#### City of Statesboro Department of Planning and Development Memorandum



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 Statesboro, Georgia 30459
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#### Statesboro Planning Commission June 2, 2020 5:00 P.M. City Hall Council Chamber <u>Meeting Agenda</u>

- I. Call to Order
- II. Invocation & Pledge of Allegiance
- III. Approval of Minutes
  - 1.) May 7, 2020 Meeting Minutes
- IV. New Business
- 1. <u>APPLICATION RZ 20-05-01</u>: Landrum Hodges requests a zoning map amendment of 2.24 acres of property located at 814 South Main Street from R-4 (High Density Residential) to the CR (Commercial Retail) zoning district in order to utilize the property for a commercial land use (Tax Parcel MS52 000027 000).
- <u>APPLICATION V 20-05-02</u>: West District Development, LLC 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 construct a mixed-use development on 5.362 for a combination of parcels addressed South College Street, West Cherry Street and 40 West Cherry Street (Tax Parcel(s) S19 000001 000, S19 000001 A000, S18 000170 000).
- 3. <u>APPLICATION RZ 20-05-03</u>: West District Development, LLC requests a zoning map amendment of 5.362 acres located along South College Street from the CBD (Central Business District) to the PUD (Planned Unit Development) zoning district in order to construct a mixed-use development for a combination of parcels addressed South College Street, West Cherry Street and 40 West Cherry Street (Tax Parcel(s) S19 000001 000, S19 000001 A000, S18 000170 000).

- 4. <u>APPLICATION RZ 20-05-04:</u> S.D. Sauers Construction Company, LLC requests a zoning map amendment of approximately 1.30 acres of property located at 723 and 723 ½ South Main Street from a split-zoning of R-4 (High Density Residential), PUD (Planned Unit Development), and HOC (Highway Oriented Commercial) to the CR (Commercial Retail) zoning district in order to utilize the property for a mixed-use, residential and commercial retail development (Tax Parcel MS52 000007 000, MS52 000009 000).
- 5. <u>APPLICATION V 20-05-05:</u> Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1102(C) to reduce the required front yard setback in order to allow for the new construction of a automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- 6. <u>APPLICATION V 20-05-06</u>: Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1102(D) to reduce the required rear yard setback in order to allow for the new construction of a automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- 7. <u>APPLICATION V 20-05-07</u>: Drayton-Parker Companies, LLC requests a variance from Article XI, Section 1104(F) regarding the location of all permanent points of vehicular access to and from public streets within close proximity to intersections in order to allow for the new construction of a automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- 8. <u>APPLICATION V 20-05-08</u>: Drayton-Parker Companies, LLC requests a variance from Article XVI, Section 1601 regarding the minimum parking space size requirements in order to allow for the new construction of an automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
- 9. <u>APPLICATION V 20-05-09</u>: Drayton-Parker Companies, LLC requests a variance from Article XXX, Section 3014(B) regarding the maximum number of parking spaces allowed in front of a building within the Downtown District in order to allow for the new construction of an automotive gasoline station on 1.41 acres of property for a combination of parcels addressed 205 North Main Street and 2331 Northside Drive West (Tax Parcel(s) S17 000022 000, S17 000023 000).
  - V. Announcements
  - VI. Adjourn





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#### Statesboro Planning Commission May 5, 2020 5:00 P.M. City Hall Council Chamber <u>Meeting Minutes</u>

**Present:** Planning Commission members: James Byrd Sr., Mary Foreman, Sean Fox, Jamey Cartee, Carlos Brown Jr. and Benjamin McKay; <u>City of Statesboro Staff</u>: Jason Boyles (Assistant City Manager), Kathleen Field (Director of Planning & Development), and Justin Williams (City Planner I); <u>Absent</u>: Russel Rosengart.

#### I. Call to Order

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

#### II. Invocation & Pledge of Allegiance

Invocation and Pledge of Allegiance was conducted by Commissioner Byrd.

#### III. Approval of Minutes

 March 3, 2020 Meeting Minutes Commissioner Cartee made a motion to approve the March 3, 2020 meeting minutes, seconded by Commissioner Mckay. The motion carried 6-0.

#### IV. New Business

1.) <u>APPLICATION V 20-04-01</u>: Whitfield Signs requests a variance from Section 1509 (C), Table 6, of the Statesboro Zoning Ordinance for the installation of one (1) wall sign with a maximum height of 18 feet on the property located at 19 Courtland Street in Sign District 4 and the CBD (Central Business) district (Tax Parcel # S28 000023 000)

Justin Williams introduced case **V 20-04-01**, and no representative from Whitfield Signs was present. Commissioner Cartee requested to know the difference between this sign and the recent signage the commission has approved for the downtown district, and it was explained that this is the standard height issue generally experienced in the area.

Commissioner McKay made a motion to recommend approval of **V 20-04-01** with staff conditions. Commissioner Cartee seconded, and the motion carried 4-0.

2.) <u>APPLICATION SE 20-04-02</u>: Roberta Benique requests a special exception from Section 401
 (I) of the Statesboro Zoning Ordinance to establish a Group Day Care in the R20 (Single-Family Residential) district, on the property located at 109 Christie Lane (Tax Parcel # S34 000015 000).

Justin Williams introduced case **SE 20-04-02**. Applicant was present at this meeting, but was not requested to speak. Commissioner Cartee inquired on the nature of the driveway depicted on the sketch plan that was provided. Justin explained that the drive has not been constructed, but work was underway to install the driveway, i.e. clearing the site of trees for both the driveway and the expansion of the playground. Commissioner Brown inquired as to the opposition for the special exception and Justin confirmed that the Department of Planning & Development had received no calls in objection.

Commissioner Brown made a motion to recommend approval of **SE 20-04-02** with staff conditions. Commissioner Fox seconded, and the motion carried 6-0.

#### V. Announcements

Justin Williams introduced the new Director of Planning & Development Kathleen Field.

#### VI. Adjourn

Commissioner Cartee made a motion to adjourn the meeting. Commissioner Fox seconded, and the motion carried 6-0. The meeting adjourned at 5:11 PM.

Chair – James W. Byrd, Sr.

Secretary – Kathleen Field Director of Planning & Development



### 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)

#### RZ 20-05-01 ZONING MAP AMENDMENT REQUEST 814 SOUTH MAIN STREET

LOCATION:	814 South Main Street	Gase # RZ 20-05-01
REQUEST:	Zoning map amendment from R4 (High Density Residential District) to the CR (Commercial Retail) zoning district.	314 South Main St Parce: MS5200027 000
APPLICANT:	Landrum Hodges	S(R4) S(EXP)
OWNER(S):	FFF Properties, LLC & S&F Enterprises	
ACRES:	2.24 Acres	SIEXPTI
PARCEL TAX MAP #:	MS52 000027 000	S(R4)
COUNCIL DISTRICT:	District 3 (Mack)	SIGN S200 Kell

#### PROPOSAL:

The applicant requests a zoning map amendment from the R-4 (High Density Residential) to the CR (Commercial Retail) zoning district in order to allow for a commercial land use, which is not an allowed use under the subject site's current zoning designation.

#### BACKGROUND:

This property contains a vacant, commercial building. In June 2017, the City received building and Land Disturbance Activity Permit (LDAP) applications for True Value Hardware, but the applications were withdrawn. On August 21, 2018, the Statesboro City Council approved RZ 18-07-01, a zoning map amendment to re-zone the subject property to R-4 in order to allow for the development of a multi-family cottage community. Now, the applicant is requesting that the parcel be re-zoned to CR (Commercial Retail), the subject property's previous zoning designation. Per the applicant, the parcel's existing zoning would not allow for enough density in order for a multi-family residential development to be financially feasible.

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail), EXPT (Exempt)	Automotive Services Facility, Vacant Land
SOUTH:	R4 (High Density Residential District)	Apartment House/Group of Apartment Houses
EAST:	EXPT (Exempt)	Educational Facility
WEST:	HOC (Highway Oriented Commercial)	Automotive Services Facility
The subject property is located within the CR (Commercial Retail) district. Surrounding parcels include two		

#### SURROUNDING LAND USES/ZONING:

The subject property is located within the CR (Commercial Retail) district. Surrounding parcels include two businesses in the automotive repair industry, as well as vacant land and Georgia Southern University Property (See **Exhibit A** –Location Map, **Exhibit B**—Future Development Map & **Exhibit C**—Photos of Subject Site).

**ATTACHMENTS:** Exhibit A (Location Map), Exhibit B (Future Development Map), Exhibit C (Photos of Subject Site), Exhibit D (Survey of the Subject Property)

#### COMPREHENSIVE PLAN:

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan*'s Future Development Map includes the subject site in the following character area:

"Activity Centers/ Regional Centers"		
Vision:	Currently dominated by auto-oriented design and large surface parking lots, the <i>Activity Centers/Regional Centers</i> will evolve into pedestrian-oriented shopping, office, and entertainment places that may also accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike.	
Suggested Development & Implementation Strategies:	<ul> <li>Infill and redevelopment in these areas should occur according to a master plan that allows for mixed uses, transportation choices and urban design that mitigates the appearance of auto-dependence.</li> <li>Encourage infill, new, and redevelopment to build close to the street.</li> <li>Evaluate parking ordinances for appropriate standards, including maximum standards and shared parking provisions.</li> <li>Focus on redevelopment in areas of disinvestment (such as those that have become or are in danger of becoming greyfields). Development strategy should encourage uses and activities that are suitable for the immediately surrounding character areas.</li> <li>Require shade trees to be planted in parking lots and along highway corridors.</li> </ul>	

The subject area also is located between "Commercial Redevelopment Area #2" and the "University District" character areas.

"Commercial Redevelopment Area"	<u>"University District Area"</u>
<i>Vision:</i> These areas are intended for a varied scale of commercial, retail, and office uses. At the intersection of major thoroughfares, development of large-scaled commercial uses to serve surrounding areas of the City and unincorporated portions of Bulloch County is appropriate. In other areas, smaller scale development containing more local community services is desired. Lastly, this character area incorporates on-site access management features, and uniform building, site, landscaping and sign standards in order to improve function and aesthetics.	<i>Vision:</i> 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 university. This district is anchored by Georgia Southern University. Academic and administrative buildings, residence halls and dorms, student activity centers, cafeterias, performing arts venue, and ancillary buildings are found in the campus core.

In addition, the 2019 – 2029 Statesboro Comprehensive Plan and "Community Goals" has the following supporting policies:

- "Obtain a greater number and variety of retail establishments to locate within the municipal limits."
- "Focus retail recruitment efforts to character areas along major thoroughfares as identified in the future development map."

Statesboro Comprehensive Master Plan, Community Agenda, page 18.

#### ANALYSIS

#### COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property falls under the jurisdiction of city utilities, sanitation, and public safety, although the existing commercial building is not currently in use. No significant impact is expected on community facilities or services as a result of this request.

#### ENVIRONMENTAL:

An additional study may be required to determine the presence of wetlands on the subject property.

#### ZONING CONSIDERATIONS:

Whether or not to grant a zoning map amendment from the R4 (High Density Residential) zoning district to the CR (Commercial Retail) zoning district.

The request should be considered in light of:

- the standards for determination of zoning map amendments given in Article XX, 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 CR (Commercial Retail) district as set forth in the *Statesboro Zoning Ordinance*.

Current	Zoning
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The R-4 (High Density Residential) district allows for any use specifically permitted in the R-3 district as well as apartments and single-family attached dwelling units. However, commercial retail uses are not listed as permissible uses allowed by right in the R-4 district. Those uses are permitted in the CR district.

#### **Requested Zoning**

The CR (Commercial Retail) district allows for commercial land use, which is the applicant's intended use for the subject property.

#### STANDARDS: ZONING MAP AMENDMENT

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, 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. <u>The surrounding lots are zoned</u> <u>CR (Commercial Retail), R4 (High Density Residential), and EXPT (Exempt), and</u> are occupied by automotive repair businesses, high-density multi-family uses, vacant land, and Georgia Southern University.
- (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.
  - **a.** This request will potentially bring investment into an area where new commercial retail development is needed.

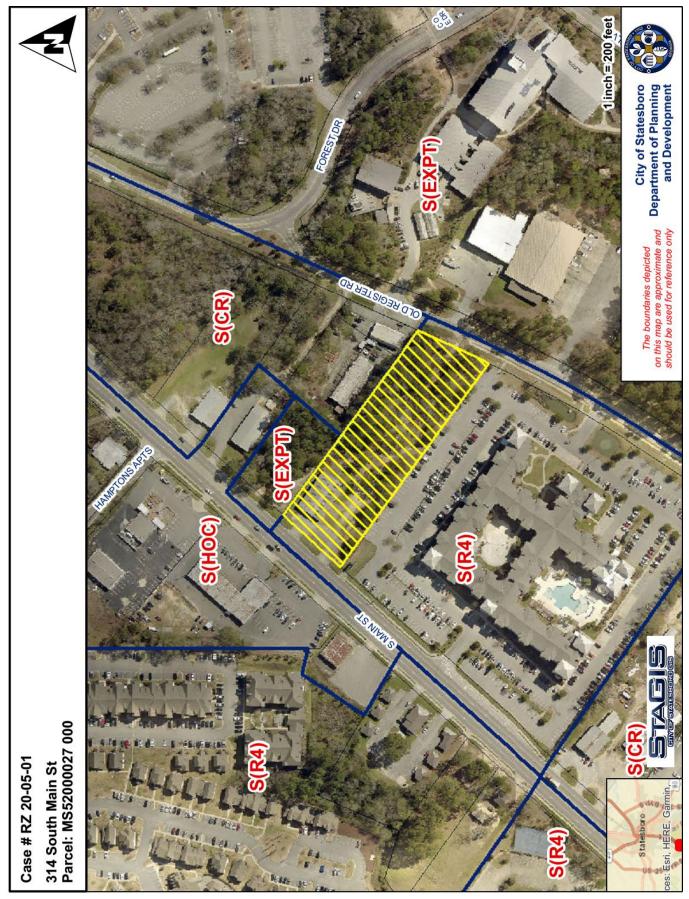
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.
  - **a.** The subject site is currently zoned R-4 (High Density Residential). Per Article VII, Section 701, this parcel can currently accommodate a variety of residential uses, similar to some of the surrounding properties. However, commercial retail developments are specifically restricted to CR zoned properties. Under the proposed zoning, the applicant would be able to develop a commercial retail land use.
- (5) The suitability of the subject property for the zoned purposes.
  - **a.** There is no indication that the subject property is not suitable for the requesting zoning.
- (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.
  - **a.** Per the applicant, this property has been vacant for approximately five years.
- (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.** Positive impact on the existing and future land use patterns as the proposed use is compatible with the surrounding area as well as consistent with the 2019 2029 Future Development Map and the Statesboro Comprehensive Plan.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.
  - **a.** The *Statesboro Comprehensive Plan* supports appropriate commercial retail uses within the University District character area. However, any future development plans for the subject property should encourage uses and activities that are suitable for the immediately surrounding character areas.

#### **RECOMMENDATION:**

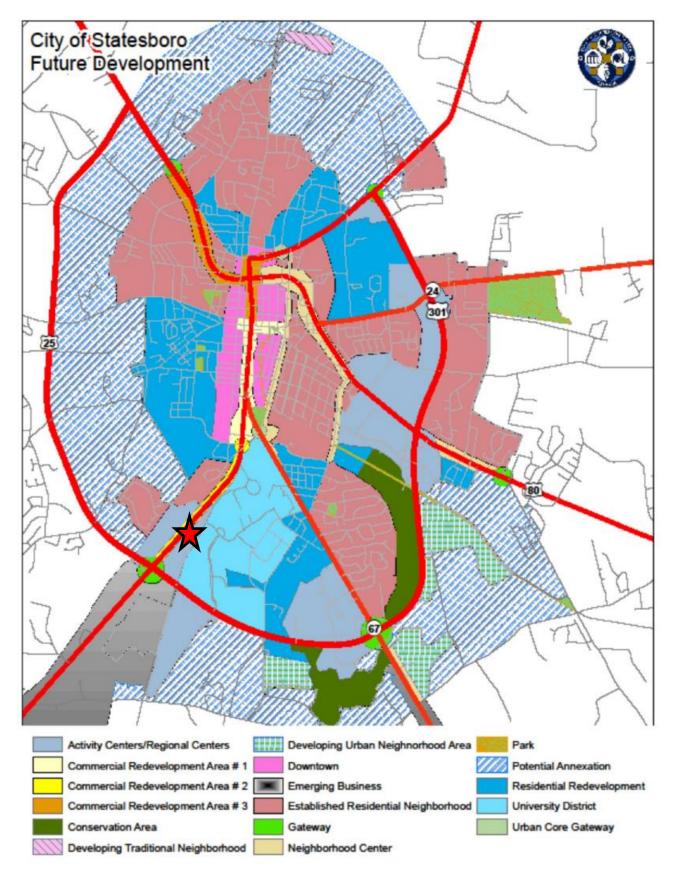
Staff recommends approval of the zoning map amendment requested by application **RZ 20-05-01** with the following condition(s):

1. Approval of this zoning map amendment does not grant site and/or building plan approval as submitted. Project(s) will be required to meet all City Ordinances and applicable building codes.

#### **EXHIBIT A: LOCATION MAP**



#### EXHIBIT B: FUTURE DEVELOPMENT MAP



#### **EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS**

Picture 1: Rear view of subject site, looking west from Old Register Road



Picture 2: Looking north, a portion of the subject site's rear view & adjacent property to the north, currently an automotive repair business



Picture 3: Front view of subject site, looking west from South Main Street



Picture 4: Front view of subject site, looking north along South Main Street



Picture 5: Looking West from the subject site, currently an automotive repair business (D&R Car Care II)

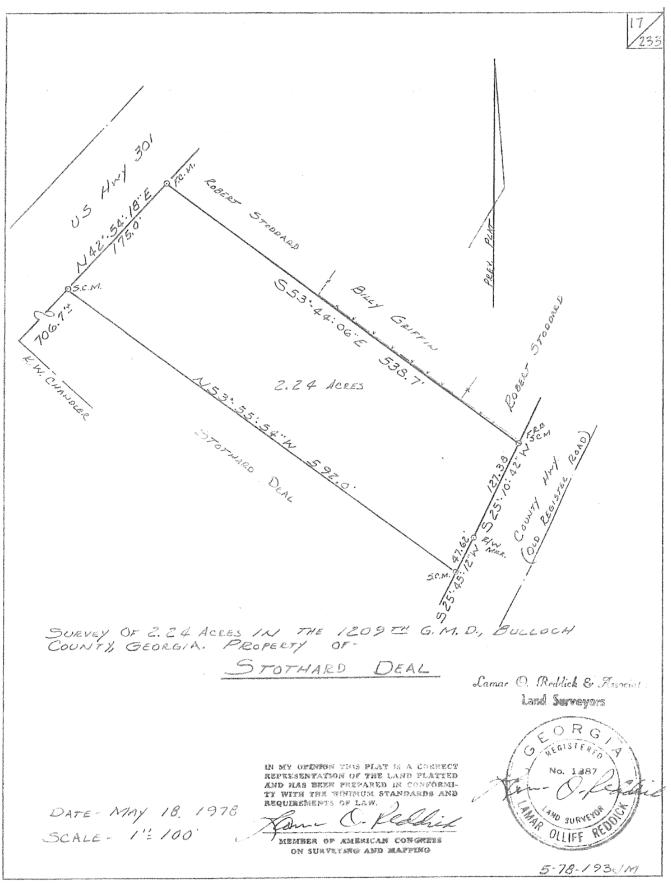


Picture 6: Looking East from the subject site, currently Georgia Southern University property



#### Picture 7: Looking South from the subject site, currently an apartment community use





Development Services Report Case RZ 20-05-01



#### V 20-05-02 & RZ 20-05-03 VARIANCE & ZONING MAP AMENDMENT REQUESTS West District Development – South College Street

LOCATION:	West District Development/South College Street	
REQUESTS:	Zoning Map Amendment from CBD (Central Business District) to PUD (Planned Unit Development) and Variance from Article XIV Section 1402 regarding lot regulations.	
APPLICANT:	West District Development, LLC	
OWNER(S):	West District Development, LLC	
ACRES:	5.362 acres (combined)	
PARCEL TAX         S19 000001 000 (3.313 acres)           S19 000001 A000 (0.498 acres)           S18 000170 000 (1.551 acres)		
COUNCIL DISTRICT:	District 2 (Chavers)	



#### **PROPOSAL & BACKGROUND:**

The applicant is in the process of creating a mixed-use development with offices, retail/commercial space, light industrial uses, and residential lofts. Therefore, the applicant requests a variance from <u>Article XIV Section 1402</u> 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 5.362 acres. In addition, the applicant is requesting a zoning map amendment from the CBD (Central Business District) to the PUD (Planned Unit Development) zoning district in order to develop the property as proposed without the extensive administrative processes and expenses required under the current CBD (Central Business District) zoning regulations. On July 26, 2019, City Council voted to approve the site plan and subdivision plat under **CBD 19-06-08**. On November 19, 2019, the developer received CBD architecural plan approval from City Council for an events venue and a commercial building with exterior metal building features under **CBD 19-10-05**, **CBD 19-10-06**, **V 19-10-09 & V 19-10-10** (see **Exhibit D**—CBD Approved Site Plan, **Exhibit E** – Parcel #2 and #6 – CBD Approved Architectural Renderings, **Exhibit F** – Proposed West District PUD Re-Zoning Development Plans).

#### Specifically of note in Exhibit(s) D, E and F:

- A. The proposed subject site is less than ten acres in size as required for the Planned Unit Development (PUD) zoning district.
- B. This development site is currently subject to the Central Business District (CBD) zoning regulations, which requires City Council to approve all new site plans and architectural drawings in order to provide for the orderly development of a major business and commerce area.
- C. The developer has submitted a proposed rezoning development plan package for consideration under this request. Per Article XIV, Section 1401 of the *Statesboro Zoning Ordinance*, the developer is required to 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.

#### SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CBD (Central Business District)	West District Phase I & II Development Site and US Post Office
SOUTH:	R-8 (Single Family Residential) & R-4 (High Density Residential)	Single-Family Homes
EAST:	HOC (Highway Oriented Commercial)	Religious Facilities (First United Methodist Church)
WEST	LI (Light Industrial) & CBD (Central Business District)	Whitfield Signs Office/Warehouse Building, Open Hearts Community Mission, and West District Phase II Development Site

The subject property is located within the CBD (Central Business District) zoning district. Surrounding properties include the Whitfield Signs Building, the Open Hearts Community Mission, single-family homes, the US Post Office, and a recreational area for a nearby religious facility. (See **Exhibit A** –Location Map, **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map) Exhibit C (Photos of Subject Site), Exhibit D (CBD Approved Site Plan & Current Zoning Exhibit for the West District Development), Exhibit E (CBD Approved Architectural Renderings), Exhibit F (West District PUD Re-Zoning Development Plans)

#### COMPREHENSIVE PLAN:

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

Vision	The Statesboro <i>Downtown</i> character area includes the central historic portion of Statesboro in the intersecting area of Main Street. The area is intended to be redeveloped to create a central business district including many of the characteristics of a traditional downtown by promoting building, site and street-scape design features that encourage street-level pedestrian activity. The area should support a wide mixture of office and retail uses within structures with the potential for residential uses to be located on the upper floors. It can also include office-related government and institutional uses. Urban building form should be promoted except for properties that contain the City's few remaining historic homes, which should be redeveloped according to their more pastoral character.	
Suggested Development & Implementation Strategies		

In addition, the Community Agenda Narrative of the Comprehensive Plan states the following:

- "Focus redevelopment activity in the central portion of Statesboro to promote a more defined town center."
- "Utilize the Downtown Statesboro Development Authority Design Standards and Central Business District zoning regulations to protect the design and character of historic structure while providing flexibility in their use".

Statesboro Comprehensive Master Plan, Community Agenda page 19.

#### ANALYSIS

#### COMMUNITY FACILITIES AND TRANSPORTATION:

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on community facilities 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 CBD (Central Business 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 Article XX, 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 central business district (CBD) 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, and upper floor apartments. However, new development within the CBD zoning district is required to have City Council approval prior to the issuance of a building permit, thus creating a lengthy administrative and expensive process for the developer.	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 the proposed West District Development, which is the applicant's intended use.

#### STANDARDS: ZONING MAP AMENDMENT

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, 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. <u>The surrounding lots are zoned CBD (Central Business District)</u>, R-4 (High Density Residential), R-8 (Single-Family Residential) LI (Light Industrial) and HOC (Highway Oriented Commercial), and are occupied by single-family residential uses, the Whitfield Signs Building, Open Hearts Community Mission, the US Post Office, an existing warehouse building, and a religious facility's recreational area.
- (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.** This request would provide the applicant an opportunity to serve community members while contributing with a mixed-use development in the Downtown District as encouraged by the *Statesboro Comprehensive Plan.*
- (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.** Positive impact on the existing and future land use patterns as the proposed use is compatible with the surround area as well as consistent with the 2019 2029 Future Development Map and Statesboro Comprehensive Plan.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.
  - **a.** Use of the property as mixed-use development is consistent with the vision and guiding principles of the "Urban Core/Downtown" character area as articulated within the *Statesboro Comprehensive Plan*, which promotes mixed-use development.

#### VARIANCE ANALYSIS

#### I. Variance from Article XIV: Section 1402: Lot regulations. (V 20-05-02)

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 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 portion of the subject site regulated by the CBD zoning district, which is proposed to be approximately 5.362 acres. The subject site is approximately 4.638 acres less than the minimum 10 (ten) acres required to be considered for the planned unit development (PUD) zoning district (see **Exhibit F** – West District PUD Re-Zoning Development Plans).

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

Article XVIII, Section 1801 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 20-05-02.

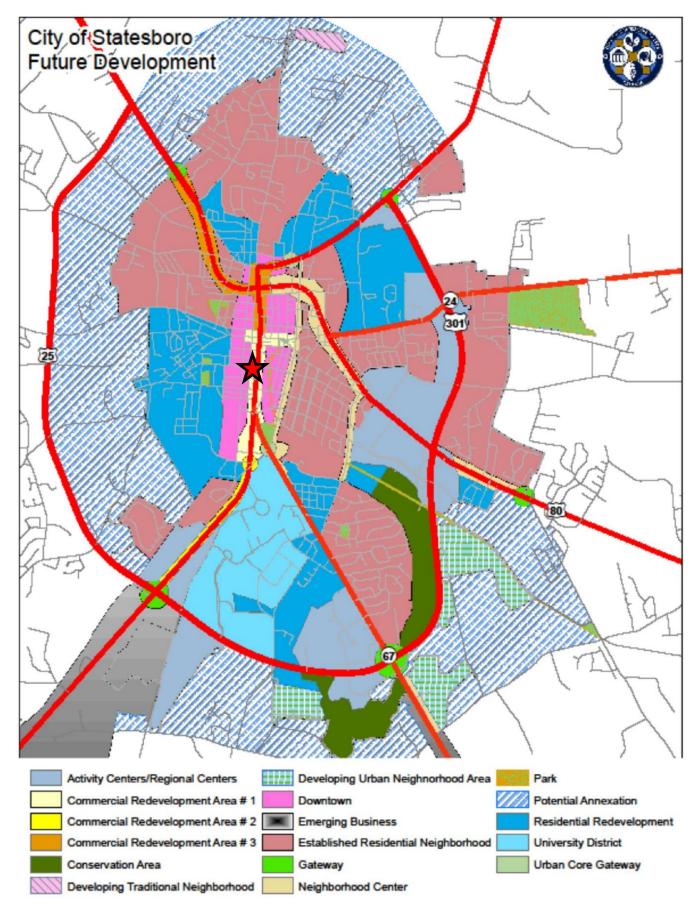
Staff recommends approval of the zoning map amendment requested by **RZ 20-05-03** with the following condition(s):

- (a) Staff approval of the PUD site plan dated July 16, 2019 and the corresponding development plan package included within this staff report under **Exhibit F "West District PUD Re-Zoning Development Plans**".
- (b) As applicable, the by-laws, restrictive covenants, and property owner's association legal instruments shall be updated and recorded prior to the issuance of a certificate of occupancy for any new building and/or structure within the development.
- (c) Approval of this zoning map amendment is based on the development's site plan under Exhibit D. Each parcel shall be required to submit building and/or site plans for review and approval. Project(s) will be required to meet all City Ordinances and applicable building codes.
- (d) Subdivision, design, and development of the property shall be in conformance with the requirements of the Statesboro Subdivision Regulations and all other development standards of the City of Statesboro.
- (e) Signage for this PUD zoning district shall be limited to that of Sign District #3 regulations with the following exceptions:
  - a. If any future signage variances are required for the West District Development, then the signage requests shall proceed via the administrative variance process under Article XXIX of the *Statesboro Zoning Ordinance.*
  - b. All signage included within **Exhibit F "West District PUD Re-Zoning Development Plans"** shall be approved under this PUD zoning district upon the review and approval of a sign permit application package.
- (f) Development site shall be required to meet all requirements of Chapter 86, Article II Urban Forest Beautification and Conservation of the Statesboro City Code. No requests for a variance shall be permitted by the tree board for this zoning condition.
- (g) Prior to the issuance of any building permits within the West District development, the Director of Public Works and Engineering shall review and approve a sanitation plan, which shall adequately serve all of the West District Development uses per City standards.
- (h) This PUD zoning district shall be limited to the land uses allowed under *Article VIII, Section 801 of the Statesboro Zoning Ordinance.* Restaurant and loft-style apartment uses are preferred.
- (i) This PUD zoning district approval is conditioned on the proposed development providing "The Yard" section of the West District development and/or a similar community amenity as approved by the Zoning Administrator.

#### **EXHIBIT A: LOCATION MAP**



EXHIBIT B: City of Statesboro' 2019 – 2029 Comprehensive Plan Future Development Map



#### **EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS**

Picture 1: Views of the subject site, looking west from South College Street, Also, a view of the land areas being requested under V 20-05-02 & RZ 20-05-03.



Development Services Report Case V 20-05-02 & RZ 20-05-03

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

Picture 2: Looking south from the subject site, Open Hearts Community Mission.



Picture 3: Looking North from the subject site, currently a US Post office.



**EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D) Picture 4:** Looking east from the subject site, First United Methodist Church's property and childcare facilities.



Picture 5: Looking south from the subject property, single-family residential uses. These parcels occupied by these single-family homes were recently re-zoned to R-4 (High Density Residential) under RZ 19-09-09 & RZ 19-09-10 (110 & 116 Bulloch Street).



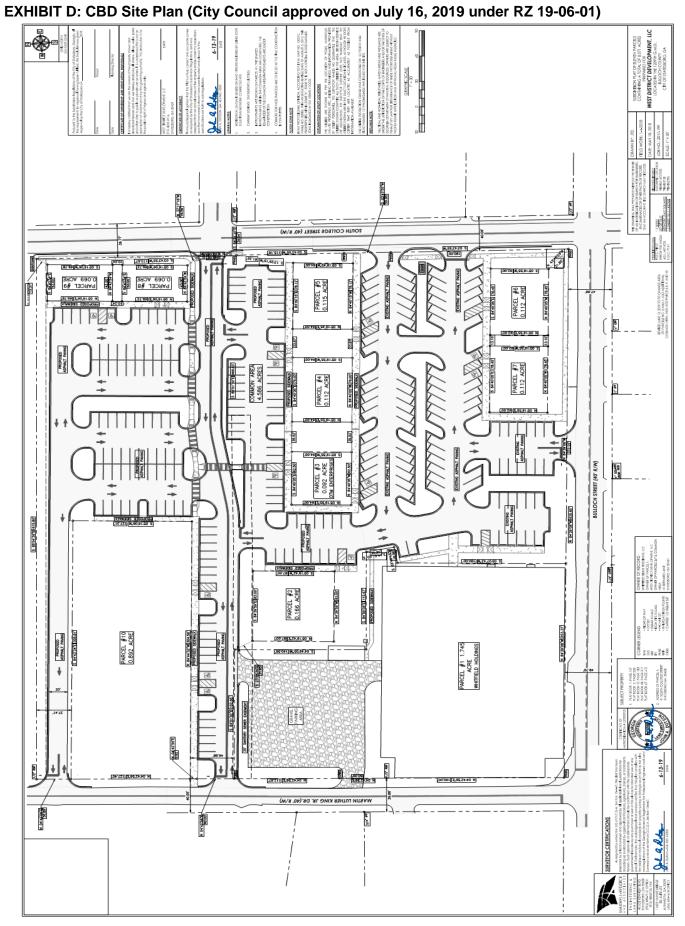
#### EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

**Picture 6:** View of the surrounding properties, looking north on South College Street from the subject site.



**Picture 7:** View of the subject site's western property line boundary, looking north along Martin Luther King Jr. Drive and illustrating the area of a recently approved sidewalk variance under **V 19-06-06.** 

Development Services Report Case V 20-05-02 & RZ 20-05-03



Development Services Report Case V 20-05-02 & RZ 20-05-03

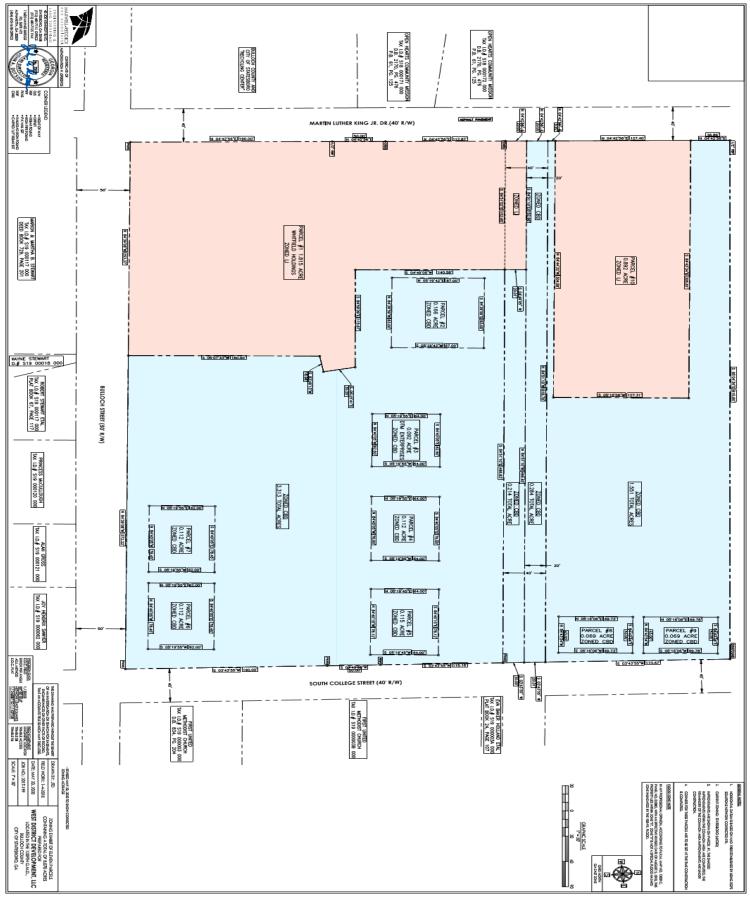
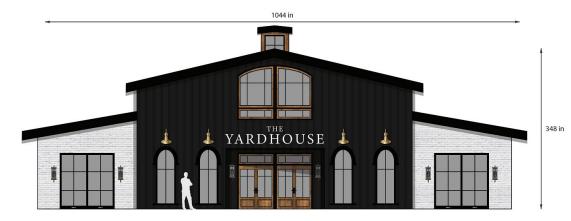
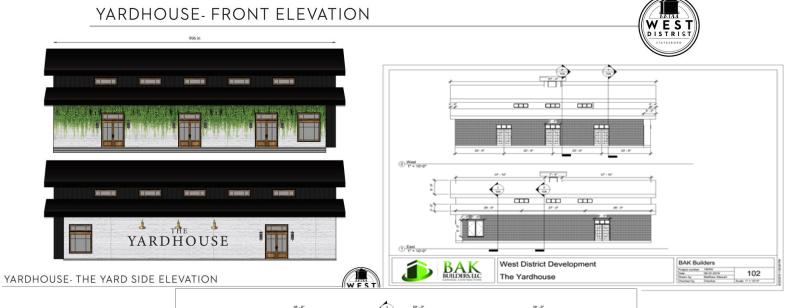


EXHIBIT D (Cont'd): Current Zoning Exhibit for the West District Development

#### EXHIBIT E: CBD Architectural Renderings (approved by City Council on August 19, 2020)



Parcel #2 – Events Venue – "The Yardhouse"



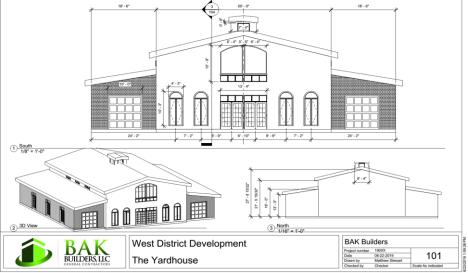


EXHIBIT E: CBD Architectural Renderings Cont'd (approved by City Council - August 19, 2020)

Parcel #6 – Office/Commercial Building

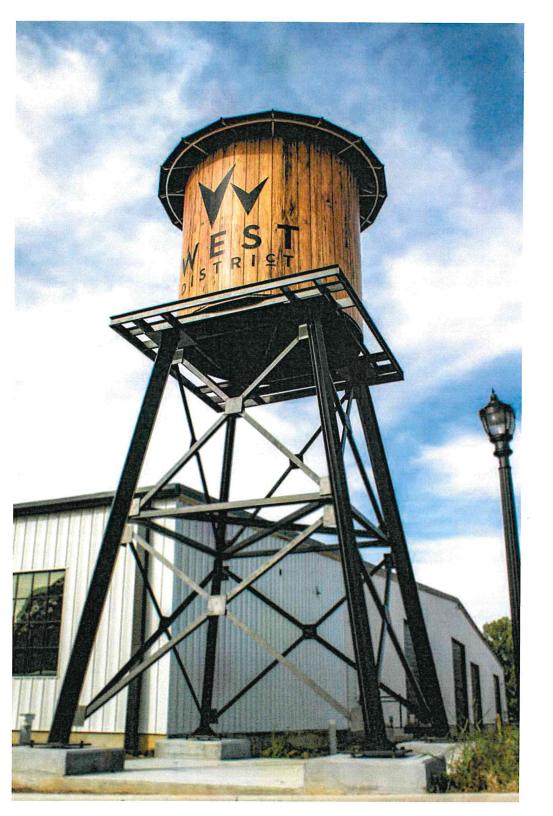






#### **REZONING DEVELOPMENT PLANS**







## WEST DISTRIGT

The West District is part of a rich history in Statesboro, Georgia. For decades, the site was home to a large tobacco warehouse before it was turned into The West Building Supply. Today, that history and architecture is being revived to become a state of the art work, live and play development. This site will offer professional office space downtown with parking and commercial sites to serve those businesses. The West District is offering ready to build pad sites, office space for lease and lofts for lease.

Location is everything and being at West will put you in walking distance to local boutiques, delectable dining, the galleries and stage of the Averitt Center of the Arts, the Statesboro Public Library, Georgia Southern University's City Campus, weekend farmers markets, festivals and so much more.

Downtown Statesboro is a blend of historic southern charm and a smart college town vibe. With the 2010 census, Statesboro was named the sixth fastest-growing city of our type in the nation. The city population now tops 29,000, while the Georgia Southern campus adds 20,000 students - all within minutes of the West District.

WORK · LIVE · PLAY

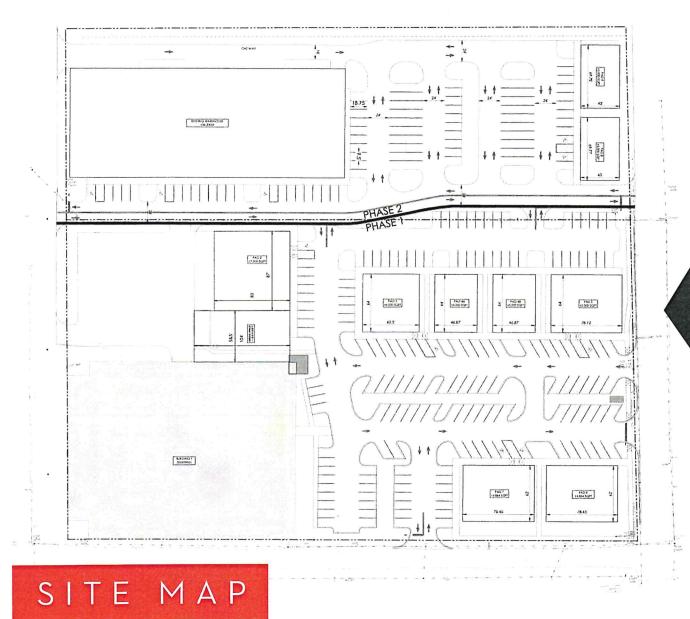




## EXPERIENCE WEST

Everything is an experience when you come to West. We are inspired by the rich history this site has to offer. We plan to continue to make history by bringing the community together at West District. In doing so, we plan on having multiple events to create an exciting and contagious atmosphere. The unique architecture of the buildings and Water Tower create an exciting environment for your future work, live, play environment.





#### WORK · LIVE · PLAY



This site will offer modern office spaces with parking as well as commercial sites to serve those businesses. We have ready-to-build pad sites, office space for lease, and lofts for lease. Businesses locating to West District will experience more than a modern office environment surrounded by historic charm.

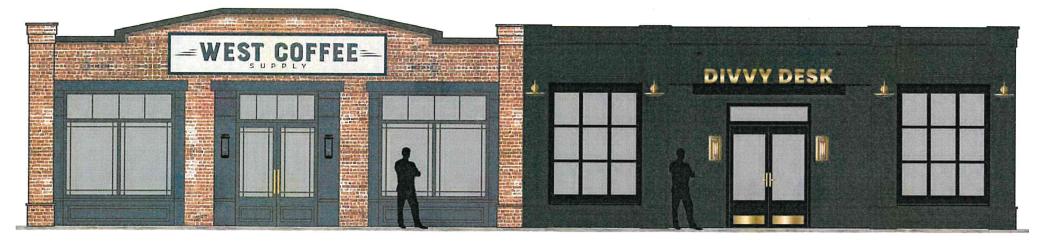


Living in The Lofts at West will put you in walking distance to local boutiques, dining, weekend farmer's markets, and activities. The Lofts at West will feature open floor plans with reclaimed wooden beams and brick walls with all of the modern amenities.



With restaurants, office space, The Lofts, The Yard, Food Truck Friday, parking, and other monthly activities, West District is primed to make downtown Statesboro the place you'll want to live, work and especially play.

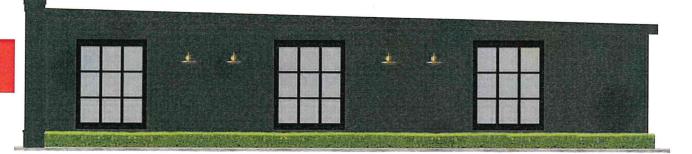
# THE ARCHIBALD





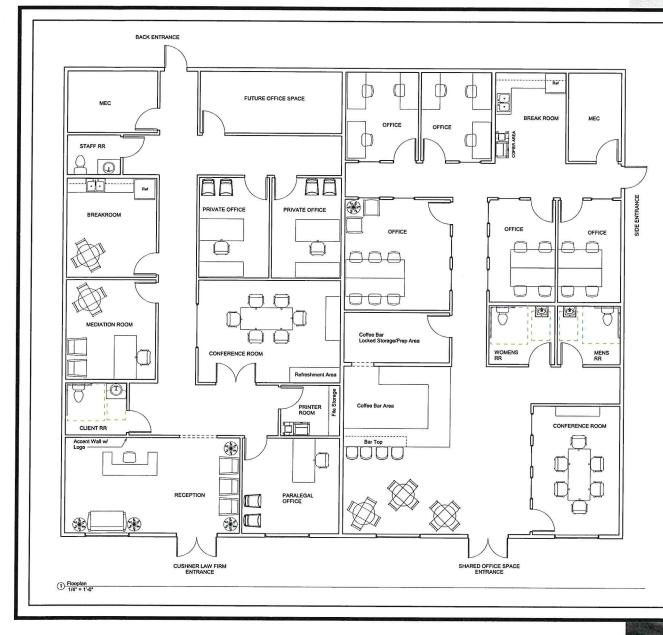
## EAST ELEVATION

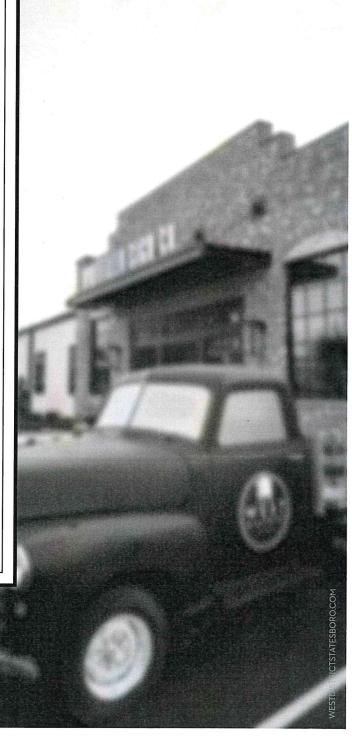
## WEST ELEVATION









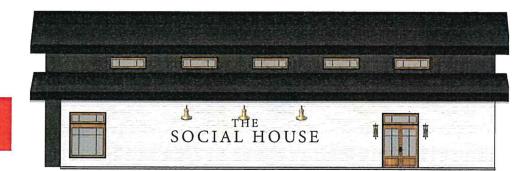


# THE SOCIAL HOUSE





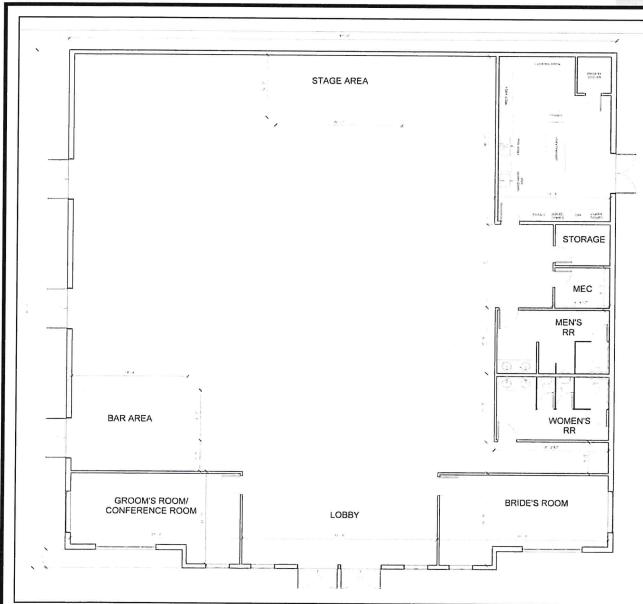
### EAST ELEVATION





WEST ELEVATION

# BAR AREA WOMEN'S RR 1.212 GROOM'S ROOM/ CONFERENCE ROOM BRIDE'S ROOM LOBBY THE SOCIAL HOUSE



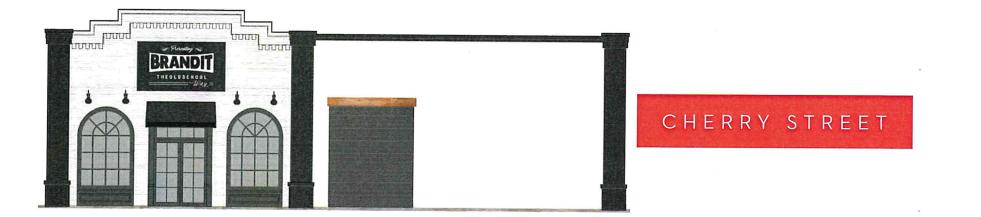


# THE WAREHOUSE

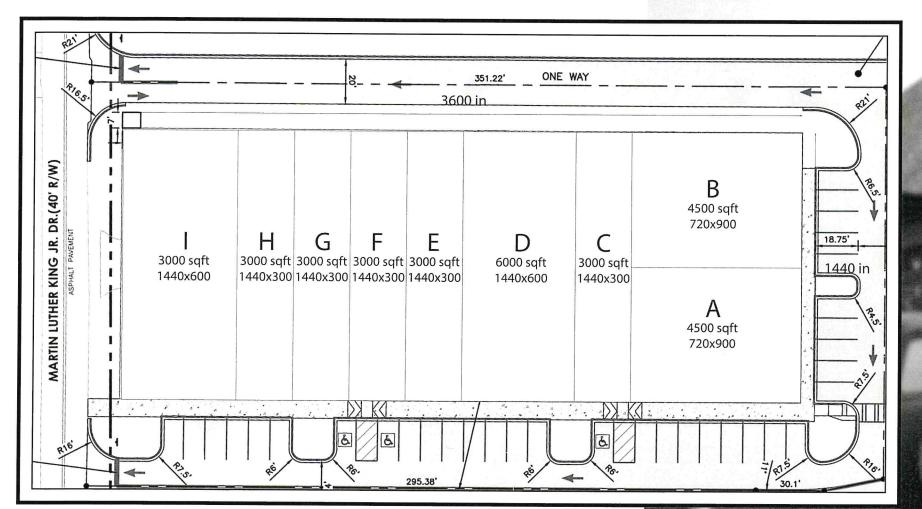


### CHERRY STREET ELEVATION

WES







### THE WAREHOUSE

The Warehouse will be a multifunctional space for its tenants. These spaces will be ideal for professionals needing a showroom/office space combination along with a warehouse/storage space featuring a roll up door.







# THE YARD

The Yard is a multi-function space that will host an array of events. There will be open mic nights, food truck Fridays, movies on the lawn and much more. When events aren't going on, this area will be available as an outdoor workspace or hangout. Located next to an event venue, The Social House, The Yard will allow for renters to have an outdoor cocktail hour giving the space indoor and outdoor capabilities.

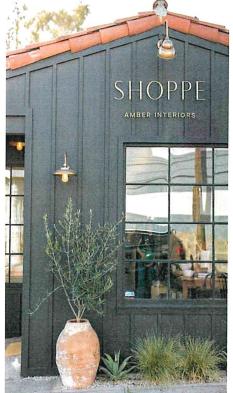
















By bringing multiple restaurants to the development a hub will be created. This will steer consumers in the direction of the development no matter what they are craving. Restaurant Row will help create a sense of neighborhood within the development making it so the restaurants and development mutually benefit from one another.













## FOOD TRUCKS

Food trucks will be a crucial part to events at West District. There will be designated spaces within The Yard and Phase 2 that will allow food trucks to easily hook up and park to help entertain visitors. Food trucks keep things changing up and encourage consumers to come back and try each new one.









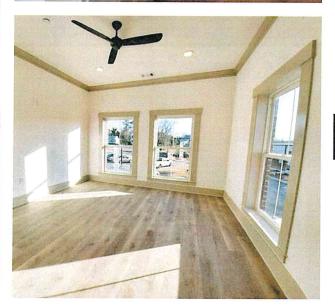




## THE LOFTS

The Lofts at West are unlike any other living experience in Downtown Statesboro. They boast high-end finishes with spaces made for entertaining. Step out on to your balcony to enjoy the open mic night going on at The Yard or host your friends for drinks before dinner at Restaurant Row. The possibilities are endless and the location will have all of your guests envious.

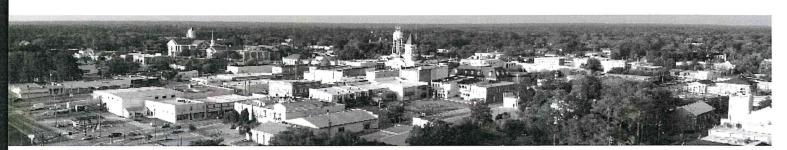










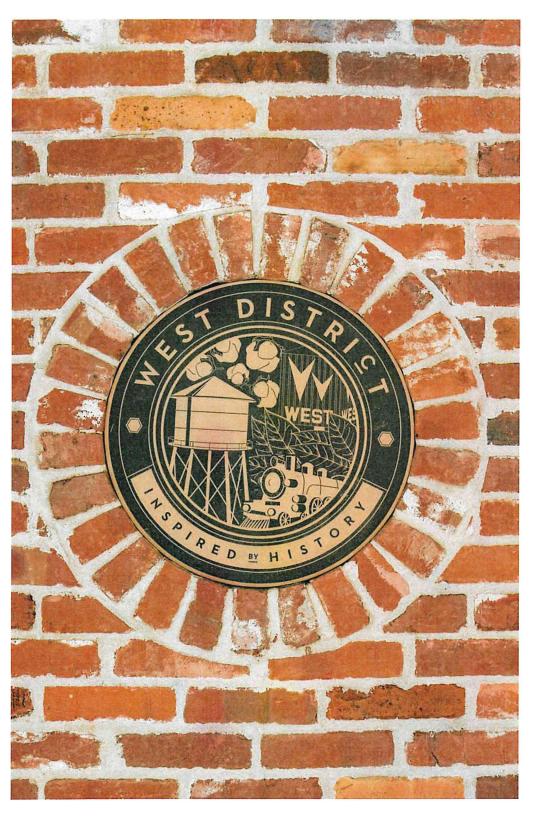


The Downtown Statesboro Development Authority Incentive Package **E X A M P L E C O S T S A V I N G S** 

TOTAL SAVINGS	\$10,179	FREE
Natural Gas Water Heater	\$400	FREE
Gas Tap	\$15O	FREE
Sewer Tap Fee	\$600	FREE
Water Tap Fee	\$1,520	FREE
BUILDING PERMIT FEES (Based on a \$750,000 project)	\$2,979	FŖEE
Alcohol License	\$4,275	FREE
Business License	\$255	FREE

\*Savings are based on the example of a newly constructed restaurant located in the Downtown Statesboro Incentives District that has 6 full time employees, is a 4,000 square foot building, and is receiving an alcohol license for beer, wine and liquor.





# OPPORTUNITY ZONE

The designation of Opportunity Zones is designed to help spur the development of identified communities. In exchange for investing in Opportunity Zones, investors can access capital gains tax incentives available exclusively through Opportunity Zones. To access these tax benefits, investors must invest in Opportunity Zones specifically through Opportunity Funds. A qualified Opportunity Fund is a US partnership or corporation that intends to invest at least 90% of its holdings in one or more qualified Opportunity Zones.

Because Opportunity Zones are intended to stimulate positive growth within designated communities, there are restrictions on the types of investments in which an Opportunity Fund can invest. These investments are called "Qualified Opportunity Zone property." The construction of new buildings which are completed within 30 months of purchase qualifies as Qualified Opportunity Zone property.

In exchange for following the rules of investing in Qualified Opportunity Zones through Qualified Opportunity Funds, investors can receive substantial capital gain tax incentives immediately and over the long term. When an investor divests an appreciated asset, such as stocks or real estate, they realize a capital gain, which is a taxable event. With the introduction of Opportunity Zones, if an investor reinvests a qualifying capital gain into an Opportunity Fund, they can defer and reduce their tax liability on that gain. Those who invest realized capital gains into a Qualified Opportunity Fund can defer paying capital gains tax for those earnings until April 2027 for investments held through December 31, 2026. Gains must be invested in a Qualified Opportunity Fund within 180 days in order to qualify for any tax treatment available under Opportunity Funds. Those who hold their Opportunity Fund investments for at least five years prior to December 31, 2026, can also reduce their liability on the deferred capital gain principal invested in the Opportunity Fund by 10%.

Beyond that, investors can also potentially receive tax-free treatment for all future appreciation earned through the fund. Those who hold their Opportunity Fund investment for at least 10 years can expect to pay no capital gains taxes on any appreciation in their Opportunity Fund investment. That's because Opportunity Fund gains earned from Opportunity Zone investments can qualify for permanent exclusion from the capital gains tax if the investment is held for at least 10 years. With this combination of tax incentives, investors have the power not only to transform their community, but to substantially enhance the return on their investment.



### 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)

#### RZ 20-05-04 ZONING MAP AMENDMENT REQUEST 723 & 723 <sup>1</sup>/<sub>2</sub> SOUTH MAIN STREET

LOCATION:	723 & 723 1/2 South Main Street	
REQUEST:	Zoning map amendment from PUD/R4/HOC to the CR (Commercial Retail) zoning district.	
APPLICANT:	S.D. Sauers Construction Company	
OWNER(S):	Minnie L. Rountree Testamentary Trust	
ACRES:	1.30 Acres (combined)	
PARCEL TAX	MS52 000007 000 (0.58 acres)	and the stand of the stand
MAP #:	MS52 000009 000 (0.72 acres)	
COUNCIL DISTRICT:	District 2 (Chavers)	

#### PROPOSAL:

The applicant requests a zoning map amendment of two parcels, which have a split zoning of PUD (Planned Unit Development), R-4 (High Density Residential), and HOC (Highway Oriented Commercial). The applicant is proposing to rezone both parcels to the CR (Commercial Retail) zoning district in order to allow for a mixed -land use of residential lofts over commercial retail, which is not an allowed use under the subject site's current zoning designations.

#### BACKGROUND:

Currently, this property contains a vacant residential single-family dwelling and an occupied residential dwelling (located towards the rear of the property). Additionally, the property contains some accessory structures as it was historically used as a single-family dwelling with a nursery. There is no prior zoning case history on the subject property.

#### SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R-4 (High Density Residential)	Apartment Communities
SOUTH:	EXPT (Exempt)	Georgia Southern Educational Facilities
EAST:	PUD/CR (Planned Unit Development and Commercial Retail)	Commercial Shopping Center
WEST:	HOC (Highway Oriented Commercial)	Automotive Services Facility

The subject property is located within a split-zoning district. Surrounding parcels include a variety of uses, such as an automotive services facility, a commercial shopping center, and Georgia Southern University Educational Facilities (See **Exhibit A** –Location Map, **Exhibit B**—Future Development Map & **Exhibit C**— Photos of Subject Site).

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map), Exhibit C (Photos of Subject Site), Exhibit D (Proposed Conceptual Plan of the Subject Property)

#### COMPREHENSIVE PLAN:

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan*'s Future Development Map includes the subject site in the following character area:

"Activity Centers/ Regional Centers"		
Vision:	Currently dominated by auto-oriented design and large surface parking lots, the <i>Activity Centers/Regional Centers</i> will evolve into pedestrian-oriented shopping, office, and entertainment places that may accommodate high-density residential development. Where excess parking is located, infill development can break up large surface lots. Tree plantings and landscaping will be generous to soften the development intensity in these areas. Access to these activity centers will be easily achieved for pedestrians, cyclists, and drivers alike.	
Suggested Development & Implementation Strategies:	<ul> <li>Infill and redevelopment in these areas should occur according to a master plan that allows for mixed uses, transportation choices and urban design that mitigates the appearance of auto-dependence.</li> <li>Encourage infill, new, and redevelopment to build close to the street.</li> <li>Evaluate parking ordinances for appropriate standards, including maximum standards and shared parking provisions.</li> <li>Focus on redevelopment in areas of disinvestment (such as those that have become or are in danger of becoming greyfields). Development strategy should encourage uses and activities that are suitable for the immediately surrounding character areas.</li> <li>Require shade trees to be planted in parking lots and along highway corridors.</li> <li>Future developments and highway improvements within these areas should include pedestrian and bicycle access to surrounding major thoroughfares.</li> <li>Incorporate inter-parcel connectivity, especially along major thoroughfares.</li> <li>Include community gathering places, such as squares, plazas, etc. into commercial and mixed-use developments.</li> <li>New developments that contain a mix of residential, commercial uses and community facilities at small enough scale and proximity to encourage walking between destinations.</li> </ul>	

The subject area also is located between "Commercial Redevelopment Area #2" and the "University District" character areas.

"Commercial Redevelopment Area"	"University District Area"
<i>Vision:</i> These areas are intended for a varied scale of commercial, retail, and office uses. At the intersection of major thoroughfares, development of large-scaled commercial uses to serve surrounding areas of the City and unincorporated portions of Bulloch County is appropriate. In other areas, smaller scale development containing more local community services is desired. Lastly, this character area incorporates on-site access management features, and uniform building, site, landscaping and sign standards in order to improve function and aesthetics.	<i>Vision:</i> 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 university. This district is anchored by Georgia Southern University. Academic and administrative buildings, residence halls and dorms, student activity centers, cafeterias, performing arts venue, and ancillary buildings are found in the campus core.

In addition, the 2019 – 2029 Statesboro Comprehensive Plan and "Community Goals" has the following supporting policies:

- "Obtain a greater number and variety of retail establishments to locate within the municipal limits."
- "Focus retail recruitment efforts to character areas along major thoroughfares as identified in the future development map."
- "Promote higher-intensity development patterns in order to decrease the amount of new public facilities and utilities being added to the city's street system."
- "Develop multi-family housing options for residents who may not be able to purchase single-family homes."
- "Reduce the amount of impervious surfaces in new development and increase tree planting/protection standards to reduce the amount of storm water runoff generated by the development site."

Statesboro Comprehensive Master Plan, Community Agenda, pages 18-19.

#### COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property falls under the jurisdiction of city utilities, sanitation, and public safety, although the existing commercial building is not currently in use. 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. These 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 subject's site split zoning consisting of the R4 (High Density Residential), the HOC (Highway Oriented Commercial) and the PUD (Planned Unit Development) zoning districts to the CR (Commercial Retail) zoning district.

The request should be considered in light of:

- the standards for determination of zoning map amendments given in Article XX, 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 CR (Commercial Retail) district as set forth in the *Statesboro Zoning Ordinance*.

Current Split- Zoning	Requested Zoning
The subject property's split-zoning districts allow a variety of uses, such as highway oriented commercial, high density residential and planned unit development within their respective zoned areas. This creates a hardship for the property owner unless a zoning map amendment is approved to allow for the parcel to be regulated by only one zoning district.	The CR (Commercial Retail) district allows for a mixed residential and commercial land use, which is the applicant's intended use for the subject property.

#### STANDARDS: ZONING MAP AMENDMENT

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, 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. <u>The surrounding lots are zoned</u> <u>PUD/CR (Commercial Retail), R4 (High Density Residential), HOC (Highway</u> <u>Oriented Commercial), and EXPT (Exempt),</u> and are occupied by an automotive services facility, a commercial shopping center, and Georgia Southern University educational facilities.

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

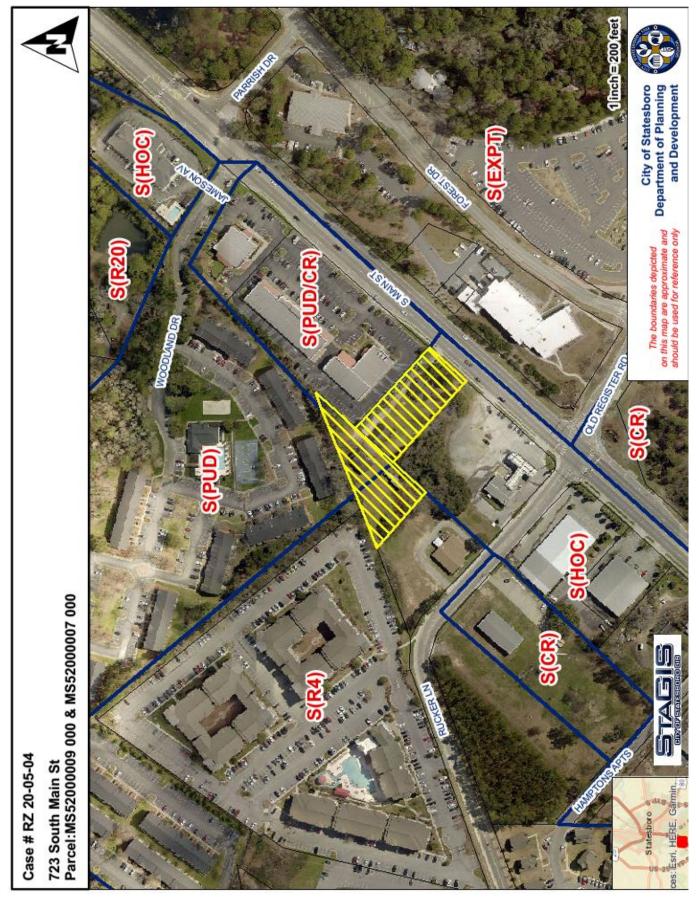
- **a.** The proposed use is not expected to have an adverse effect on property values in the area given the surrounding uses. Please note that staff has not consulted a professional appraiser regarding the impact of the requested zoning map amendment on the property value.
- (3) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
  - **a.** This request will potentially bring investment into an area, where new mixed-use development is needed.
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.
  - a. The subject site is currently split-zoned into three different zoning districts, which all allow different uses. The property owner did cause and/or create the current zoning conditions. Unless by development design, any split-zoned property will not be suitable for new construction and development projects until a zoning map amendment has been approved by City Council.
- (5) The suitability of the subject property for the zoned purposes.
  - **a.** There is no indication that the subject property is not suitable for the requesting zoning.
- (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.
  - **a.** Per the applicant, this property has been vacant for approximately five to ten years.
- (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.** Positive impact on the existing and future land use patterns as the proposed use is compatible with the surrounding area as well as consistent with the 2019 2029 Future Development Map and the Statesboro Comprehensive Plan.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.
  - **a.** The *Statesboro Comprehensive Plan* supports appropriate commercial retail uses within the University District character area. However, any future development plans for the subject property should encourage uses and activities that are suitable for the immediately surrounding character areas.

#### **RECOMMENDATION:**

Staff recommends approval of the zoning map amendment requested by application **RZ 20-05-01** with the following condition(s):

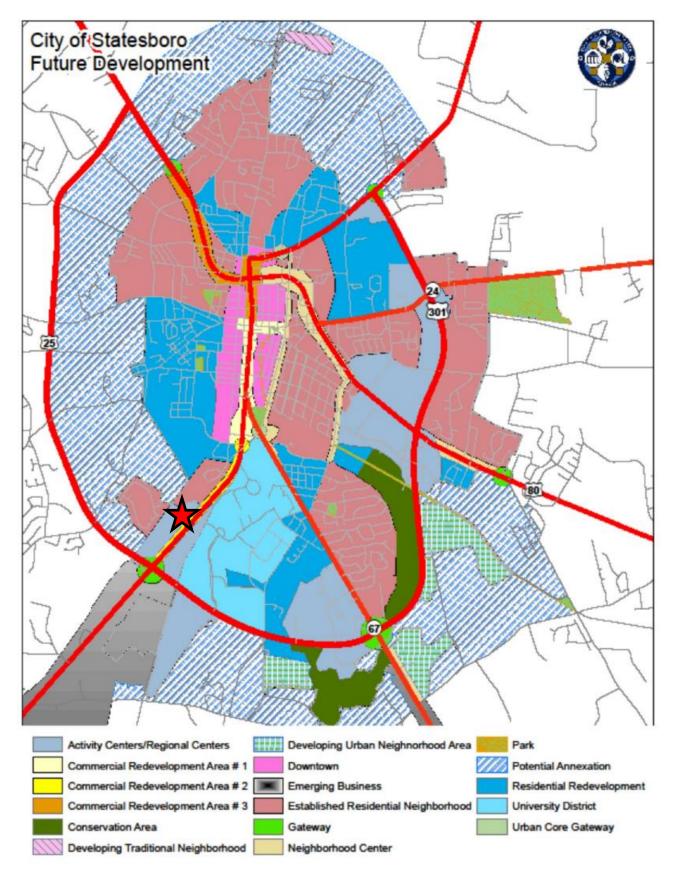
- Approval of this zoning map amendment is based on the conceptual site plan submitted under Exhibit D of this staff report. Prior to construction commencement, City staff will still require review and approval of the civil engineering and/or building plans. Project(s) will be required to meet all City Ordinances and applicable building codes.
- 2. Prior to construction commencement, a combination plat of the two parcels shall be required to be submitted to City staff for review and approval.

#### **EXHIBIT A: LOCATION MAP**



Development Services Report Case **RZ 20-05-04** 

#### EXHIBIT B: FUTURE DEVELOPMENT MAP



#### **EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS**

Picture 1: Views of the subject site, looking northwest from South Main Street. Also, a view of the zoning map amendment requested being made under RZ 20-05-04.



Development Services Report Case **RZ 20-05-04**  Picture 2: Looking northeast from the subject site, currently a commercial shopping center.



Picture 3: Looking south along South Main Street, an automotive services use.



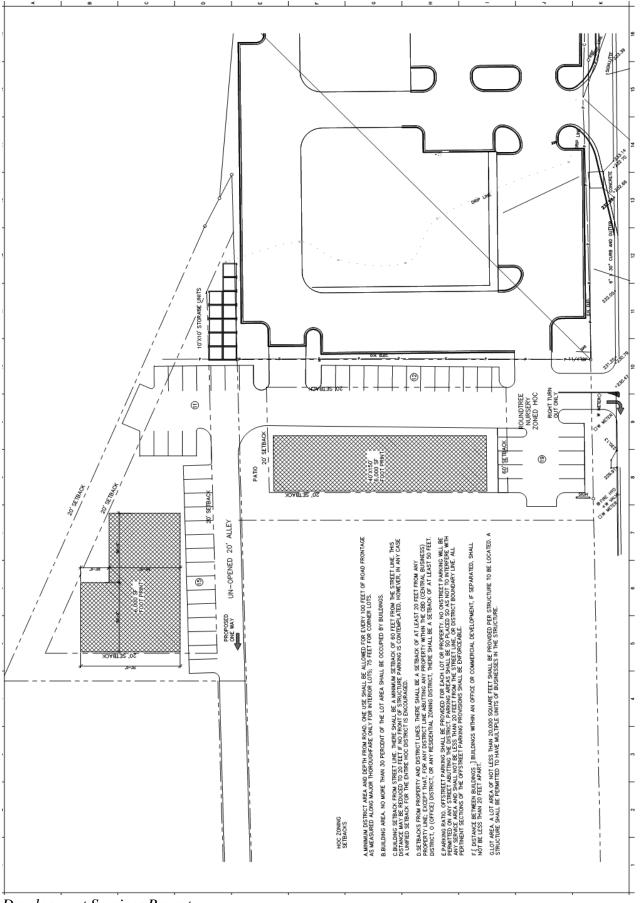
Development Services Report Case **RZ 20-05-04**  Picture 4: Looking south from the subject site, currently Georgia Southern University Facilities.



Picture 6: Looking north from the subject site, currently an apartment community.







Development Services Report Case RZ 20-05-04

### City of Statesboro-Department of Planning and Development



P.O. Box 348 Statesboro, Georgia 30458 (912) 764-0630 (912) 764-0664 (Fax)

#### V 20-05-05, V 20-05-06, V 20-05-07, V 20-05-08 & V 20-05-09 ZONING VARIANCE REQUESTS: 2331 Northside Drive West & 205 North Main Street

LOCATION:	2331 Northside Drive West & 205 North Main Street		
<b>REQUEST:</b> (1) Variance from Article XI Section 1002(C) to reduce the required front yard setback; (2) Variance from Article XI, Section 1102(D) to reduce the required rear yard setback; (4) Variance from Article XI, Section 1104(F) 		V 2043-09 V	
APPLICANT:	Drayton-Parker Companies, LLC		
OWNER(S): Smets H. Blitch, Jr. & Statesboro Raco, LLC			
ACRES:	1.41 acres (combined)	66. V. 20-0	
PARCEL TAX MAP #:	S17 000023 000 & S17 000022 000	eods-05, v 20-05- riside Dr Wast 45, rouod2 00d 4 5, CRIMINA C	
COUNCIL DISTRICT:	District 2 (Chavers)	Case 4 V 2 2231 North Pareal STI Pareal STI Pareal STI Pareal STI Pareal STI Pareal STI STA	

#### PROPOSAL& BACKGROUND:

The applicant is proposing the demolition of an existing commercial building; and new construction of a 4,920 sq. ft. Parker's Kitchen and Gas Station with associate site improvements. In order to allow for the new construction of the commercial building on the subject property and the gas canopy structure, the applicant is requesting a variance in order to reduce the front and rear yard setback requirements of the HOC (Highway Oriented Commercial) zoning district. Next, the applicant is requesting a variance regarding vehicular access to the subject property from the public rights-of-way in close proximity to major intersections. Additionally, the applicant has requested a variance from Article XVI: Off-Street Parking regulations in order to decrease the minimum parking space size requirements. Lastly, the applicant is requesting a variance regarding the maximum number of off-parking spaces allowed in front of a building within the Downtown District.

Therefore, the applicant requests the following:

- 1) Application V 20-05-05, a variance from <u>Article XI: Section 1002(C)</u> to reduce the front yard setback from 60 feet to 35 feet;
- Application V 20-05-06, a variance from <u>Article XI: Section 1002(D)</u> to reduce the rear yard setback from 20 feet to 8 feet;
- 3) Application V 20-05-07, a variance from <u>Article XI: Section 1104(F)</u> to increase the vehicular access way width from 25 feet to 40 feet;
- 4) Application V 20-05-08, a variance from <u>Article XVI, Section 1601</u> to reduce the **minimum parking space** size requirements from 9 <sup>1</sup>/<sub>2</sub>' x 18'-8" to 9' x 18';
- 5) Application V 20-05-09, a variance from <u>Article XXX: Section 3014(B)</u> to increase the total percentage of off-street parking spaces allowed in the front of a building from 25% to 45% in the Downtown District.

#### SURROUNDING LAND USES/ZONING:

	ZONING: LAND USE:	
NORTH:	HOC (Highway Oriented Commercial)	Enmarket Convenience Store and Gas Station
SOUTH:	CR (Commercial Retail) & O (Office and Business District)	Morris Bank & Business Offices
EAST:	HOC (Highway Oriented Commercial)	Chiropractor Clinic
WEST	HOC (Highway Oriented Commercial)	Vacant Land and Commercial Building

The subject property is located in an area that is surrounded by property with the HOC (Highway Oriented Commercial) and CR (Commercial Retail) zoning district designations. The surrounding land uses include vacant land/commercial building, Morris Bank, Gas Stations, a medical clinic, and other business office-related uses. (See **Exhibit A** –Location Map, **Exhibit B**—Future Development Map, & **Exhibit C**—Photos of Subject Site).

ATTACHMENTS: Exhibit A (Location Map), Exhibit B (Future Development Map) Exhibit C (Photos of Subject Site), Exhibit D (Proposed Concept Plan), Exhibit E (Subject Property ALTA Survey), Exhibit F (Proposed Signage Package) COMPREHENSIVE PLAN:

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

"Commercial Redevelopment Area #3"	
Vision	Suggested Development & Implementation Strategies
The <b>Commercial Redevelopment #3</b> character area is intended for a varied scale of commercial, retail and office uses. At the intersection of major thoroughfares, development of large-scale commercial uses to serve surrounding areas of the City is appropriate. In other areas, smaller scale development containing more local community services is desired. This character area incorporates on-site access management features, uniform building, site, landscaping and sign standards in order to improve function and aesthetics.	<ul> <li>Reuse of existing vacant or underutilized structures (e.g. commercial centers, office spaces, warehouses) to accommodate new community facilities.</li> <li>Site plans, building design, and landscaping that are sensitive to natural features of the site, including topography and views.</li> <li>Revitalization of existing neighborhood commercial centers to capture more market activity and serve as community focal points.</li> <li>Use landscaped tree islands and medians to break up large expanses of paved parking.</li> <li>Location of parking at rear or side of buildings to minimize visibility from the street.</li> </ul>
	Statesboro Comprehensive Plan, Community Agenda pages 90-91.

In addition, the 2019 – 2029 Statesboro Comprehensive Plan and "Community Goals" has the following supporting policies:

- "Create greater interconnectivity between streets and developments to reduce dependency on existing major highways."
- "Develop access management standards for major thoroughfares."
- "Obtain a greater number and variety of retail establishments to locate within the municipal limits."
- "Collaborate with regional economic development agencies to develop a diverse economy based on multiple industry sectors and employment opportunities in the city limits."

# I. Variance from Article XI: Section 1102(C): *Area Regulations*. There shall be a minimum setback of 60 feet from the street line. This distance may be reduced to 20 feet if no front of structure parking is contemplated; however, in any case a unified setback for the entire HOC district is encouraged.

The applicant is requesting a variance from <u>Article XI: Section 1002(C)</u> to reduce the **minimum front yard setback from 60 feet to 35 feet**. This variance is specifically being requested in order to allow for the new construction of a Parker's Kitchen and Gas Station. A portion of the gas canopy structure will be located in the area where the normal 60-foot building setback would be regulated in the HOC (Highway Oriented Commercial) zoning district. It should be noted that the canopy structure encroaches 25 feet into the front building setback located off North Main Street. However, the gas canopy structure encroaches only 10 feet into the front building setback located off Northside Drive West.

II. Variance from Article XI: Section 1102(D): *Area Regulations*. There shall be a setback of at least 20 feet from any property line; except that, for any district line abutting any property within the CBD (Central Business) District, O (Office) District, or any residential district, there shall be a setback of at least 50 feet.

The applicant is requesting a variance from <u>Article XI: Section 1002(D)</u> to reduce the **minimum rear yard setback from 20 feet to 8 feet**. This variance is specifically being requested in order to allow for the new construction of a Parker's Kitchen and Gas Station. A portion of the building will be located in the area where the normal 20 foot building setback would be regulated in the HOC (Highway Oriented Commercial) zoning district.

III. Variance from Article XI: Section 1104(F)(1): *Development Requirements – Width of Accessway*. The width of any accessway leading to or from a street or highway shall not exceed 25 feet nor be less than 15 feet in width at the right-of-way. The alignment of accessways and curb dimensions shall be determined through architectural and site approval.

The applicant is requesting a variance from <u>Article XI: Section 1004(F)(1)</u> to increase the **maximum highway accessway width from 25 feet to 40 feet**. This variance is specifically being requested in order to allow for the new construction of a Parker's Kitchen and Gas Station. As the subject property fronts on two highways regulated by the Georgia Department of Transportation (GDOT), the developer will be required to receive approval for each point of ingress and egress to the development site prior to the issuance of a building permit.

IV. Variance from Article XVI: Section 1601: *Design requirements for multifamily, commercial, and industrial parking lots.* The minimum parking lot design standards are based on the Parking Consultants Council and the National Parking Association's Recommended Guidelines for Parking Geometrics. These standards shall be observed in laying out off-street parking facilities.

The applicant is requesting a variance from <u>Article XVI: Section 1601</u> to reduce the **minimum size requirements for commercial parking spaces from 91/2' x 18'-8'' to 9' x 18'**. This variance is specifically being requested in order to allow for the new construction of a Parker's Kitchen and Gas Station. Due to the development site size constraints, the developer has requested this parking space size reduction to allow for more parking.

V. Variance from Article XXX Section 3014(B): *Off Street Parking.* For new development projects or if more than ten (10) spaces are provided in a renovation, then no more that 25% of off street parking may be provided in the front of the building. The remaining shall be to the side or rear of buildings.

The applicant is requesting a variance from <u>Article XXX Section 3014(B)</u> to increase the **total percentage** of off-street parking spaces allowed in the front of a building from 25% to 45% in the Downtown District. This variance is specifically being requested in order to allow for the construction of a new commercial gas station and convenience store. The proposed development <u>does meet</u> the minimum number of required parking spaces under Article XVI of the Statesboro Zoning Ordinance. However, the applicant's proposed concept plan shows greater than 25% off street parking in front of the building. **Per Exhibit D – Proposed Concept Plan**, the parking facilities are conceptually designed to provide 45% of the total parking spaces in the front of the building.

#### ZONING VARIANCE CONSIDERATIONS

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. A variance may not be granted for the use of land that is not permitted by zoning regulations."

Article XVIII, Section 1801 of the *Statesboro Zoning Ordinance* states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:

- 1. There are special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic and that condition is not common to other land or buildings in the general vicinity or in the same zoning district;
- 2. The special conditions and circumstances do not result from the actions of the applicant;

The applicant did not take action to result in this zoning classification.

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

In staff's opinion, the application of the *Statesboro Zoning Ordinance* does not create any unnecessary hardships to this particular piece of property.

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

It should be noted that this automotive services use is already similar to other uses located at this intersection, which is a gateway entrance into the Statesboro Downtown District; therefore, each variance should be given careful consideration. Additionally, development in the Downtown District should occur in line with the *Statesboro Downtown Master Plan*.

### In the course of exercising any of the above powers, the zoning board of appeals may attach conditions to its approval.

#### **RECOMMENDATION:**

Staff recommends approval of the variances requested by applications **V 20-05-05** and **V 20-05-06** with the following condition(s):

(1) Approval of these variances is based upon the conceptual site plan under **Exhibit D** of this staff report. Prior to construction commencement, this development site will still be required to submit civil engineering and architectural plans for City Staff's review and approval. Project will be required to meet all City Ordinances and applicable building codes.

(2) Development shall adhere to all other design standards for the Downtown District, specifically the regulations of Article XXX of the Statesboro Zoning Ordinance.

(3) Developer shall be required to coordinate with the Downtown Statesboro Development Authority (DSDA) on the placement of Downtown District gateway signage and associated easement.

(4) Developer shall be required to establish a landscape buffer strip at least five feet wide along the rear boundary of the development site. This strip shall contain an opaque wall or barrier or uniformly painted fence at least six feet in height. Buffer strip shall have landscape plantings on the exterior side of the wall, which shall be planted with appropriate trees, shrubs, and groundcover as to provide a transition from the wall to both edges of the buffer strip. The landscape plan identifying this buffer strip shall be required prior to construction commencement.

Staff recommends approval of the variance requested by application V 20-05-07 with the following condition(s):

(1) Approval of these variances 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) Development shall adhere to all other design standards for the Downtown District, specifically the regulations of Article XXX of the Statesboro Zoning Ordinance.

(3) Prior to construction commencement, the developer shall be required to secure permits from the Georgia Department of Transportation (GDOT) for all ingress and egress points to the development site.

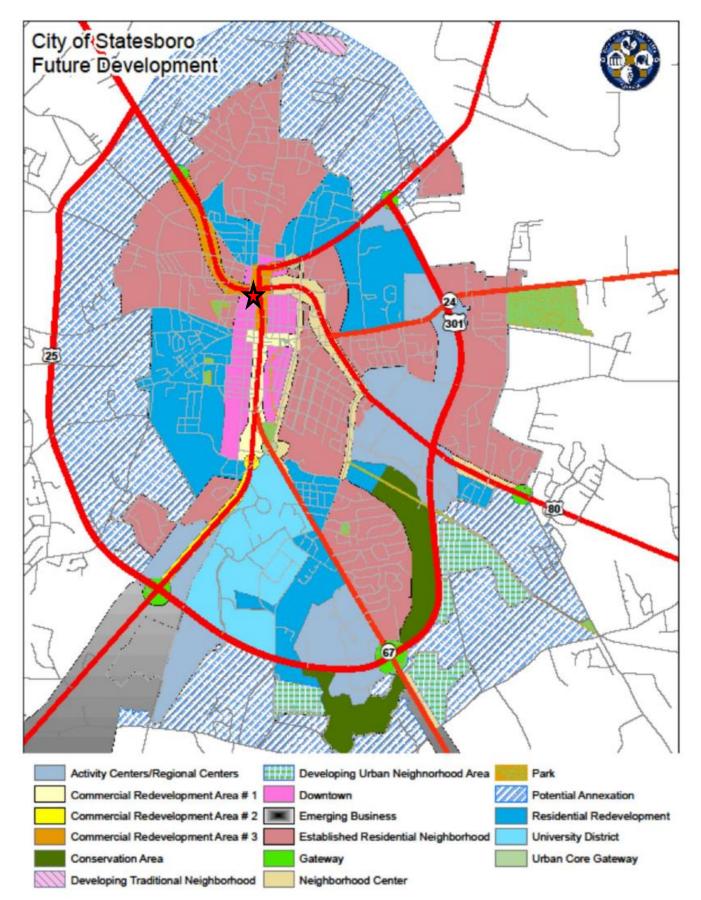
Staff recommends denial of the variances requested by applications V 20-05-08 and V 20-05-09.



Case # V 20-05-05, V 20-05-06, V 20-05-07, V 20-05-08, V 20-05-09



Development Services Report Case V 20-05-05, V 20-05-06, V 20-05-07, V 20-05-08 & V 20-05-09



#### **EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS**

Picture 1: View of the subject site looking south across Northside Drive West from the Enmarket Gas Station.



**Picture 2**: View of the subject property's rear property line, looking northwest from the sidewalk abutting North Main Street. Also a view of the area where **V 19-08-07** is being requested.



Development Services Report Case V 20-05-05, V 20-05-06, V 20-05-07, V 20-05-08 & V 20-05-09

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

Picture 3: View of the surrounding properties to the north of the subject property, currently Enmarket Gas Station.



Picture 4: View of the adjacent property to the south of the subject site, Morris Bank.



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

**Pictures 5 & 6**: View of the surrounding properties to the east of the subject property, currently a vacant commercial building and land.





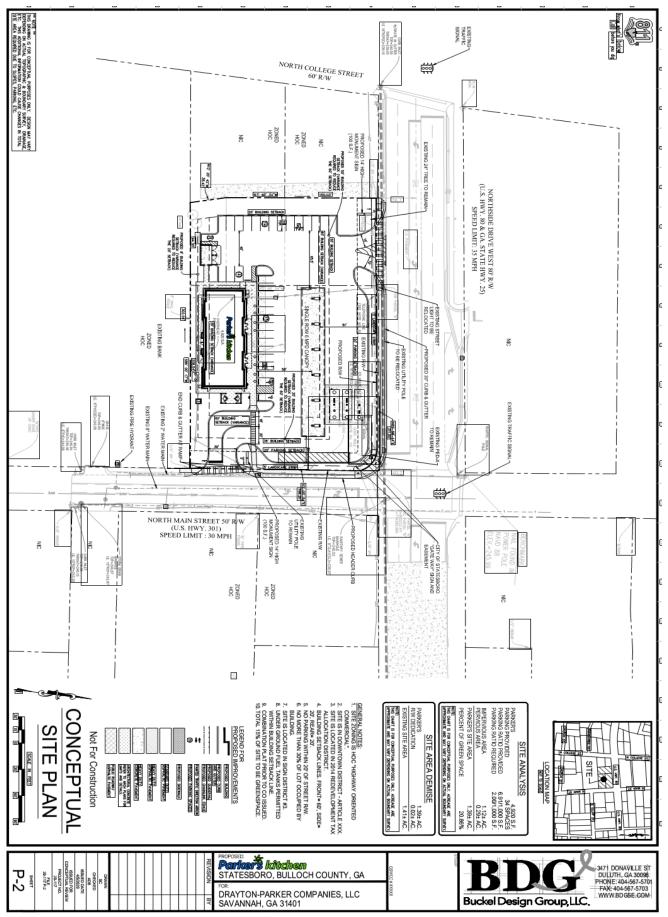
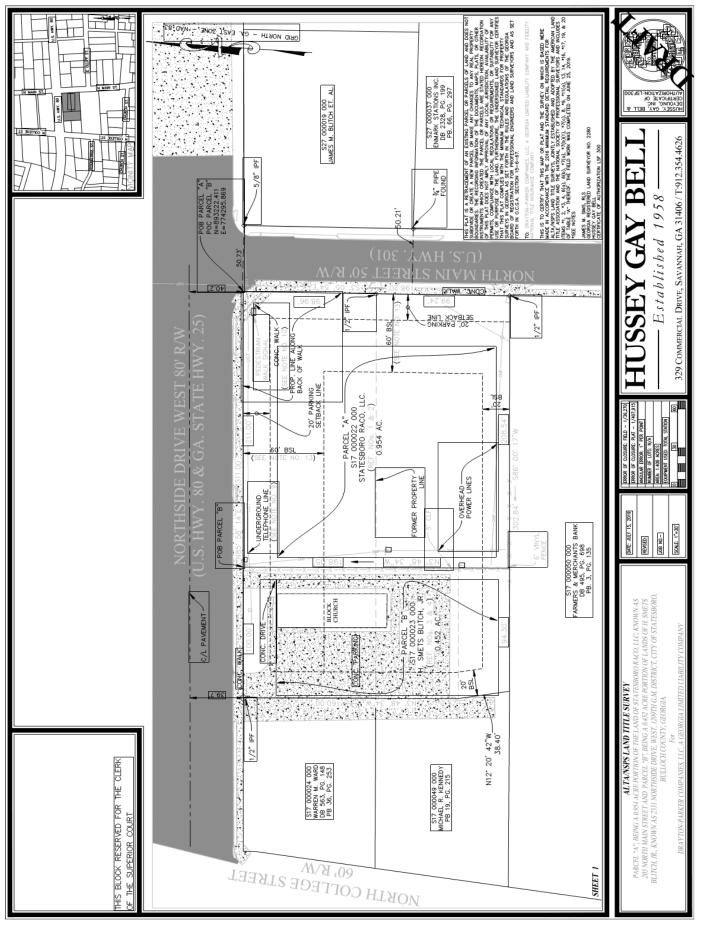


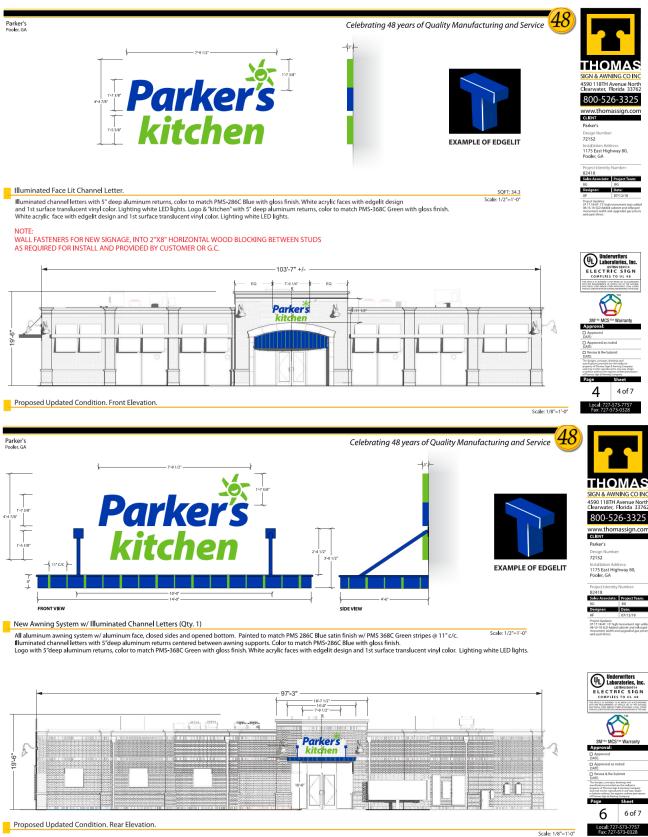
EXHIBIT D: PROPOSED CONCEPT PLAN (Requested V 20-05-05, V 20-05-06, V 20-05-07 & V 20-05-09 Outlined in Red)

Development Services Report Case V 20-05-05, V 20-05-06, V 20-05-07, V 20-05-08 & V 20-05-09



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#### EXHIBIT F: Proposed Development Signage Package (NOT FOR CONSIDERATION UNDER THIS REQUEST)



### EXHIBIT F: Proposed Development Signage Package CONT'D (NOT FOR CONSIDERATION UNDER THIS REQUEST)

