



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

November 6, 2018

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. October 2, 2018 Meeting Minutes

IV. New Business

1. **APPLICATION V 18-10-01**: Interplan, LLC requests a variance from Article X, Section 1003(C) to reduce the required front yard setback in order to allow for the reconstruction of the Chick-fil-A restaurant on 1.087 acres of property located at 352 Northside Drive East (Tax Parcel MS72 000013 000).
2. **APPLICATION V 18-10-02**: Interplan, LLC requests a variance from Article X, Section 1003(H) to reduce the required rear yard setback in order to allow for the reconstruction of the Chick-fil-A restaurant on 1.087 acres of property located at 352 Northside Drive East (Tax Parcel MS72 000013 000).

V. Announcements

VI. Adjourn



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

October 2, 2018

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

Present: Planning Commission Members: James W. Byrd, Sr., Carlos C. Brown Jr., Rev. David McLendon, Benjamin McKay, Mary Foreman, Russell Rosengart, and Jamey Cartee; **City of Statesboro Staff:** Director of Planning and Development Frank Neal, City Planner II Owen Dundee, and City Planner I Justin Williams

I. Call to Order

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

II. Invocation & Pledge of Allegiance

Commissioner McKay arrived at 5:02 PM.

III. Approval of Minutes

1. September 4, 2018 Meeting Minutes

Commissioner Cartee made a motion to approve the September 4, 2018 meeting minutes, seconded by Commissioner Brown. The motion carried 6-0.

IV. New Business

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

Frank Neal introduced the case, and Justin Peay spoke as a representative of Divvy Desk. Mr. Peay provided a brief overview of the Divvy Desk business and proposed expansion plans. Commissioner Foreman inquired if the proposed expansion would encroach into the alley at the rear of the subject site. Mr. Peay stated the expansion would not encroach into the rear alley and further added that he had received letters of support for the expansion from both neighboring property owners, Colony Bank and Cliett & Hart, LLC. Commissioner McLendon made a motion to recommend approval of CBD 18-09-01 with staff recommendations and conditions. Commissioner Foreman seconded, and the motion carried 6-0.

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

Frank Neal introduced the case, and Patterson Ogburn spoke as a representative of Ogburn Realty, Inc. Mr. Ogburn spoke on the development challenges of the subject site, such as easements limiting development space and the USACE protected wetlands and drainage area located to the rear of the subject site. Commissioner Cartee inquired about the existing building and if the developer intended to demolish it. Mr. Ogburn stated that the existing building would be destroyed. Commissioner McLendon inquired if the front door of the proposed auto parts store would be facing South Main Street. Mr. Ogburn confirmed that the front door would be facing towards South Main Street. Commissioner Foreman inquired if the driveway to the convenience store was to be shared access with the subject site's proposed use. Mr. Ogburn stated that there are multiple points for ingress and egress onto the subject site. Commissioner Cartee inquired about the existing City of Statesboro welcome sign and if it is located on the subject site's property. Mr. Neal responded by stating the welcome sign is on a separate property and owned by both the City of Statesboro and Chamber of Commerce. Commissioner Cartee commented that the proposed auto parts store would be an improvement from the current land use, an abandoned commercial building. Mr. Neal further stated that the City had not been in contact with anyone expressing opposition for this proposed variance. Commissioner McKay made a motion to recommend approval of V 18-09-02 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

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

Frank Neal introduced the case, and Joey Maxwell spoke as a representative of Bethany Assisted Living, Inc. Mr. Maxwell provided a brief overview of the proposed development and agreed with the staff recommendations and conditions of their zoning map amendment request. Commissioner McLendon inquired about the maximum development's density potential and the effect it could have on the surrounding area. Mr. Maxwell stated that it was highly unlikely that the developer would build 317 units on the subject site. He further stated that the developer intended to build a lower density product, such as duplexes/cottages for more of an independent living style for seniors. Mr. Maxwell then stated the developer would not be proposing garden style apartments similar to the neighboring property, Grace Crossing Apartments. Commissioner Cartee requested additional information on the staff approval condition of limiting the property to 55 years and older. Mr. Neal answered by stating this condition would remain on the property through ownership transfer if the zoning map amendment were to be approved. Robert Costomiris, a member of the public in attendance, expressed his concerns about the development's density potential of 317 units and the potential traffic increase, which may occur. Mr. Maxwell responded by stating the developer has no intention of building the maximum density allowed under the proposed zoning. Additionally, Mr. Maxwell stated that there would be no way to physically fit that many units on the subject site. Mr.

Maxwell commented that the 317 maximum density number was derived from 12 dwelling units per acre, the maximum density per acre allowed under the proposed R-4 zoning. He further confirmed this would be a low-density development, which would create no traffic concerns to the public. Commissioner Byrd and Commissioner Cartee further commented on the number of dwelling units being proposed and number of bedrooms per dwelling unit. Mr. Maxwell requested that Ms. Becky Livingston, a representative of Bethany Assisted Living, Inc., respond to the Commissioners. Ms. Livingston introduced herself as the CEO of the Lodge at Bethany. She addressed the Commissioners and Mr. Costomiris's concern regarding traffic as well as the proposed development's density. Ms. Livingston further confirmed the low density plans for the development and their positive relationship with the City over the last several years. Then, Ms. Livingston further stated that the subject site would never reach a density of over 100 units and the developer would have long term ownership of these single story units. Commissioner McLendon inquired about the density and acreage for the proposed phase one of the development. Mr. Neal stated that phase one represented four dwelling units. Ms. Livingston stated that the area for the four proposed duplexes under phase one would be approximately 8 acres. Commissioner McLendon commented that the developer would realistically not be able to build any more than approximately 30 cottages. Ms. Livingston answered the comment by stating that they would realistically be able to fit 46 cottages, but it would depend upon demand and did not foresee this build out happening within her lifetime. Commissioner Foreman inquired about the roads shown within the applicant's site plan. Ms. Livingston stated that Bethany Way was existing and Gesmon Neville Lane would eventually be build out if the development were to be fully built out. Commissioner Rosengart inquired if there was a certain number of dwelling units proposed within a development, which would necessitate the need for a traffic study. Mr. Neal answered by stating that the traffic study requirement would be determined during staff's site plan review process. Commissioner Cartee inquired about the potential land uses under the current PUD zoning designation. Mr. Neal and Ms. Livingston confirmed that commercial uses and active adult villas would be allowed under the current zoning designation. Ms. Livingston further confirmed the developer's compliance with traffic safety issues and city road infrastructure standards for the current and proposed development on the subject site. Commissioner Cartee made a motion to recommend approval of RZ 18-09-03 with staff recommendations and conditions. Commissioner McKay seconded, and the motion carried 6-0.

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

Frank Neal introduced the case, and Darin Van Tassell spoke as a representative of JGR Development, LLC. Mr. Van Tassell described the proposed development as mixed-use containing commercial, residential, and hotel land uses. He further stated that the developer had completed a traffic study for the proposed development. Commissioner McLendon requested clarification on the surrounding property land uses. Mr. VanTassell stated the surrounding property uses to include a car dealership, single family home, and an auto body shop. He further stated that the surrounding property owners were aware of

and supported the proposed development. Commissioner Brown expressed concerns on the subject site's proximity to the Georgia Power substation and overhead power lines. Mr. Van Tassell stated that the proposed design would take into consideration the existing overhead power lines. Commissioner Rosengart made a motion to recommend approval of RZ 18-09-04 with staff recommendations and conditions. Commissioner Cartee seconded, and the motion carried 6-0.

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

Frank Neal introduced the case, and Darin Van Tassell spoke as a representative of JGR Development, LLC. Mr. Van Tassell stated that the proposed soccer stadium complex would take up almost exactly the amount of acreage listed for the two parcels. He further described that the development area would be exactly where the Hackers Clubhouse and driving range is located, which was closed to the public three weeks ago in order to prep the site for development in the near future. Additionally, Mr. Van Tassell stated that site's current zoning is PUD (Planned Unit Development), so the zoning request is just an update of the subject site's current PUD. Robert Costomiris, a member of the public in attendance, expressed concerns about the current roadway infrastructure handling the traffic generated from the proposed development. Mr. Van Tassell addressed these concerns by stating a recent traffic study completed six to seven weeks ago, provided roadway infrastructure improvements, which included widening the existing Old Register Road, additions of traffic signaled intersections, and bike lanes. Commissioner McKay inquired about the proposed traffic signalized intersection at the proposed Akins Blvd. and Veterans Memorial Highway. Mr. Van Tassell confirmed the proposed roads and signalized intersections to assist in the alleviation of traffic generated by the proposed development. Commissioner Byrd further commented on the roadway infrastructure expansion and bike lane accommodations. Mr. Van Tassell confirmed the proposed development plans to include bike and pedestrian friendly infrastructure improvements, such as lighting, bike lanes, and sidewalks. Commissioner McLendon inquired about the direction of the soccer field placement within the stadium. Mr. Van Tassell responded by stating the proposed soccer field would run parallel to Old Register Road due to the sun's movement across the sky from the northwest to the southeast. Mr. Van Tassell further stated a willingness to address any traffic concerns prior to addressing them at the City Council meeting. Commissioner Rosengart made a motion to recommend approval of RZ 18-09-05 with staff recommendations and conditions. Commissioner McKay seconded, and the motion carried 6-0.

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

000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

7. **APPLICATION RZ 18-09-06:** Robert Forrest (Stonewalk Companies) requests a zoning map amendment of 2.994 acres located at University Plaza from the CR (Commercial Retail) to the PUD (Planned Unit Development) zoning district in order to develop mixed use student housing for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).
8. **APPLICATION V 18-09-08:** Robert Forrest (Stonewalk Companies) requests a variance from Article XVI, Section 1600 to reduce the minimum parking requirements in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).
9. **APPLICATION V 18-09-09:** Robert Forrest (Stonewalk Companies) requests a variance from Article X, Section 1002 to increase the allowable building height in order to develop mixed use student housing on 2.994 acres of property for a combination of parcels addressed 108 Georgia Avenue, Georgia Avenue, 15 University Plaza Avenue, 1 University Place, 8 University Place, and 6 University Plaza (Tax Parcel(s) MS61 000056 000, MS61 000058 000, MS61 000052 B000, MS61 000052 A000, MS61 000055 A000, MS61 000052 000).

Frank Neal introduced the following cases collectively: V 18-09-07, RZ 18-09-06, V 18-09-08, & V 18-09-09. Joey Maxwell and Robert Forrest spoke as representatives of Stonewalk Companies. Mr. Maxwell addressed staff's recommendation for the application denial by stating that the developer's desire for the proposed development would be to create an environment of walkability, improve the blighted plaza property, and the subject property's history. Mr. Maxwell stated the environment of college student transportation and on-campus parking has changed by providing examples of new transportation methods. He further suggested that staff's total overall denial based on parking would be a mistake for the community. Commissioners McLendon and Rosengart requested information on the proposed project's total number of units, bedrooms, and total commercial space. Mr. Maxwell stated 464 beds across 116 total units. Commissioner McLendon inquired about the potential issue of the tenant population having more cars, than the development could park. Mr. Maxwell stated that each unit would be limited to the number of cars allowed within the proposed parking. Mr. Maxwell commented that some of the student population in today's environment do not bring cars to college with them. Commissioner Cartee inquired if the university's dorm parking was adequate enough to provide a parking space for each bed. Mr. Maxwell stated that he did not wish to officially answer Commissioner Cartee's inquiry, but stated there did appear to be several empty parking areas on aerials of campus property. Mr. Maxwell further stated trends on campus parking across the country and the cost of structured parking. Commissioner Rosengart commented that the development site's immediate area is subject to tremendous amounts of foot traffic. He further stated the City's lack of similar

developments and encouraged the re-development of the subject site would be for the betterment of the community. Additionally, Commissioner Rosengart stated that the developer was taking the risk by not providing the required number of parking spaces. Commissioner McKay further described his concerns with on-campus parking. Commissioner Rosengart stated that it is common for students to walk from designated parking areas to their final campus destination. Commissioner Cartee inquired on the university's parking requirements for the student dorms. Mr. Maxwell commented again on a different environment for today's on-campus student parking and transportation. Commissioner Byrd inquired about the university's bus system servicing the subject site. Mr. Maxwell confirmed the bus system's service to the proposed development site. Commissioner Cartee inquired about the commercial space's location within the proposed development. Mr. Forrest described the commercial space as fronting on Georgia Avenue. Then, Mr. Forrest provided an introduction of himself and provided a background on his personal history with the subject property. He further provided a brief history of his development experience. Next, he described examples of other similar mixed-use student housing developments at other college campuses in the southeast. He further stated that his proposed development would allow for each dwelling unit to be designated two parking spaces. He further stated there was plenty of parking areas for students and the proposed development's tenant population nearby. Commissioner Byrd and Rosengart inquired about the developer's requested height variance. Mr. Neal stated the development's proposed height would be approximately seventy-one feet. Mr. Maxwell stated that the City's Fire Department would have the equipment for the development's proposed building height, and further the building plans would be required to undergo state fire marshal and City of Statesboro review prior to approval. Also, Mr. Maxwell stated that the City of Statesboro's fire department would be equipped to ensure the fire safety of the proposed development. Mr. Neal confirmed Mr. Maxwell's statement on the City's ability to provide fire safety service to the proposed development. Commissioner Foreman inquired about the property's zoning similarity to the university's student housing nearby. Mr. Maxwell stated the zoning of the subject site was different than that of the university dorms on neighboring property. Robert Costomiris, a member of the public in attendance, stated information on Georgia Southern University's student parking. Next, he expressed support for the project, but stated some concerns on the developer's proposed enforcement of controlling which residents had cars. Commissioner Rosengart inquired if the development would have a gate to limit access to the parking area. Commissioner McKay stated an interest in the demand for student housing with limited parking. Mr. Forrest further reassured the commissioners that the student transportation environment has changed and less students are bringing personal vehicles to college with them. He again stated the development's parking areas would be assigned on a per unit basis. Tony Crosby, spoke as representative of Statesboro Properties. Mr. Crosby stated that he had been in contact with Georgia Southern University in regards to parking for this proposed development. He mentioned potential parking areas available to students in close proximity to the subject site. Lastly, he stated that the proposed development's parking issue is a non-issue when looking at the proposal as a whole. Commissioner Cartee inquired on the potential of Georgia Southern University purchasing the property, proposing a similar project, and the requirement for parking that the University would have to adhere to. Mr. Neal stated that the University would not be required to follow City of Statesboro ordinance for off-street parking requirements. Mr. Neal stated that he just recently attended a conference, which discussed urban student

housing development. He commented that similar student housing developments located in Athens and Kennesaw hold firm to their one parking space per bedroom requirement. Then, Mr. Neal further confirmed his support of development walkability and urbanism. He expressed concerns of parents filing complaints with elected officials and city staff regarding the potential approval of reduced parking for the proposed development. He stated that the proposed development would receive staff support if the developer would commit to additional parking on another property located within one mile of the subject site. Next, Mr. Neal stated his concern is only being able to provide 0.5 parking spaces per bedroom as proposed. Mr. Neal expressed that the lack of proposed parking is a serious issue. Commissioner Byrd recognized Todd Manack to speak as a representative of Manack Signature Properties. Mr. Manack approached the commissioners to show an aerial of nearby student parking facilities. Commissioner Brown inquired about the time of day, which the aerial was taken. Mr. Manack stated that he was unaware of the time of day and further stated an assumption of college being in session at the time, when the aerial was taken. Commissioner McLendon stated some of the nearby parking facilities belonged to Centennial Place, which houses several international students, therefore they do not have cars. Mr. Manack stated the success of a nearby retail center located on Chandler Road. Lastly, he stated that he did not think a parking space for every bedroom was necessary for the proposed development. Commissioner Rosengart inquired about the lease agreement for each unit as it pertains to the assignment of parking spaces. Mr. Forrest stated there would be a limit of two parking spaces per unit and a part of the marketing plan for the proposed development would include a car not being necessary to live there. Commissioner Rosengart stated that the proposed development would be a great solution to solve the negative publicity and blight generated by University Plaza and the developer would be the one taking the risk of a reduced number of parking spaces. Additionally, Commissioner Rosengart stated the proposed development would add to the City's tax revenue base. Commissioner McLendon requested clarification on staff's overall disapproval of the PUD. Mr. Neal stated staff's disapproval was due to the variance being requested for reduced parking. Carolyn Altman, a member of the public, expressed frustrations on parking, transportation, and traffic concerns. Ms. Altman discussed a review of transportation plans and parking ordinances in order to better address issues in the future. Commissioner Byrd requested clarification on the parking requirements for student housing in Kennesaw and Athens. Mr. Neal confirmed that their requirements basically followed our current ordinance for off-street parking facilities. Commissioner Byrd discussed some thoughts on discovering some other parking options for the proposed development. He stated that solving the parking requirements for future development would be inherent for the city's growth. Commissioner Rosengart stated the proposed development would appeal to the student population without vehicles. Commissioner Cartee added comments on a shift in development strategies as it pertains to city growth and parking issues.

Commissioner Foreman made a motion to recommend approval of V 18-09-07.
Commissioner McLendon seconded, and the motion carried 6-0.

Commissioner McKay made a motion to recommend approval of RZ 18-09-06 with staff recommendations and conditions. Commissioner McLendon seconded, and the motion carried 6-0.

Commissioner Rosengart made a motion to recommend approval of V 18-09-08. Commissioner Cartee seconded, and the motion carried 6-0.

Commissioner Cartee made a motion to recommend approval of V 18-09-09. Commissioner Brown seconded, and the motion carried 6-0.

10. **APPLICATION V 18-09-10:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign height limit of 8 feet, in order to place a 8.75 foot sign at 6922 Veterans Memorial Parkway(Tax Parcel MS42000012 000).
11. **APPLICATION V 18-09-11:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign height limit of 8 feet, in order to place a 36.708 foot sign at 6922 Veterans Memorial Parkway (Tax Parcel MS42000012 000).
12. **APPLICATION V 18-09-12:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the freestanding sign square footage allowance of 120 square feet in order to place 2 signs totaling 239.507 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS42000012 000).
13. **APPLICATION V 18-09-13:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the wall sign square footage allowance of 200 square feet in order to place signs totaling 330.746 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).
14. **APPLICATION V 18-09-14:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the wall sign limit per elevation to place four (4) wall signs on one elevation at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).
15. **APPLICATION V 18-09-15:** Bobby Wilcox (Wilcox Sign Company) requests a variance from Article XV, Section 1509 to exceed the aggregate square footage allowance of 300 square feet in order to place signage totaling 570.253 square feet at 6922 Veterans Memorial Parkway (Tax Parcel MS24000012 000).

Frank Neal introduced the following cases collectively: V 18-09-10, V 18-09-11, V 18-09-12, V 18-09-13, V 18-09-14, and V 18-09-15. He stated that all these variances pertained to the new JC Lewis Ford Dealership. Mr. Neal stated that all the proposed signage were existing signs at the existing dealership to be relocated to the dealership's new location. Commissioner Rosengart inquired about V 18-09-11 regarding the freestanding sign height limit and if City staff would be in support of the variance if the sign was not already in existence and being moved from the car dealership's existing location to the new one. Mr. Neal stated that he was not sure if approval would be recommended. Commissioner Rosengart expressed concerns for setting a precedent on approval of sign variances. Mr. Neal stated that there were similar car dealership signs in existence. Commissioner Byrd spoke on the special conditions, which should be taken into account when considering a variance request. Commissioner McKay stated the sign variance precedent would not be set with the variance cases pertaining to the signage at the new JC Lewis Ford car dealership. Mr. Neal continued to introduce the remainder of the variance cases. Robert

Costomiris, a member of the public in attendance, expressed concerns on the size of the proposed signage. Commissioner Rosengart inquired if there were any representatives to speak on behalf of the proposed sign variances. Mr. Neal stated that there was no one present. Commissioner Rosengart expressed concerns on the height of the proposed signage stating that it was unnecessary and the car dealership was a destination business. Carolyn Altman, a member of the public in attendance, expressed concerns on the proposed signage. Commissioner Rosengart inquired about the residency of Mr. Costomiris and Ms. Altman. They both confirmed that they were residents of the City of Statesboro. Commissioner Cartee inquired if the applicant was under the impression that they could reuse the current signs at the new dealership location. Mr. Neal stated the applicant did not ask city staff about this matter. Commissioner Cartee inquired about the total square footage allowable. Mr. Neal stated the total square footage allowable was per building. Commissioner Rosengart commented on sign ordinances from other communities compared to the City of Statesboro. He continued to express concerns on the height of the proposed sign. Commissioner McKay made general comments on the sign variance cases. Commissioner Cartee inquired about staff's encouragement of sign use. Mr. Neal responded that staff is encouraging monument signage and one wall sign for new developments. Commissioner Rosengart inquired about the approval process for the sign variance cases. Mr. Neal stated that the planning commission could approve some, all, or none of the variance cases. Commissioner Byrd commented on past issues along the Northside Drive, Highway 80 corridor, with signage. Commissioner Cartee requested clarification on the sign variances being requested. Mr. Neal clarified the individual signs being requested and associated variances. Commissioner Cartee expressed concerns regarding the height of the proposed freestanding sign and the city's sign ordinance. Commissioner Byrd stated concerns regarding the lack of representation present to speak on behalf of sign variance applications being discussed. Also, he expressed concerns on staff's prior communication with the applicant and their inability to modify the signage to meet ordinance. Mr. Costomiris expressed concerns on the car dealership owner's unwillingness to modify the proposed signage. Commissioner Cartee requested clarification on the variance case approval process and moved to begin the vote on each variance with Mr. Neal's direction.

Commissioner McLendon made a motion to recommend approval of V 18-09-10. Commissioner Brown seconded, and the motion carried 6-0.

Commissioner McLendon made a motion to recommend denial of V 18-09-11. Commissioner Rosengart seconded, and the motion carried 6-0.

Commissioner Brown made a motion to recommend approval of V 18-09-15 with exception. Commissioner Cartee seconded, and the motion carried 6-0.

Commissioner McLendon made a motion to recommend approval of V 18-09-14. Commissioner Cartee seconded, and the motion carried 6-0.

Commissioner McKay made a motion to recommend approval of V 18-09-13 based on staff recommendations. Commissioner Brown seconded, and the motion carried 6-0.

Commissioner Foreman and Cartee requested clarification on the square footage calculation of the signage being requested under variance case #V 18-09-12. Mr. Neal clarified the signage calculation for the commission.

Commissioner McLendon made a motion to recommend approval of V 18-09-12. Commissioner McKay seconded, and the motion carried 6-0.

Planning Commission meeting went into a brief intermission at 6:56 PM.

Planning Commission meeting reconvened at approximately 7:00 PM.

16. **APPLICATION CUV 18-09-16:** Journey to Sober Living, LLC requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.55 acres of property located at 24 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel S59 000083 000).
17. **APPLICATION CUV 18-09-17:** Journey to Sober Living, LLC requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.48 acres of property located at 17 Carmel Drive to utilize the property as a community living arrangement facility (Tax Parcel S59 000090 000).
18. **APPLICATION CUV 18-09-18:** Journey to Sober Living, LLC requests a conditional use variance from Article V of the Statesboro Zoning Ordinance for 0.36 acres of property located at 207 Donaldson Street to utilize the property as a community living arrangement facility (Tax Parcel S29 0000123 000).

Frank Neal introduced the following cases collectively: CUV 18-09-16, CUV 18-09-17, and CUV 18-09-18. Mr. John W. Williams spoke as a representative of Journey to Sober Living, LLC. He provided a brief overview of recovery residences and the Journey to Sober Living, LLC program. Commissioner McLendon inquired about the specifics of the Journey to Sober Living program and the rules and regulations under which the residents are required to live by. Mr. Williams answered Commissioner McLendon's inquiry by providing further information on the program rules for the residents of each house. Then, Mr. Williams provided some additional background information on himself and his relationship to the recovery program. Commissioner Foreman inquired about the number of adults living in each residence. Mr. Williams responded by providing an overview of the floor space and bathrooms available to each resident. Commissioner Rosengart inquired about the maximum number of residents allowed in each house and if the State Fire Marshal had inspected the property. Mr. Williams stated the State Fire Marshal had reviewed the property and satisfied the fire safety requirements. Commissioner Rosengart again inquired about the maximum number of residents per house. Mr. Williams stated that each house would not violate the maximum number of people allowed per the State Fire Marshal. Commissioner Cartee stated his understanding that the zoning ordinance did not address recovery residences. Mr. Neal confirmed that he was accurate. Mr. Williams stated the importance of recovery residence regulation and the protection of the recovering addict population. Commissioner Rosengart inquired on the potential opposition from neighbors. Mr. Williams stated that his program had not received any opposition from the community. Next, Commissioner Rosengart inquired about any

potential parking issues at the residences. Mr. Williams stated residents were not allowed to have vehicles until they became senior residents. Commissioner Foreman inquired on the in-house supervision of the residents. Mr. Williams stated that the counselors and others in the recovery community frequently stopped by the residences to check on the program members. However, there was only peer supervision in-house. Mr. Williams further stated that they were known in the recovery community as the strictest program in Statesboro. Robert Costomiris, a member of the public in attendance, expressed concerns from another citizen regarding the recovery residence's proximity to the high school. Mr. Williams stated that none of his residents have any interaction with the high school students. He further stated that the program does have individuals on probation, but they would not take any registered sex offenders or any individuals with similar charges including aggravated assault. The commission moved to vote on each conditional use variance separately.

Commissioner McKay made a motion to recommend approval of CUV 18-09-16. Commissioner McLendon seconded, and the motion carried 6-0.

Commissioner McLendon made a motion to recommend approval of CUV 18-09-17. Commissioner McKay seconded, and the motion carried 6-0.

Commissioner McLendon made a motion to recommend approval of CUV 18-09-18. Commissioner McKay seconded, and the motion carried 6-0.

V. Announcements

VI. Adjourn

The meeting adjourned at 7:17 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

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

V 18-10-01 & V 18-10-02 ZONING VARIANCE REQUESTS 352 NORTHSIDE DRIVE EAST CHICK-FIL-A RECONSTRUCTION	
LOCATION:	352 Northside Drive East
REQUEST:	Variance from Article X Section 1003(C) to reduce the minimum front yard setback and Variance from Article X Section 1003(H) to reduce the minimum rear yard setback.
APPLICANT:	Interplan, LLC c/o Robert Walker
OWNER(S):	Storey Ventures LLC
ACRES:	1.087 Acres (47,332 Sq. Ft.)
PARCEL TAX MAP #:	MS72 000013 000
COUNCIL DISTRICT:	District 5 (Duke)

PROPOSAL & BACKGROUND:

The applicant is proposing the demolition of the existing 3,638 Sq. Ft. Chick-fil-A restaurant and the construction of a new 4,998 Sq. Ft. Chick-fil-A restaurant at the same location, with a dual approach multi-lane drive thru with face-to-face canopy system, as well as a meal delivery canopy system at the pick-up window side of the building. In order to re-construct a larger Chick-fil-A building at the same location, the applicant is requesting two (2) variances in order to reduce the front and rear yard setbacks.

Therefore, the applicant requests the following:

- 1) Application **V 18-10-01**, a variance from Article X Section 1003 C to reduce the **front yard setback from 25 feet to 18.65 feet**, and
- 2) Application **V 18-10-02**, a variance from Article X Section 1003 H to reduce the **rear yard setback from 25 feet to 23.8 feet**.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail)	Southern Square Shopping Mall – Hibbett Sports, Seasons of Japan Restaurant, Loc’s Chicken and Waffles, UPS, Jackson Hewitt, Rolling Monkey Ice Cream, and One Main Financial
SOUTH:	CR (Commercial Retail)	Statesboro Mall, Starbucks Coffee
EAST:	CR (Commercial Retail)	Longhorn Steakhouse and Chicken Salad Chick Restaurants
WEST:	CR (Commercial Retail)	Aspen Dental and AT&T Store

The subject property is located in an area that is surrounded on all sides by property with the CR (Commercial Retail) zoning district designation. The surrounding land uses include mainly restaurants and retail. (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 Site Plan) Exhibit E (Architectural Renderings), Exhibit F (Double Lane Order Canopy Elevations).

COMPREHENSIVE PLAN:

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

<u>“Activity Centers/Regional Centers”</u>	
<i>Vision</i>	<i>Suggested Development & Implementation Strategies</i>
Currently dominated by auto-oriented design and large surface parking lots, the Activity Centers 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.	<ul style="list-style-type: none">• 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 (such as screening parking lots or locating parking areas primarily to the sides and rear of buildings).• 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. <p><i>Statesboro Comprehensive Master Plan, Community Agenda</i> pages 25-26.</p>

In addition, the “2014 Quality Community Objectives” section of the Comprehensive Plan states the following:

“Maximize the use of existing infrastructure and minimize the costly conversion of undeveloped land at the periphery of the community. This may be achieved by encouraging development or redevelopment of sites closer to the traditional core of the community; designing new development to minimize the amount of land consumed; carefully planning expansion of public infrastructure; or maintaining open space in agricultural, forestry, or conservation uses.”

Statesboro Comprehensive Master Plan, Quality Community Objectives, page 46.

ANALYSIS

I. Variance from Article X Section 1003 C: *Front yard*. There shall be a front yard on each street on which a lot abuts which shall not be less than 25 feet in depth.

The applicant is requesting a variance from Article X Section 1003 C to reduce the **minimum front yard setback from 25 feet to 18.65 feet**. This variance is specifically being requested in order to allow for the reconstruction of a larger Chick-fil-A restaurant at the same location. A portion of the Drive-Thru Canopy will be located in the area where the normal 25 foot building setback would be regulated in the CR (Commercial Retail) zoning district.

II. Variance from Article X Section 1003 H: *Rear yard setbacks*. There shall be a rear yard setback of 25 feet.

The applicant is requesting a variance from Article X Section 1003 H to reduce the **rear yard setback from 25 feet to 23.8 feet**. This variance is specifically being requested in order to allow for the reconstruction of a larger Chick-fil-A restaurant at the same location. A portion of the Drive-Thru Canopy will be located in the area where the normal 25 foot building setback would be regulated in the CR (Commercial Retail) zoning district.

ANALYSIS (Cont'd)

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.”

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

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 18-10-01 and V 18-10-02.

EXHIBIT A: LOCATION MAP



EXHIBIT B: FUTURE DEVELOPMENT MAP

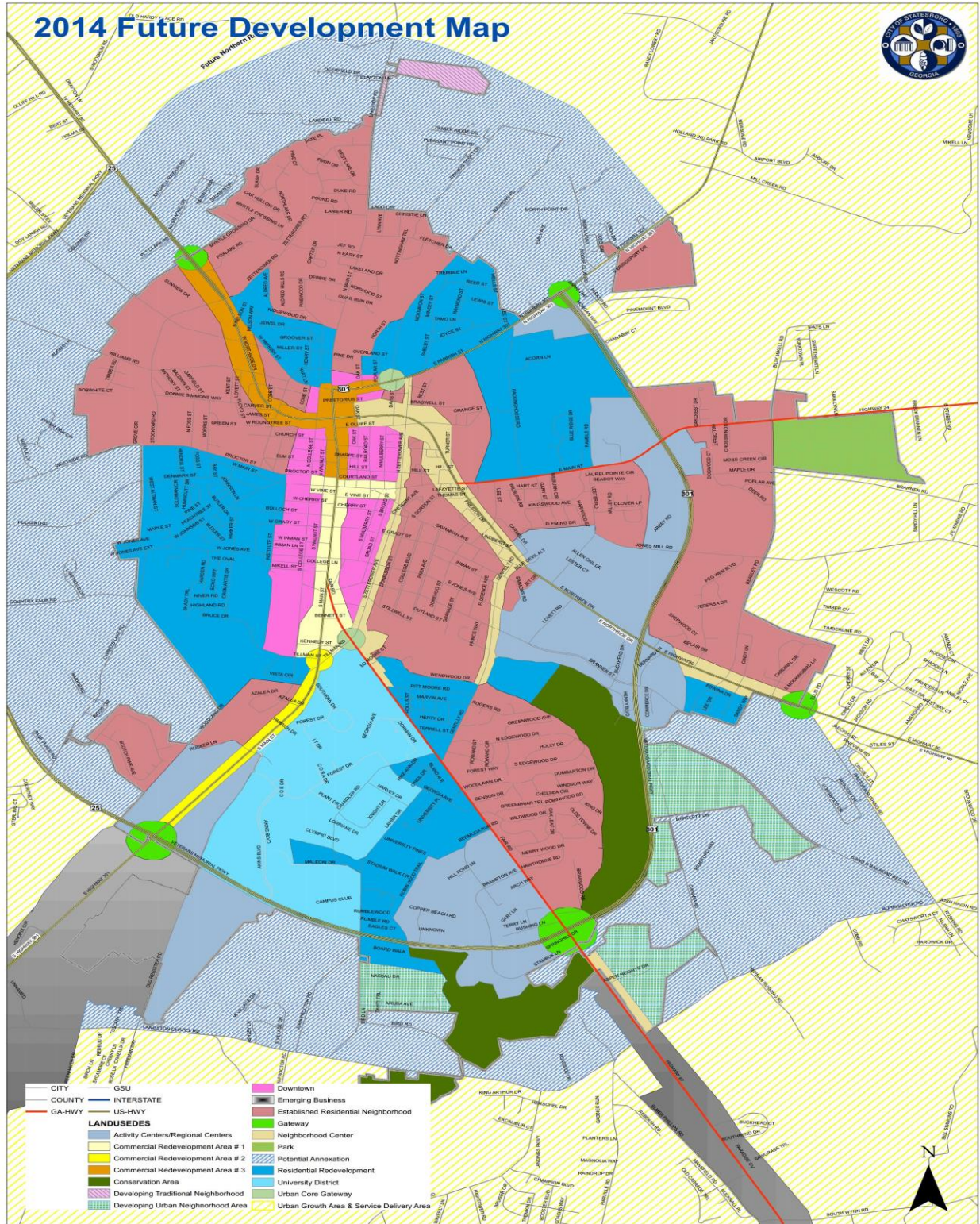


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS

Picture 1: View of the subject site looking northwest along Northside Drive East, Chick-fil-A Restaurant.



Picture 2: View of the subject property's rear property line, looking northwest from the parking facility to the rear of Chick-fil-A. Also a view of the area where **V 18-10-02** is being requested.



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

Picture 3: View of the subject property's side yard, looking south from the parking facility to the rear of Chick-fil-A.



Picture 4: View of the subject property's front property line, looking northwest from the adjacent property to the east. Also a view of the area where **V 18-10-01** is being requested.



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

Picture 5: Additional view of the subject property's front property line, looking southeast from the adjacent property. Also a view of the area where **V 18-10-01** is being requested.



Picture 6: View of the subject property's side yard, looking north from Northside Drive East.



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

Picture 7: View of the subject property's side yard, looking south from the parking lot facility to the rear of Chick-fil-A.



Picture 8: View of the surrounding properties to the north of the subject property, currently a shopping mall.



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

Picture 9: View of the surrounding properties to the south of the subject property, currently Statesboro Mall.



Picture 10: View of the surrounding properties to the northwest of the subject property, currently Aspen Dental and AT&T Store.

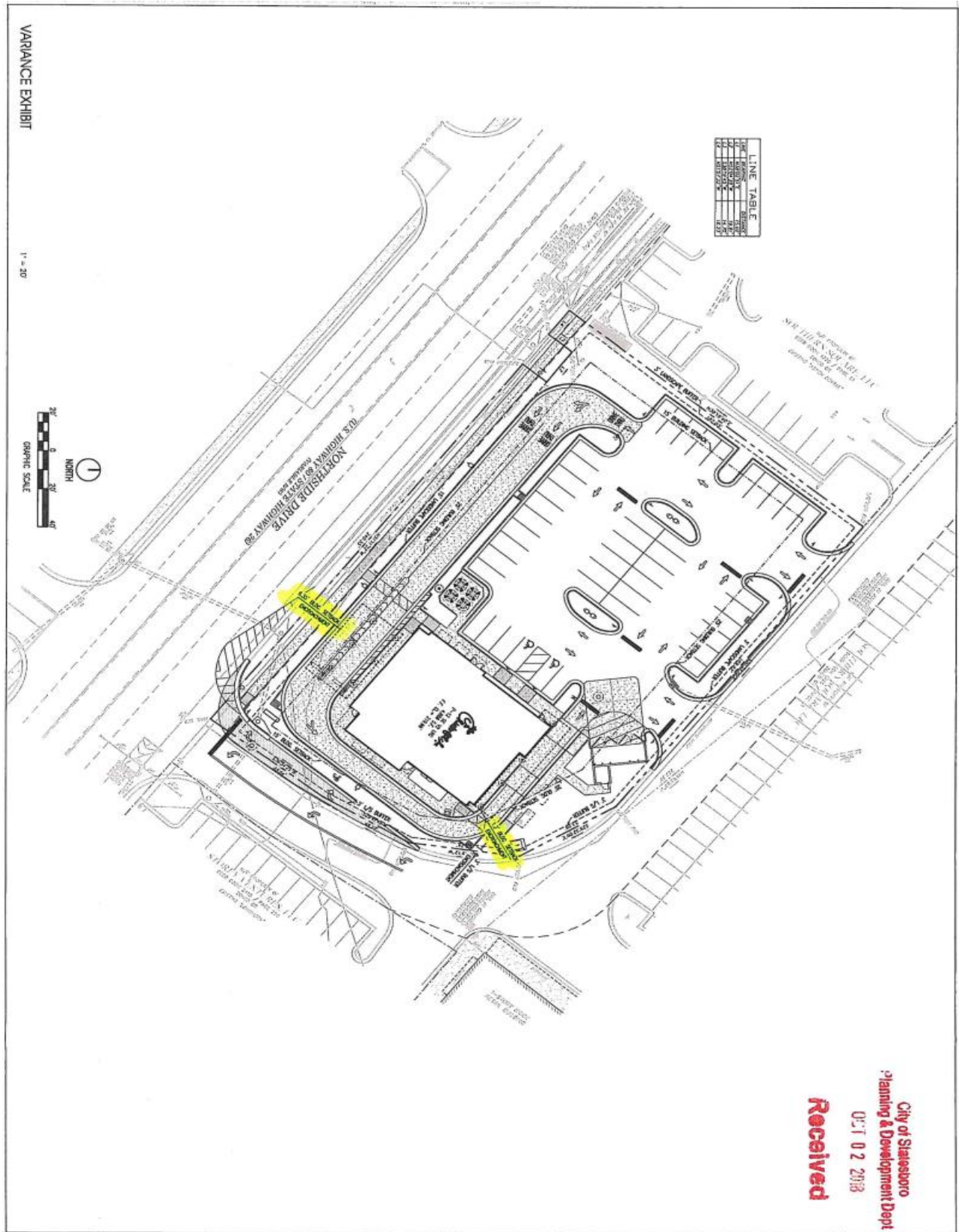


EXHIBIT C: SITE AND SURROUNDING PROPERTY PHOTOS (CONT'D)

Picture 11: View of the adjacent property to the southeast of the subject property, currently Longhorn Steakhouse.



EXHIBIT D: PROPOSED SITE PLAN



City of Statesboro
 Planning & Development Dept
 OCT 02 2018
Received

CHICK-FIL-A
 SAR STATESBORO FSR
 352 NORTHSIDE DR. EAST
 STATESBORO, GEORGIA 30458

FSR# 00643

Chick-fil-A
 3500 Eastington Road
 Atlanta, GA 30328

INTERPLANE
 ARCHITECTURE
 INTERIOR DESIGN
 PROJECT MANAGEMENT

ALISA BROWN
 CLARKSON

3540 COLUMBIA DRIVE
 GAINESVILLE, FLORIDA 32608
 352.433.8888
 WWW.INTERPLANEFLA.COM

DATE: 10/02/2018
 TIME: 10:00 AM
 DRAWN BY: J. W. HARRIS

EXHIBIT E: ARCHITECTURAL RENDERINGS



ELEVATION - ENTRY
1/8" = 1'-0"



ELEVATION - REAR
1/8" = 1'-0"



ELEVATION - SIDE
1/8" = 1'-0"

EXTERIOR CANOPY SCHEDULE - SE LRG

Mark	Description	Count	Overall Width	Overall Depth	Tie Back Mounting (Offset from Top)	Light Fixture(s)
C1-A	Exterior Canopy	1	3'-9"	1'-0"	0"	Yes
C4-A	Exterior Canopy	1	5'-0"	4'-0"	2'-6"	Yes
C4-E	Exterior Canopy	1	7'-1"	4'-0"	2'-6"	Yes
C4-F	Exterior Canopy	4	7'-1"	4'-0"	2'-6"	No
C5-A	Exterior Canopy	1	10'-8"	5'-0"	2'-6"	Yes
C8-F	Exterior Canopy	1	54'-0"	11'-0"	3'-0"	Yes
Grand total		9				



ELEVATION - DRIVE-THRU
1/8" = 1'-0"

EXTERIOR FINISHES

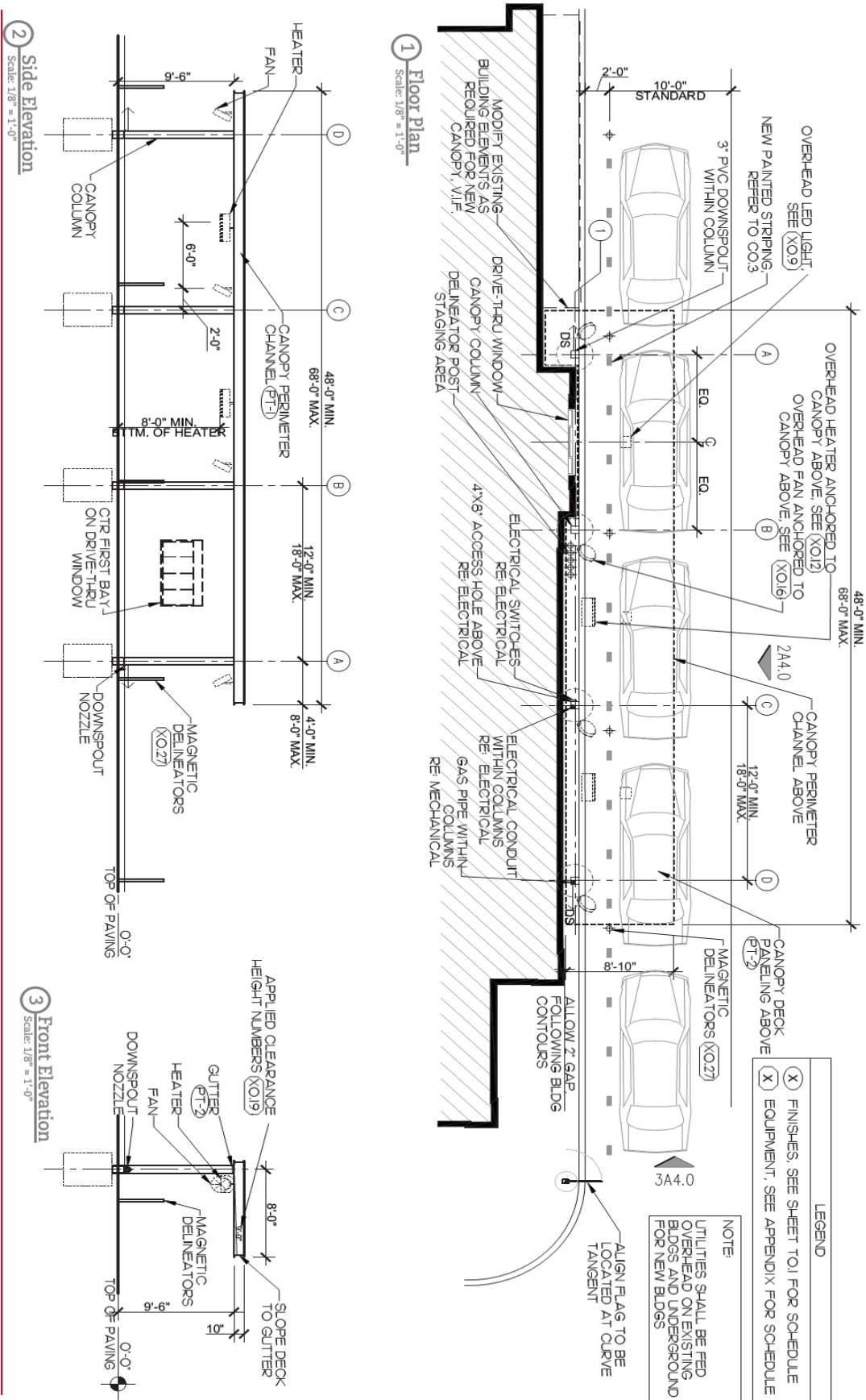
	EC-1 PREFINISHED METAL COPING COLOR: DARK BRONZE
	SC-1 STUCCO SYSTEM COLOR: WHITE FINISH: SAND MEDIUM
	PT-9 EXTERIOR PAINT COLOR: DARK BRONZE FINISH: SEMI-GLOSS
	BR-3 BRICK VENEER COLOR: CITADEL SIZE: MODULAR MORTAR: ARGOS SAN TAN
	ST-1 STOREFRONT COLOR: DARK BRONZE

Tier 3 Order Meal Delivery

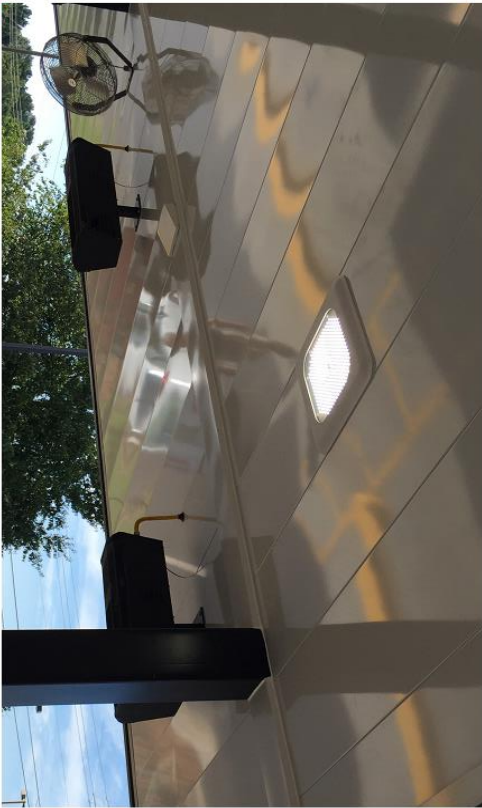


Tier 3 Outside Meal Delivery Example Photos

EXHIBIT F: DOUBLE LANE ORDER CANOPY ELEVATIONS (Continued)



Tier 3 Order Canopy



Tier 3 Example Photos

Date:

09/26/17

