family homes at 218 Hill Street (Tax Parcel S39000043 000)

Kathy Field introduced case 23-05-01. Commissioner Simmons made a motion to open the public hearing. Commissioner Cartee seconded, the motion carried 6-0.

Mitchell Ball introduces himself as the real estate agent representing the buyer and seller of this property and states that the property will be used for residential houses for sale. He also answered question from commission members about the property. Commissioner McKay made a motion to close the public hearing with a second from Commissioner Cartee. The motion passed 6-0. Commissioner McKay made a motion to approve the application. Commissioner Simmons seconded and the motion passed 6-0.

3. **APPLICATION RZ 23-05-02:** Jamee & Michael Chalker requests a Zoning Map Amendment from the CR (Commercial Retail) zoning district to the LI (Light Industrial) zoning district in order to place a higher intensity granite fabrication shop at 2735 Northside Drive West (Tax Parcel# S08 000072 000).

Kathy Field introduced case 23-05-02. Staff recommend denial because it is inconsistent with the city's comprehensive plan and it negatively impacts the neighborhood directly to the west. Commissioner Cartee made a motion to open the public hearing. Commissioner McKay seconded, the motion carried 6-0. Jamee & Michael Chalker details their intentions to use the building for their granite business, in which they have been in for 20 years. They addressed possible concerns and disturbances that could occur with this business, such as being in a commercial area and the possible disturbance to the neighborhood west of the building. Commissioner Dixon made a motion to close the public hearing with a second from Commissioner McKay. The motion passed 6-0. After deliberation, Commissioner Dixon made a motion to approve the application. Commissioner Simmons seconded and the motion passed 6-0.

4. **STATESBORO UNIFIED DEVELOPMENT CODE:** Planning Commission reading and recommendation on the Statesboro Unified Development Code.

Caleb Racicot gave his presentation on the changes to the Statesboro Unified Development Code via Zoom. This code will be used for cities and counties to combine zoning ordinances, subdivision regulation, and a development regulations to create a unified development code.

V. Announcements

VI. Adjourn

Commissioner Simmons made a motion to adjourn the meeting. Commissioner Cartee seconded, and the motion carried 6-0.



ZONING SERVICES REPORT

P.O. Box 348
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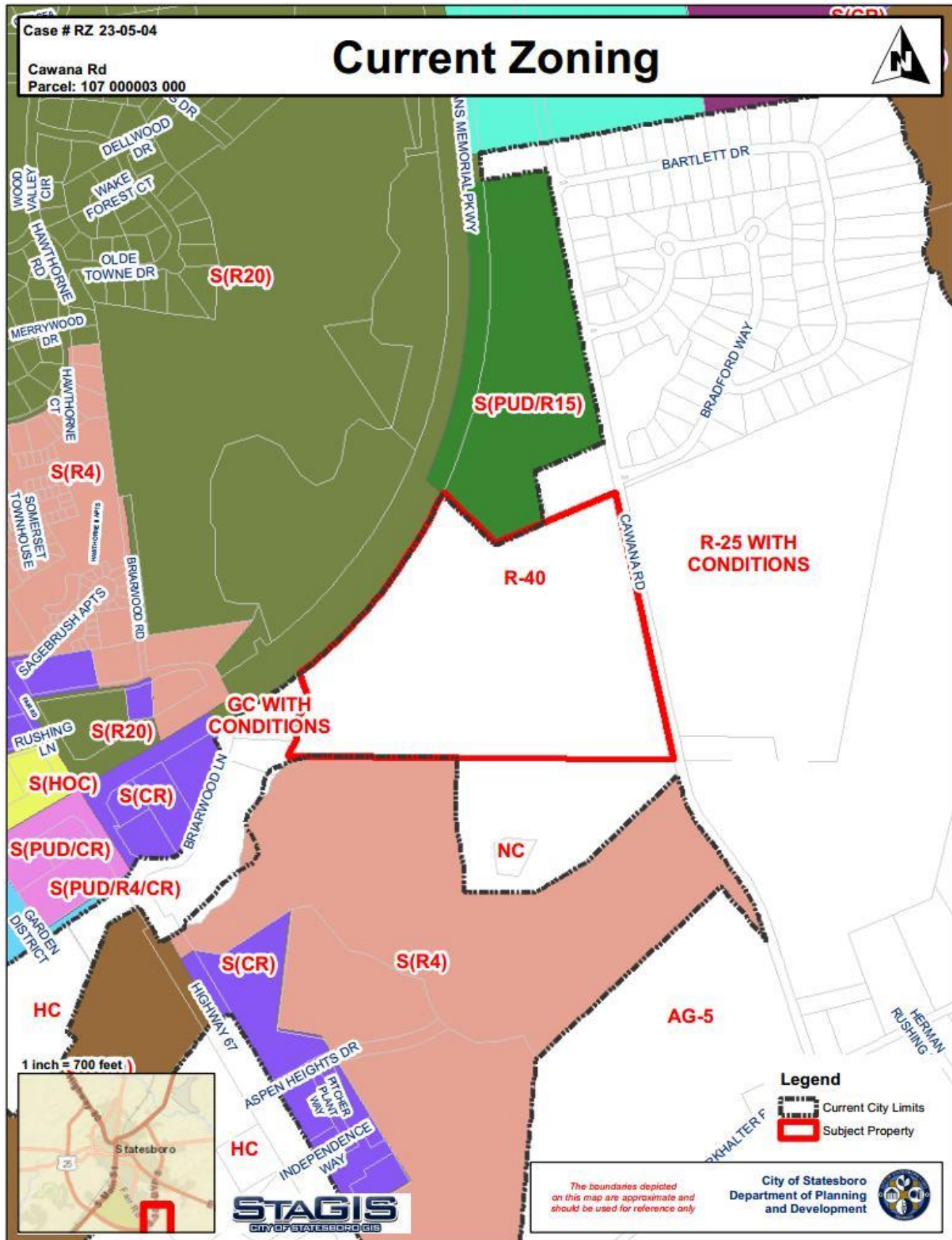
RZ 23-05-04 ZONING MAP AMENDMENT REQUEST CAWANA ROAD	
LOCATION:	Cawana Road
EXISTING ZONING:	R-40 (Single-Family Residential - County)
ACRES:	54.06 acres
PARCEL TAX MAP #:	107 000003 000
COUNCIL DISTRICT:	District 5 (Barr) – (Projected)
EXISTING USE:	Vacant Lot
PROPOSED USE:	Single-Family Subdivision

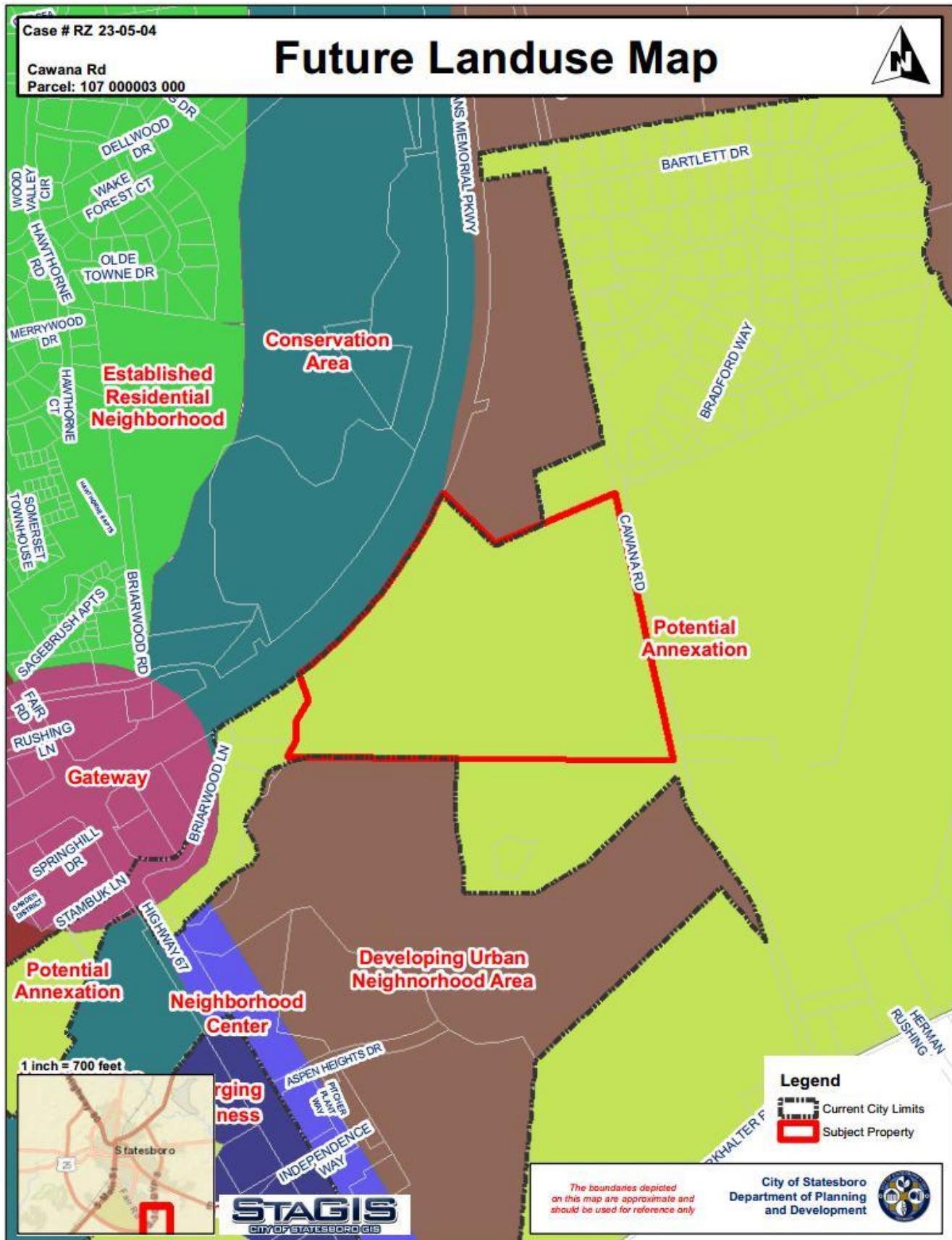
PETITIONER Jared O'Sako – DR Horton
ADDRESS 30 Silver Lake Road; Bluffton SC, 29909

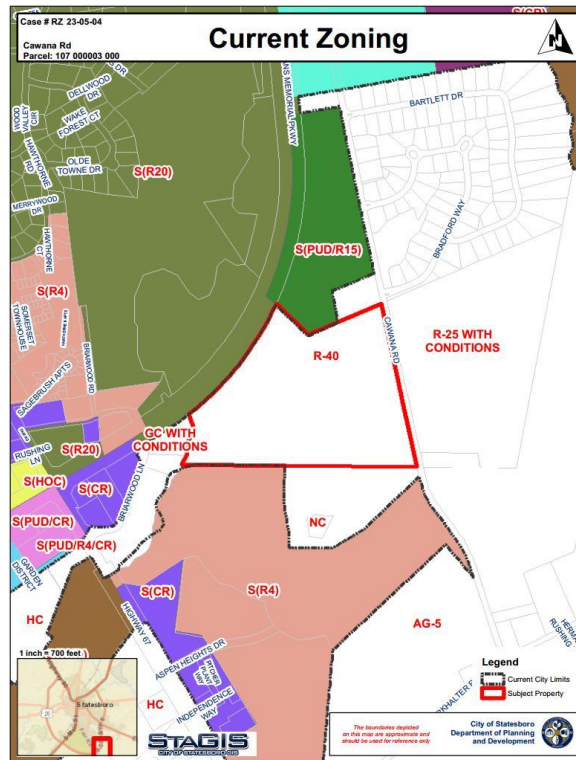
REPRESENTATIVE Haydon Rollings – Hussey Gay Bell
ADDRESS 1100 Brampton Ave, #1; Statesboro GA, 30458

PROPOSAL
The applicant is requesting an Annexation by the 100% method of approximately 54.06 acres of property on Cawana Road. The applicant also requests a Zoning Map Amendment from the R-40 (Single-Family Residential) to the R-6 (Single-Family Residential) zoning district to allow for the development of approximately 149 Single-Family Homes.
STAFF/PLANNING COMMISSION RECOMMENDATION
<u>RZ 23-05-04 – CONDITIONAL APPROVAL</u>









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: R-40 (Single-Family Residential)	Single-Family Residential Dwelling
Northeast	Location Area #2: R-40 (Single-Family Residential)	Single-Family Residential Dwelling
Northwest	Location Area #3: R-20 (Single-Family Residential)	Single-Family Residential Dwelling
East	Location Area #4: R-40 (Single-Family Residential)	Single-Family Residential Dwelling
West	Location Area #5: R-20 (Single-Family Residential)	Rural/Open Land
Southwest	Location Area #6: R-20 (Single-Family Residential)	Rural/Open Land
Southeast	Location Area #7: R-20 (Single-Family Residential)	Rural/Open Land
South	Location Area #8: R-20 (Single-Family Residential)	Single-Family Residential Dwelling

SKETCH PLAN



SUBJECT SITE

The subject site is a vacant lot with of approximately 54 acres with a proposed buffering parcel to remove any issues with contiguity between City and County Property.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* shows this as a part of the “Potential Annexation” character area, which calls for a diverse mix of housing density types, which is reflected in the approval of other surrounding developments.

ENVIRONMENTAL SITE ANALYSIS

The subject property listed for annexation does contain some wetlands to the west, as well as the south of the property. At this time a full delineation of wetlands would be required to finalize project plan.

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.

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 an increase in the density of zoning in the surrounding area. Although there are nearby subdivisions in the area, the road network may be of concern.

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 as a higher use by providing additional housing to the area. Development standards for the R-6 are limited under the current ordinance, but development would be under the revisions of the Unified Development Code. In addition, any wetland disturbance must be resolved through the Army Corps of Engineers.

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

- As the site has not been developed, the general use allowed will create additional housing in the community, which is likely to continue primarily in the southern section of the City.

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

- This property is not currently in the City as large scale land developments at this time are not easily located. This project is adjacent to the Bypass, and would be of a lower density than some of the surrounding developments in the area.
- 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 no existing development on it at this time.
- 7. The extent the proposed change would impact the following:**
- Population density in the area.
 - The population density would 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 would increase the housing stock in the city. At this time, new single-family housing is an unmet need and new stock is vital due to projections of population increase in the region.
 - Traffic patterns and congestion.
 - Congestion of this road will be an issue. At this time, there is a significant amount of proposed development on the road, and peak traffic times do cause significant concerns regarding the overall movement patterns found on the road.
 - Environmental aspects.
 - There are wetlands on the proposed site, but these are primarily on the western edge of the property. It is unknown at this time if there will be significant impacts to them, but that will be determined during the development process.
 - Existing and future land use patterns.
 - Development in the area is primarily low-density, single-family residential development, although there are churches, and proposed townhomes on this road.
 - Property values in the adjacent areas.
 - This development will likely continue the trend of increasing the overall value of land in this area.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.**
- The *2019-2029 Statesboro Comprehensive Plan* locates this property within a Potential Annexation Area, which generally recommends development through a mix of housing types, as well as some commercial developments. This does show overall consistency with this plan. The *2035 Long Range Transportation Plan* show the necessity of improving the Cawana Road are nearest to Burkhalter Road.

Subject Property



Eastern Property



Northern Property



Southern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of RZ 23-05-04**. 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 Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project 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) Prior to construction commencement on any proposed lot, a subdivision plat as well as the by-laws and restrictive covenants shall be reviewed and approved by staff in addition to any other applicable City of Statesboro Subdivision Regulations.



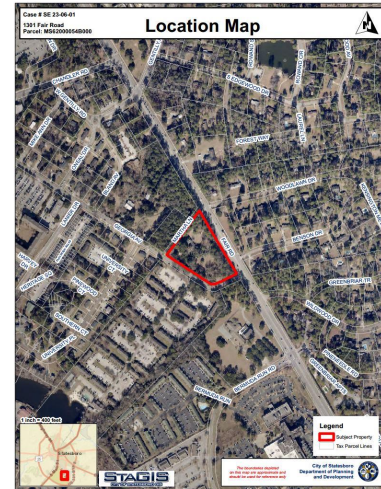
ZONING SERVICES REPORT

P.O. Box 348
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(912) 764-0630
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SE 23-06-01
SPECIAL EXCEPTION REQUEST
1301 FAIR ROAD

LOCATION:	1301 Fair Road
EXISTING ZONING:	R-3 (Medium-Density Residential)
ACRES:	4.41 acres
PARCEL TAX MAP #:	MS62000054B000
COUNCIL DISTRICT:	District 4 (Riggs)
EXISTING USE:	Vacant House
PROPOSED USE:	Business Office (Phase 1)



PETITIONER Encore Capital Management, LLC
ADDRESS 1800 Chandler Road; Statesboro GA, 30458

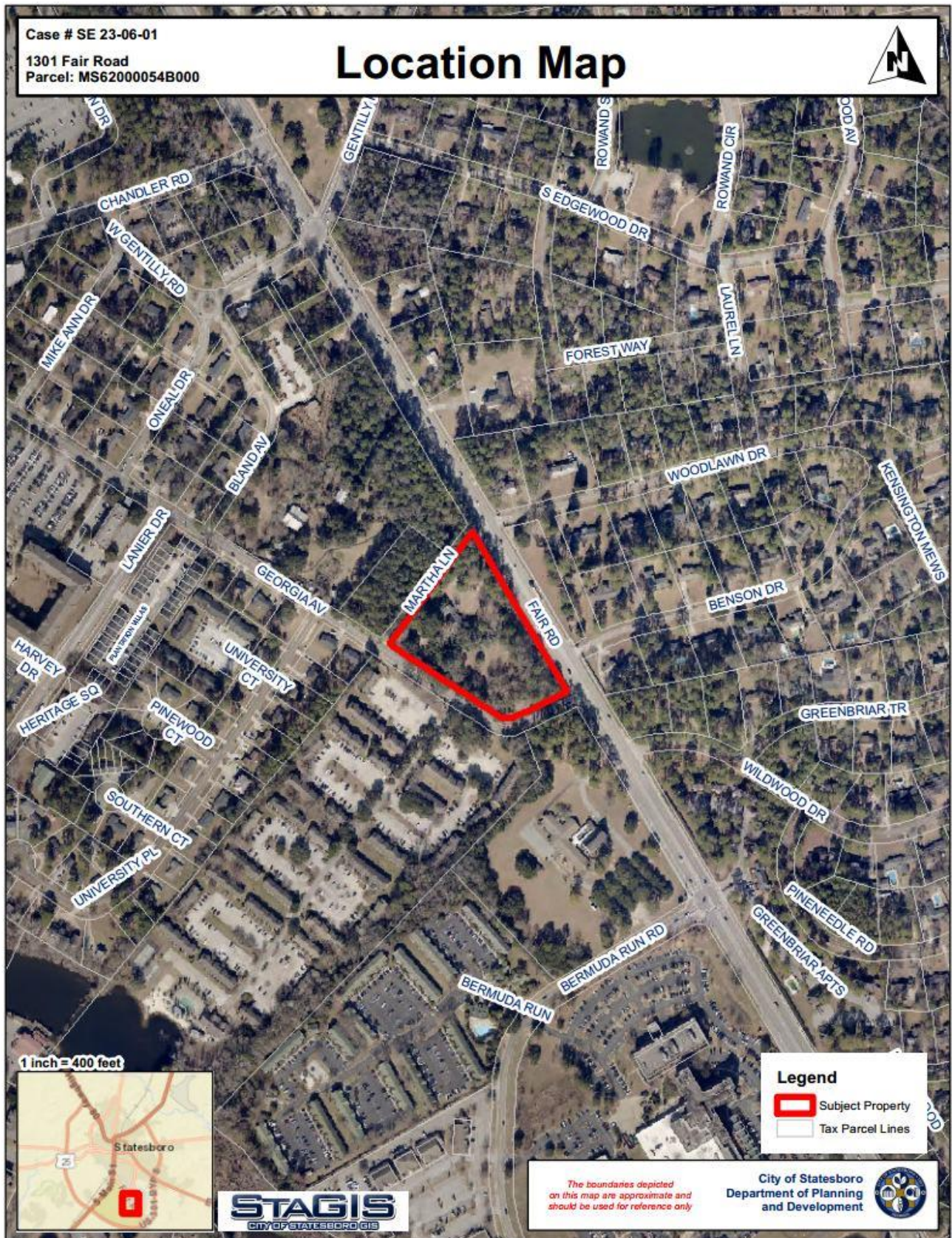
REPRESENTATIVE Stephen T. Rushing
ADDRESS P.O. Box 327; Statesboro GA, 30458

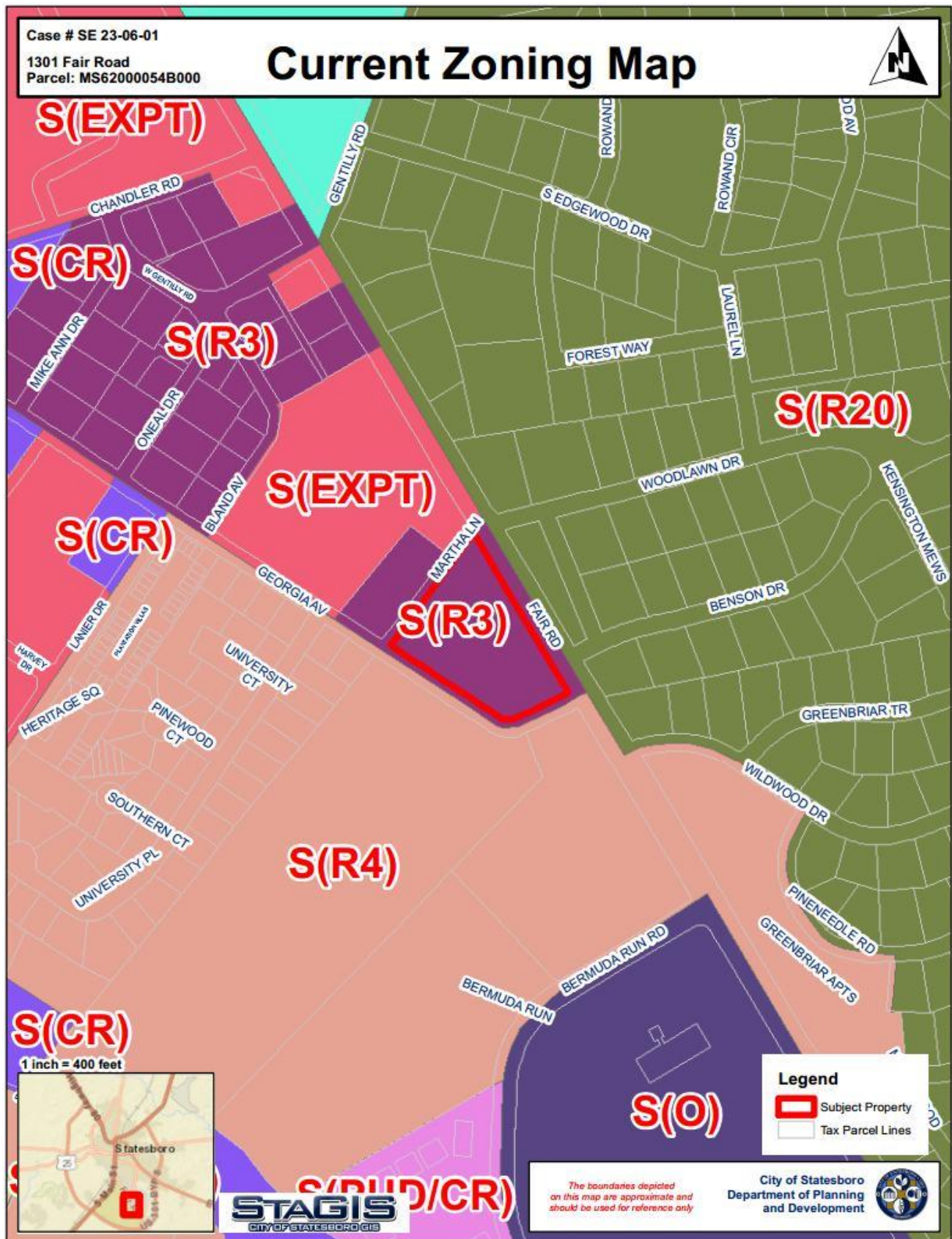
PROPOSAL

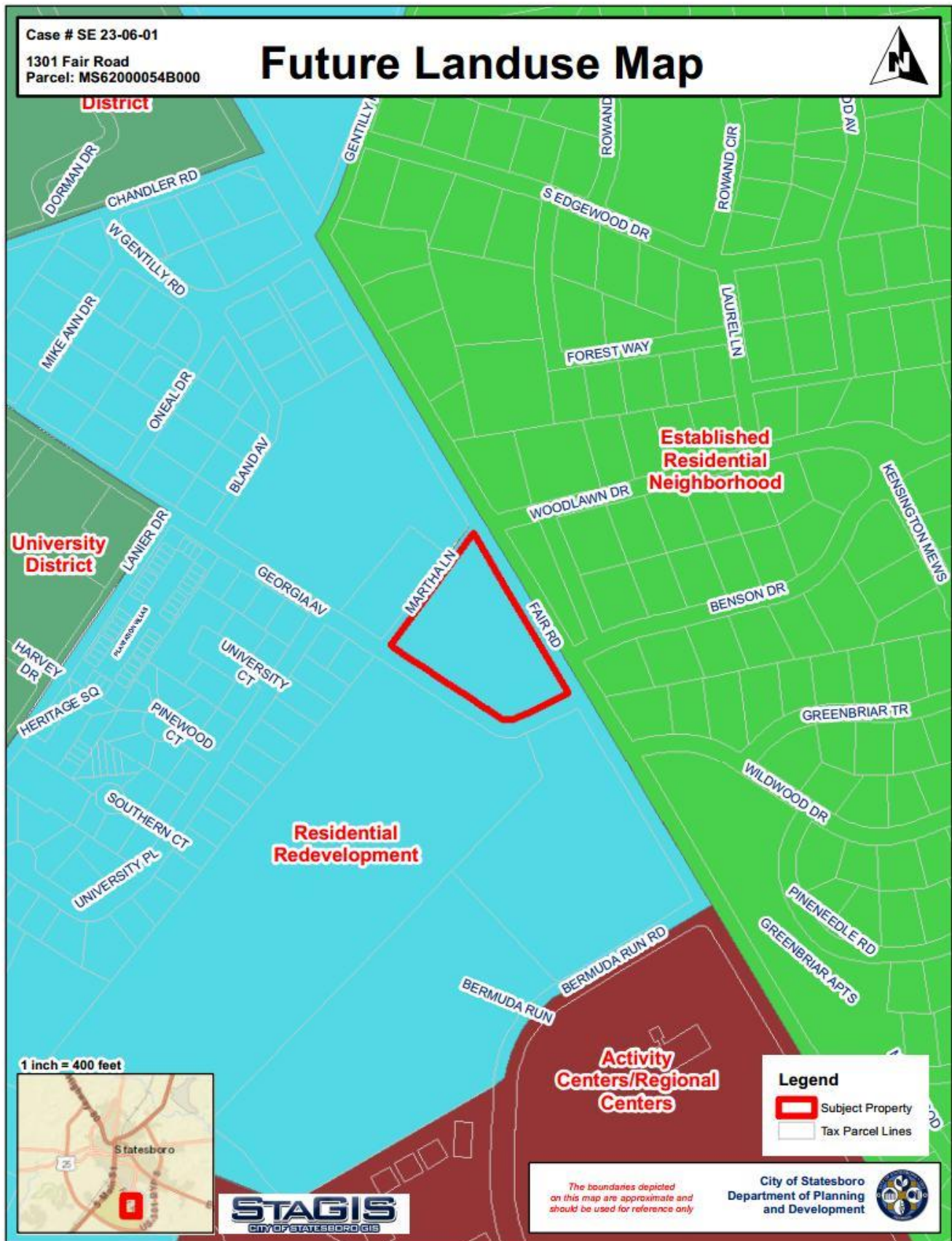
The applicant requests a special exception to locate an real estate office building on a 4.41 acre property zoned R-3 (Medium-Density Residential) at 1301 Fair Road.

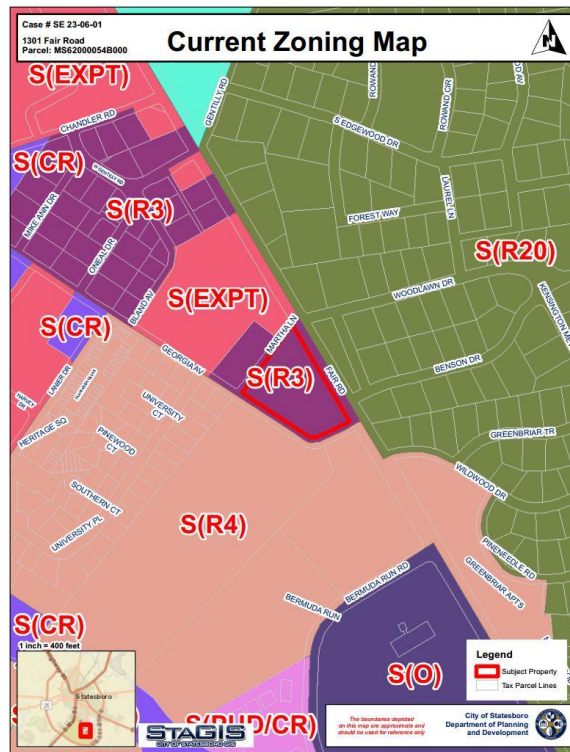
STAFF/PLANNING COMMISSION RECOMMENDATION

SE 23-06-01 CONDITIONAL APPROVAL









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1: Exempt	GSU Botanical Garden
Northeast	Location Area #2: R-20 (Single-Family Residential)	Single-Family Home
East	Location Area #3: CR (Commercial Retail)	Car Dealership
Northwest	Location Area #4: Exempt	GSU Botanical Garden
Southeast	Location Area #5: R-20 (Single-Family Residential)	Single-Family Home
South	Location Area #6: R-4 (High-Density Residential)	Apartment Complex
Southwest	Location Area #7: R-4 (High-Density Residential)	Apartment Complex
West	Location Area #8: R-4 (High-Density Residential)	Apartment Complex

SUBJECT SITE

The subject site is a mostly undeveloped lot located on 4.41 acres. There is one house located on the site. Surrounding properties include primarily single-family homes and apartments. In addition, the property is located next to the Georgia Southern Botanical Gardens.

The applicant has expressed the intent to develop a real estate office on the site, and to continue the designated use for the remainder of property by developing Medium-Density residential properties, specifically duplexes.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site as a part of the “Residential Redevelopment”, which is characterized by lower density, single-family attached and detached dwellings.

ENVIRONMENTAL SITE ANALYSIS

The subject property does not contain wetlands and is not located in a special flood hazard area.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property has access to City Sewer and Water.

CONDITIONAL ZONING STANDARDS OF REVIEW

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

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

(A) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.

- In accordance with state requirements, the project would require submission to the Georgia Soil and Water Conservation Commission to ensure erosion controls are in place, and the site would be required to meet the City Drainage Ordinance.

(B) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.

- The development of the project is meant to be held on the property proper and is not likely to generate substantial traffic issues in the area.

(C) Off-street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.

- Off street parking will be provided on the site, and will be needed separately under the provisions of the Ordinance when the single-family attached phase begins on the project.

(D) Public facilities and utilities are capable of adequately serving the proposed use.

- Public utilities are available in the area, and it is unlikely to cause any significant changes to the area.

(E) The proposed use will not have significant adverse effect on the level of property values or the general character of the area.

- No adverse effect is expected on surrounding commercial properties. The nature trail next to the property might be affected.

(F) Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.

- There is a preliminary site plan included in the document.

(G) Approval of a proposed use by the Mayor and City Council does not constitute [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the Planning Commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.

- Any significant future structural changes to this proposal must first be reviewed and approved by Staff.

Article XVIII, Section 1802 of the *Statesboro Zoning Ordinance* further outlines the qualifications needed to grant a special exception to the zoning ordinance. These include uses that are consistent with the purpose and intent of the zoning ordinance and district in which the use is proposed to be located; uses that do not detract from neighboring property; and uses that are consistent with other uses in the area. In order to meet these qualifications, approval of any special exception for the proposed use at the subject parcel should (if necessary) include conditions that will ensure that development along this corridor remains consistent with the *Statesboro Comprehensive Plan* and the *Statesboro Zoning Ordinance* and that serve to mitigate negative effects of the use to the surrounding area's character, uses, and zones.

- The proposed use is not generally consistent with the subject site's character area ("Residential Redevelopment") but will be in support of a consistent use as shown in the *2019 – 2029 Comprehensive Master Plan*.



Subject Property



Eastern Property



Northern Property



Southern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval of SE 23-06-01**. 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 special exception does not grant the right to develop on the property without adherence to the City Code and approval by the Department of Planning & Development.
2. Development of the main office building must be built in accordance with the provisions of the O (Office & Business) zoning district.



ZONING SERVICES REPORT

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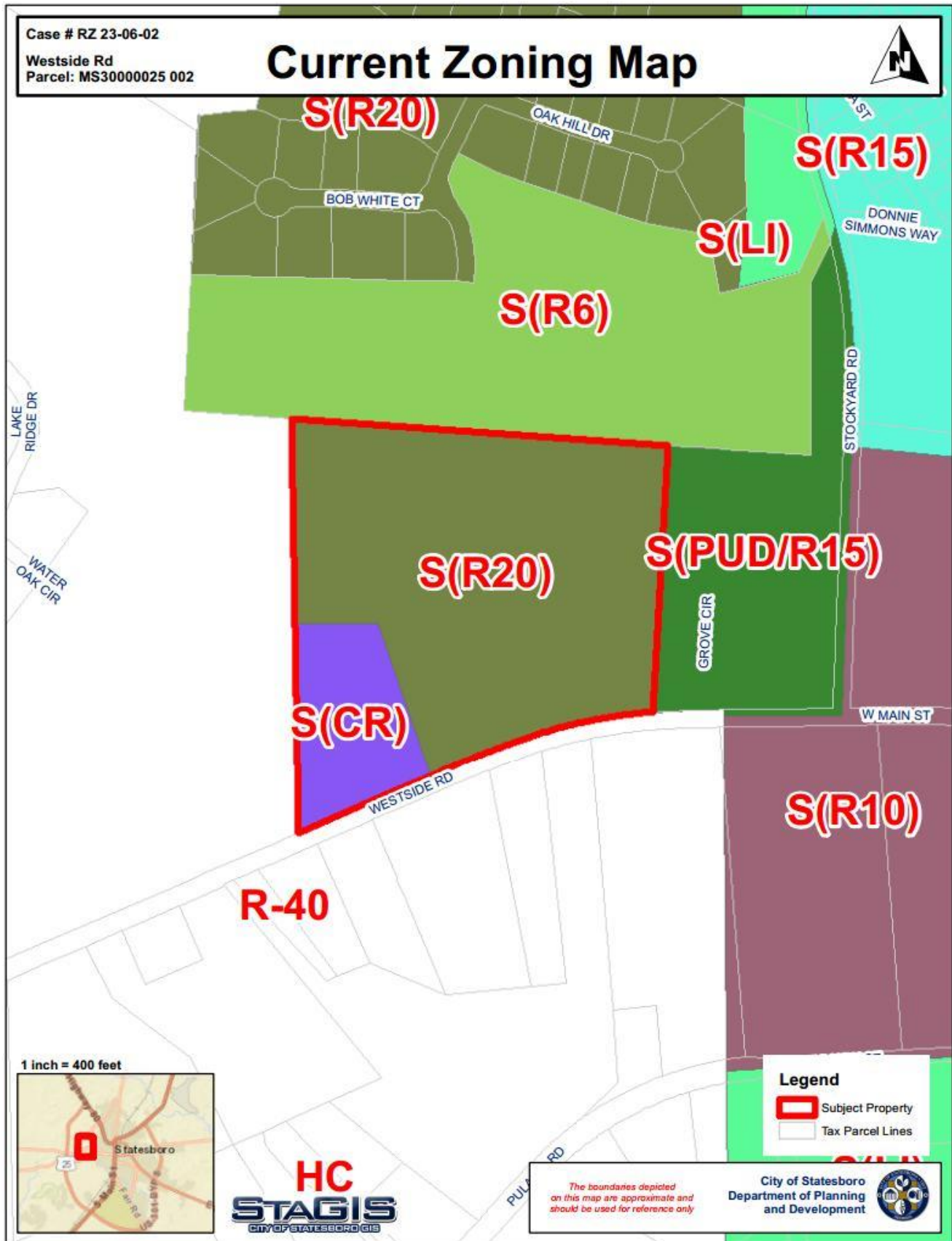
RZ 23-06-02 ZONING MAP AMENDMENT WESTSIDE ROAD	
LOCATION:	Westside Road
EXISTING ZONING:	R-20 (Single-Family Residential)
ACRES:	11.54 Acres
PARCEL TAX MAP #:	S39 000043 000
COUNCIL DISTRICT:	District 2 (Chavers)
EXISTING USE:	Wooded Lot
PROPOSED USE:	Townhouse Development

PETITIONER Mitchell Ball
ADDRESS 1201 Brampton Ave; Statesboro, GA 30458

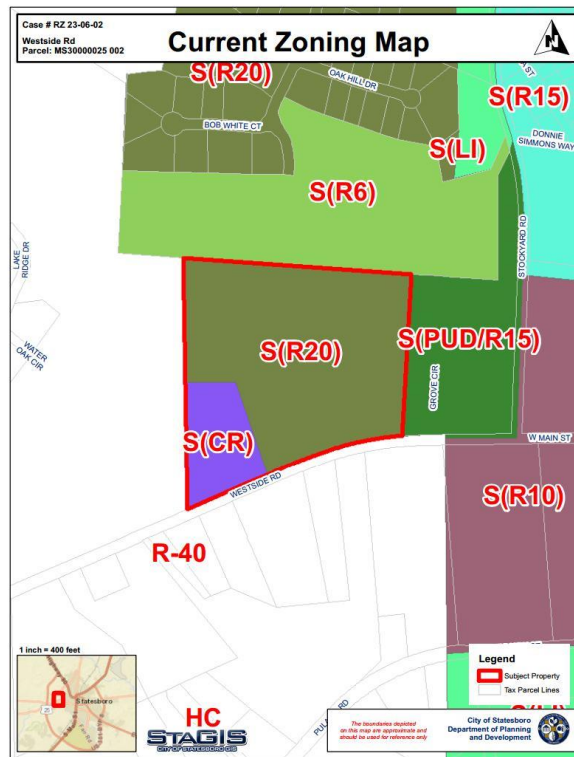
REPRESENTATIVE Evan Bennettt – Hussey Gay Bell
ADDRESS 321 Commercial Drive; Savannah, GA 31406

PROPOSAL
The applicant requests a zoning map amendment from the R-20 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district, in order to construct 78 townhome units on Westside Road.
STAFF/PLANNING COMMISSION RECOMMENDATION
<u>RZ 23-06-02 CONDITIONAL APPROVAL</u>









SURROUNDING LAND USES/ZONING

Location	Parcel Location & Zoning Information	Land Use
North	Location Area #1 R-6 (Single-Family Residential)	Vacant
Northeast	Location Area #2: R-6 (Single-Family Residential)	Vacant
East	Location Area #3: PUD (Planned Unit Development)	Single-Family Subdivision
North West	Location Area #4: R-6 (Single-Family Residential)	Vacant
Southeast	Location Area #5: R-40 (Single-Family Residential: County)	Commercial Retail
South	Location Area #7: R-40 (Single-Family Residential: County)	Single Family Dwelling
Southwest	Location Area #8: R-40 (Single-Family Residential: County)	Single Family Dwelling
West	Location Area #9: CR (Commercial Retail)	Event Center

SUBJECT SITE

The subject site consists of a recently subdivided parcel consisting of approximately 11.54 acres and was once adjoined to the Belle House.

The intent of the applicant is to develop a townhome development directly adjacent to the existing “Grove” subdivision and the proposed R-6 single-family subdivision located to the North of the property which is being developed by the same owner.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* designates the subject site in both the “Established Residential Neighborhood” character area, which is generally intended for small-lot single-family residential and neighborhood scale retail and commercial development.

ENVIRONMENTAL SITE ANALYSIS

The property does appear to contain wetlands on the northern edge of the site. There are no flood zones being projected on the site. There are some heritage and historic trees on the site, which under townhome guidelines would require some retention.

COMMUNITY FACILITIES AND TRANSPORTATION

This site has access to City of Statesboro although, there have been gravity feeding issues identified on this site and the adjacent site to the North. This will require the installation of a lift station to support the utilities.

ZONING MAP AMENDMENT STANDARDS OF REVIEW

The *Statesboro Zoning Ordinance* permits a zoning amendment subject to conditions if “approved by the mayor and city council based upon findings that the use is consistent with adopted plans for the area and that the location, construction, and operation of the proposed use will not significantly impact upon surrounding development or the community in general.”

Article XX, 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 request, 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.

- The surrounding area is made up of a variety of uses, to include an elementary school, a single family subdivision, and an event center. .

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

- Although an appraisal has not been conducted, it is staff’s belief that property values would increase based the proposed development.

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.

- This development would provide additional housing units in the area, and does not meet International Fire Code requirements for additional entryways.

- 4. The relative gain to the public, as compared to the hardship imposed upon the property owner.**
 - The property is currently underutilized and would result in a significant improvement of usage if redeveloped.
- 5. The suitability of the subject property for the zoned purposes.**
 - After a review of the site, and the development area, this project does appear suitable.
- 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 had no development on the site outside of the Belle House, but this property has since been subdivided.
- 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 the adjacent areas; and**
 - The proposed change would increase the density in the area, and significant care should be taken to ensure that traffic is mitigated appropriately on Westside Road.
- 8. Consistency with other governmental land use, transportation, and development plans for the community.**
 - The proposed use is inconsistent with the subject site's character area ("Established Residential Neighborhood") as stated in the *2019 – 2029 Comprehensive Master Plan*, but the development can provide sufficient connectivity to adjacent developments that would ensure a suitable use.

Subject Property



Western Property



Southwestern Property



Southeastern Property



Exhibit One



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends Approval of **RZ 23-06-02**. 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 site without approval. All construction must be approved by the City.
- (2) Prior to construction commencement on any proposed lot, a subdivision plat as well as the by-laws and restrictive covenants shall be reviewed and approved by staff in addition to any other applicable City of Statesboro Subdivision Regulations.