



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
June 4, 2019
5:00 P.M.
City Hall Council Chamber
Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1.) May 7, 2019 Meeting Minutes

IV. New Business

1. **APPLICATION CUV 19-05-01**: Half Moon Recovery (d/b/a ARCH) requests a conditional use variance from Article VII, Section 701(F)(1) for 0.38 acres of property located at 207 Broad Street to utilize 100 percent of the heated floor space of the property as an addiction recovery community residence in the R-4 (High Density Residential) zoning district (Tax Parcel S29 000079 000).

V. Announcements

VI. Adjourn



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Statesboro Planning Commission

May 7, 2019

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

Present: Planning Commission Members: James W. Byrd, Sr., Carlos C. Brown Jr., Mary Foreman, Russell Rosengart, Jamey Cartee, and Sean Fox; **City of Statesboro Staff:** Interim Assistant City Manager Frank Neal, Interim Assistant City Manager Jason Boyles, and City Planner II Owen Dundee

I. Call to Order

Commissioner Byrd called the meeting to order at 5:00 PM.

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1.) March 5, 2019 Meeting Minutes

Commissioner McKay made a motion to approve the March 5, 2019 meeting minutes, seconded by Commissioner Cartee. The motion carried 6-0.

IV. New Business

1. **APPLICATION CBD 19-04-01:** Vinod Jetwani requests approval of the proposed architectural plans submitted for 0.08 acres of property located at 40 East Main 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 000051 000).

Frank Neal introduced the case. Commissioner Rosengart inquired on the aesthetic standards plan review process. Mr. Neal stated that the Central Business District plan review team consists of City staff and DSDA staff. Commissioner Rosengart inquired if the applicant had any issues with staff's aesthetic requirements for this project. Commissioner McKay made a motion to recommend approval of CBD 19-04-01 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

2. **APPLICATION AN 19-04-02:** Continental Road, LLC requests annexation by the 100 percent method of approximately 33.35 +/- acres of property located at 7130 Veterans Memorial Parkway into the City of Statesboro and for said property to be zoned from the HI (Heavy

Industrial - Bulloch County) zoning district to the City of Statesboro CR (Commercial Retail) and R-4 (High Density Residential) zoning districts (Tax Parcel MS42 000007 000).

3. **APPLICATION RZ 19-04-03:** Continental Road, LLC requests a zoning map amendment of 33.35 +/- acres of property located at 7130 Veterans Memorial Parkway from the HI (Heavy Industrial - Bulloch County) zoning district to the City of Statesboro CR (Commercial Retail) and R-4 (High Density Residential) zoning districts for the redevelopment of the property (Tax Parcel MS42 000007 000).

Frank Neal introduced both cases (AN 19-04-02 & RZ 19-04-03) collectively, and Joey Maxwell spoke as a representative of the applicant, Continental Road, LLC. Mr. Maxwell provided an overview of the annexation and zoning map amendment proposal, which included various types of commercial developer interest in the subject property. Mr. Maxwell stated that the conceptual layout may change depending upon potential land buyer requirements. Mr. Maxwell requested clarification on staff condition "Item B" of the annexation request – the open greenspace requirement. Mr. Neal stated that this greenspace requirement would only be applicable to the proposed R-4 (High Density Residential) land use area. Additionally, Mr. Maxwell requested clarification on staff condition "Item F" – the fencing requirement specifically for proposed "Lot #5". Mr. Neal agreed that staff would be willing to work with the developer and/or buyer of this property on the fencing requirements so that this proposed lot's visibility from Veterans Memorial Parkway would not be harmed. Mr. Maxwell briefly discussed some of the subject site's current conditions. Commissioner Byrd inquired on staff's fencing requirement condition and if adjacent Railroad ROW created this fencing requirement for the applicant. Mr. Neal stated that this requirement is for public health and safety reasons and that staff would work with the developer on this particular requirement. Commissioner Rosengart inquired on the subject site's ingress and egress points along Veterans Memorial Parkway. Mr. Maxwell confirmed the ingress/egress locations and discussed some of the improvements being made to the points of access for this subject site. Again, Mr. Maxwell discussed the development interest in the subject site. Commissioner Brown inquired if there would be a possibility of traveling from the subject site to the Whispering Pines Subdivision. Mr. Maxwell stated there would not be access to the Whispering Pines Subdivision from the subject site. Mr. Maxwell discussed the landscape buffer requirements between the subject site and the Whispering Pines Subdivision. Commissioner Foreman inquired on a portion of the land being under Louisiana Pacific's ownership and the access to this land. Mr. Maxwell stated that Louisiana Pacific does still own a portion of land to the west of the subject site and has access to it via an easement. Mr. Maxwell further stated that the subject site was previously contaminated from the prior Heavy Industrial use and has now been certified as environmentally clean. Commissioner Rosengart expressed a concern with leaving the present Bulloch County zoning intact as Heavy Industrial due to the site's location, adjacent to a neighboring residential district. Mr. Maxwell stated several of the potential land buyers of the subject site were in fact Heavy Industrial users. Further, he stated that the current owners desire to redevelop the property and cease the Heavy Industrial land use on the subject site. Commissioner Brown inquired on the annexation process for the subject site. Mr. Neal responded that the City had already notified the County; and that the County had no objections to this annexation. Mr. Neal further described the annexation process for the subject site. Mr. Maxwell expressed his support for the

annexation and expressed that the City would positively benefit from this applicant's request. Commissioner McKay requested clarification on the annexation process in regards to public rights of way and state roads. Mr. Neal responded to Commissioner McKay's inquiry. Commissioner Cartee inquired if this annexation request would create any burden on City services. Mr. Neal responded that the City would be very slightly impacted in regards to an increase in public safety services by the annexation and zoning map amendment requests.

Commissioner Foreman made a motion to recommend approval of AN 19-04-02 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

Commissioner Rosengart made a motion to recommend approval of RZ 19-04-03 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

4. **APPLICATION RZ 19-04-04:** West District Development, LLC requests a zoning map amendment in order to revise a previously approved site plan for a combination of parcels, dated August 11, 2017, and revised dated January 23, 2018, addressed 91 South College Street and South College Street (Tax Parcels S19 000002 000 & S19 000001 000).
5. **APPLICATION CBD 19-04-05:** West District Development, LLC requests approval of the proposed architectural plans submitted for 0.112 acres of property located at 87 South College 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 S19 000002 000).

Frank Neal introduced both cases (RZ 19-04-04 & CBD 19-04-05) collectively, and Brian Kent spoke as a representative of the applicant, West District Development, LLC. Commissioner McKay inquired on the proposed building plans, building's use, and the construction timeline for the project. Mr. Kent answered the inquiries from Commissioner McKay. Commissioner Foreman inquired on the new intended use of additional acreage since Parcel #3 was reduced in size. Mr. Kent stated that the access acreage would be added to the common space of the development. Commissioner Cartee inquired if any portion of the request(s) would affect the development's parking requirements and/or any other applicable city ordinance. Mr. Neal and Mr. Kent confirmed that all other development requirements and city ordinances would be met.

Commissioner Cartee made a motion to recommend approval of RZ 19-04-04 with staff recommendations and conditions. Commissioner Fox seconded, and the motion carried 6-0.

Commissioner Fox made a motion to recommend approval of CBD 19-04-05 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

V. Announcements

Mr. Neal announced that our next Comprehensive Plan Steering Committee would be held next Wednesday, May 15, 2019, from 12 PM – 2 PM in the City Council chambers.

Next Planning Commission meeting will be held Tuesday, June 4, 2019.

VI. Adjourn

Commissioner McKay made a motion to adjourn the meeting. Commissioner Cartee seconded, and the motion carried 6-0. The meeting adjourned at 5:41 PM.

Chair – James W. Byrd, Sr.

**Secretary – Frank Neal, AICP
Director of Planning and Development**



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

P.O. Box 348
 Statesboro, Georgia 30458

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CUV 19-05-01
CONDITIONAL USE VARIANCE REQUEST
207 Broad Street

LOCATION: 207 Broad Street

REQUEST: Request for a conditional use variance from Article VII of the *Statesboro Zoning Ordinance* for 0.38 acres of property located at 207 Broad Street to utilize the property as an addiction recovery community residence (Tax Parcel # S29 000079 000).

APPLICANT: Half Moon Recovery d/b/a ARCH

OWNER(S): Pamela P. Childs Family Trust

ACRES: 0.38 acres

PARCEL TAX MAP #: S29 000079 000

COUNCIL DISTRICT: 2 (Jones)



PROPOSAL:

The applicant is requesting a conditional use variance to utilize 207 Broad Street (Tax Parcel S29 000079 000) as an addiction recovery community residence of ten (10) adults (See **Exhibit A** – Location Map). The subject site is currently zoned R-4 (High Density Residential) and the *Statesboro Zoning Ordinance* does not address or define group homes, personal care homes or recovery residences or designate an appropriate zoning district for such uses. In addition, Article VII of the *Statesboro Zoning Ordinance* states that a home occupation carried on within the dwelling unit shall be restricted to the heated floor space of the dwelling and shall not occupy in excess of 25 percent of the heated floor space within the structure. The applicant is requesting that 100% of the structure’s heated floor space be utilized for a home occupation.

BACKGROUND:

This business was previously operating at this location from 2014 – 2018. However, the business ceased operations last year and has exceeded the twelve-month grandfather clause (See Article XXI Section 2104), therefore a conditional use variance will be required to resume the operation of a recovery residence at this location.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-4 (High Density Residential)	Single-family detached dwelling units & duplexes
SOUTH:	R-4 (High Density Residential)	Single-family detached dwelling units
EAST:	O (Office and Business District)	Single-family detached dwelling units
WEST:	R-4 (High Density Residential)	Single-family detached dwelling units

Properties to the north, east, and west are single family residential land uses. Some of the surrounding properties have medium density residential uses, such as duplexes. (See **Exhibit B**—Photos of Subject Site and Surrounding Properties).

COMPREHENSIVE PLAN:

The subject site lies within the “Urban Core/Downtown” character area and lies adjacent to the “Established/Existing Traditional Neighborhood” as identified by the City of Statesboro 2014 Future Development Map (See **Exhibit C—2014 Future Development Map**) within the City of Statesboro 2014 Comprehensive Plan Update.

Vision:

“Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the **Urban Core**, traditional development patterns of buildings along the sidewalk and lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high-activity uses.”

Appropriate land uses include:

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination.
- Arts/Entertainment venues, civic uses, office, government offices/services, and neighborhood services.
- Range of housing styles with varying price points and multifamily residential.
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets.
- Multi-story buildings with retail on the street and office/residential above.

Suggested Development & Implementation Strategies

- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations.
- New development should respect historic context of building mass, height, and setbacks.
- Create a downtown master plan to identify infill/development opportunities, enhance public/private partnerships, and develop a detailed strategy for a sustainable downtown.

Statesboro Updated 2014 Comprehensive Plan, Community Agenda page 16-17.

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property is currently serviced by city utilities, 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.

ANALYSIS:

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 and “balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property.” Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council’s consideration of the application:

- 1.) Existing uses and zoning or [of] property nearby.
- 2.) The extent to which property values are diminished by the particular zoning restrictions.
- 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.
 - a. The variance is needed in order to provide rehabilitative services to an adult population.
- 4.) The relative gain to the public, as compared to the hardship imposed upon the property owner.
- 5.) The suitability of the subject property for the zoned purposes.
 - a. The subject site is suitable for the proposed use and could still be used as a single-family residence should this use, if granted, cease.

- 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:
 - a. Population density in the area.
 - i. The request would add ten (10) additional persons to the area.
 - b. Community facilities.
 - c. Living conditions in the area.
 - d. Traffic patterns and congestion.
 - e. Environmental aspects.
 - f. Existing and future land use patterns.
 - g. Property values in adjacent areas.
- 8.) Consistency with other governmental land use, transportation and development plans for the community.

In addition to the standards for determination outlined in Section 2007, the Mayor and Council will consider the following factors established by Article XXIV Section 2406 of the *Statesboro Zoning Ordinance*:

- 1.) Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- 2.) Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
- 3.) 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.
- 4.) Public facilities and utilities are capable of adequately serving the proposed use.
- 5.) The proposed use will not have a significant adverse effect on the level of property values or the general character of the area.
- 6.) 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.
- 7.) Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.

STAFF RECOMMENDATION:

Staff recommends approval of the use requested by application CUV 19-05-01 with the following conditions:

- (a) The applicant must not exceed reasonable standards for parking and avoid excessive parking at the location.
- (b) The applicant may not install signage at the location.
- (c) Applicant will be required to coordinate with the City of Statesboro Fire Department to ensure life safety standards meet current code requirements.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Picture 1: Picture of the subject property, 207 Broad Street, currently a single family residence proposed to be operated as a long term residential addiction recovery community residence.



Picture 2: View of the property, currently a single family residence located to the east of the subject site.



EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONTINUED)

Picture 3: View of the adjacent property to the north of the subject site, currently a single family residence.



Picture 4: View of the surrounding property to the southwest of the subject site, currently a single family residence.

EXHIBIT B: PHOTOS OF SUBJECT SITE AND SURROUNDING PROPERTIES (CONTINUED)

Picture 5: View of the adjacent property to the south of the subject site, currently a single family residence.



Picture 6: View of surrounding properties located along the rear property line of the subject property, currently a mixture of single family residences and medium density residential properties.



EXHIBIT C: 2014 FUTURE DEVELOPMENT MAP

