



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 7, 2023

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

I. Call to Order

II. Invocation & Pledge of Allegiance

III. Approval of Minutes

1. October 3, 2023

IV. New Business

1. **Seating of New Planning Commissioners**

2. **APPLICATION RZ 23-09-07:** Five Guys Development requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district of approximately 113.4 acres of property in order to construct a 335 unit mixed single-family detached and townhouse subdivision at 6922 Burkhalter Road (Tax Parcel # 108 000002 000).

3. **APPLICATION RZ 23-10-02:** Hadden Capital LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the R-2 (Townhouse Residential) zoning district on 13.43 acres of property in order to construct a townhome subdivision on Langston Chapel Road (Tax Parcel # MS76000010 000).

4. **APPLICATION SUB 23-10-03:** Burbank Point LLC request a Preliminary Subdivision PLAT on 1.21 acres of property located on Hill Street (Tax Parcel# S39 000043 000).

V. Announcements

VI. Adjourn



City of Statesboro
Department of Planning and Development Memorandum

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Statesboro Planning Commission

October 3, 2023

5:00 P.M.

City Hall Council Chamber

Meeting Minutes

Present: Planning Commission members: Cathy Dixon, Ronald Simmons, Len Fatica (Abstained from Voting) and James Thibodeau; **City of Statesboro Staff:** Kathleen Field (Director of Planning & Development), Justin Williams (Planning & Housing Administrator) Jermaine Foster (Planner) **Absent:**

I. Call to Order

Commissioner Thibodeau called the meeting to order.

II. Invocation & Pledge of Allegiance

Commissioner Dixon led in the invocation & pledge.

III. Approval of Minutes

1. September 5, 2023 Meeting Minutes.

Commissioner Simmons made a motion to approve the minutes of September 5, 2023 with a second from Commissioner Dixon. The motion was passed to approve the minutes of September 5, 2023 on a 3-0 vote.

IV. New Business

1. **APPLICATION RZ 23-08-08:** S&K Investments LLC requests a Zoning Map Amendment from the R-40 (Single-Family Residential) zoning district to the MX (Mixed Use) zoning district on 2.27 acres of property located at 3101 Old Register Road in order to build a commercial development (Tax Parcel # 076 000001 001).

Kathy Field introduced the case. Commissioner Simmons motioned to open the public hearing with a second from Commissioner Dixon. The motion passed 3-0. John Dotson with Maxwell Reddick spoke in favor of this application and provided feedback regarding the project. Commissioner Simmons motioned to close the hearing with a second from Commissioner Dixon. The motion passed 3-0.

After discussion, Commissioner Simmons motioned to approve the request with a second from Commissioner Dixon. The motion passed 3-0.

2. **APPLICATION RZ 23-09-01**: Nellie Meeks request a Zoning Map Amendment from the R-15 (Single-Family Residential) to the MX (Mixed Use) zoning district in order to reuse a property as office space at 26 Lindberg Street (Tax Parcel # S51 000045 000).

Kathy Field introduced the case. Commissioner Dixon motioned to open the public hearing with a second from Commissioner Simmons. The motion passed 3-0. No one there was there to represent this case. Commissioner Simmons motioned to close the hearing with a second from Commissioner Dixon. The motion passed 3-0.

After discussion, Commissioner Dixon motioned to approve the request with a second from Commissioner Simmons. The motion passed 3-0.

3. **APPLICATION RZ 23-09-02**: Hillpointe, LLC requests a Zoning Map Amendment from the MX/PUD (Mix Use/Planned Unit Development) zoning districts to the MX (Mixed Use) zoning district in order to develop a commercial multi-family residential development on 18.56 acres located on Lovett Road (Tax Parcel MS72 000004 000).

Kathy Field introduced the case. Commissioner Simmons motioned to open the public hearing with a second from Commissioner Dixon. The motion passed 3-0. Marcus Wiedower spoke in favor of this project. He mentioned that he will provide a traffic study for the adjacent road that's next to the property. Commissioner Simmons motioned to close the hearing with a second from Commissioner Dixon. The motion passed 3-0.

After discussion, Commissioner Simmons motioned to approve the request with a second from Commissioner Dixon. The motion passed 3-0.

4. **APPLICATION SUB 23-09-03**: Tim Stone requests Preliminary Subdivision PLAT approval on approximately 11.54 acres of property in order to develop a townhouse subdivision of approximately 93 units on Westside Road (Tax Parcel MS30 000025 002).

Kathy Field introduced the case. Commissioner Simmons motioned to open the public hearing with a second from Commissioner Dixon. The motion passed 3-0. Haydon Rollins spoke in favor of this project. He explain the project and how many units they plan to have and the overall layout. Commissioner Dixon motioned to close the hearing with a second from Commissioner Simmons. The motion passed 3-0.

After discussion, Commissioner Simmons motioned to approve the request with a second from Commissioner Dixon. The motion passed 3-0.

5. **APPLICATION SUB 23-09-04**: Mitchell Ball requests Preliminary Subdivision PLAT approval on approximately 32.6 acres of property in order to develop a single-family

detached subdivision of approximately 85 units on Timber Road & Stockyard Road (Tax Parcel # MS38 000068 001).

Kathy Field introduced the case. Commissioner Dixon motioned to open the public hearing with a second from Commissioner Simmons. The motion passed 3-0. Haydon Rollins spoke in favor of this project. He explain the project and how this project will connect to their project SUB 23-09-03. Commissioner Simmons motioned to close the hearing with a second from Commissioner Dixon. The motion passed 3-0.

After discussion, Commissioner Simmons motioned to approve the request with a second from Commissioner Dixon. The motion passed 3-0.

V. Announcements

Kathy Field announced that the City of Statesboro UDC has now been passed as of October 1, 2023. She also announced the joint traffic project with the county and GMC and she gave an update for the City of Statesboro comprehensive plan.

VI. Adjourn

Commissioner Dixon made a motion to adjourn the meeting. Commissioner Simmons seconded, and the motion carried 3-0.

Chair – As Determined by Vote (James Thibodeau)


Secretary – Kathleen Field
Director of Planning & Development



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

| RZ 23-09-07 ZONING MAP AMENDMENT REQUEST 6922 BURKHALTER ROAD | |
|--|--|
| LOCATION: | 6922 Burkhalter Road |
| EXISTING ZONING: | AG-5 (Agricultural District – County) |
| ACRES: | 113.4 acres |
| PARCEL TAX MAP #: | 108 000002 000 |
| COUNCIL DISTRICT: | District 5 (Barr – Proposed) |
| EXISTING USE: | Vacant Lot – Old Home |
| PROPOSED USE: | Single-Family and Townhome Subdivision |
|  | |

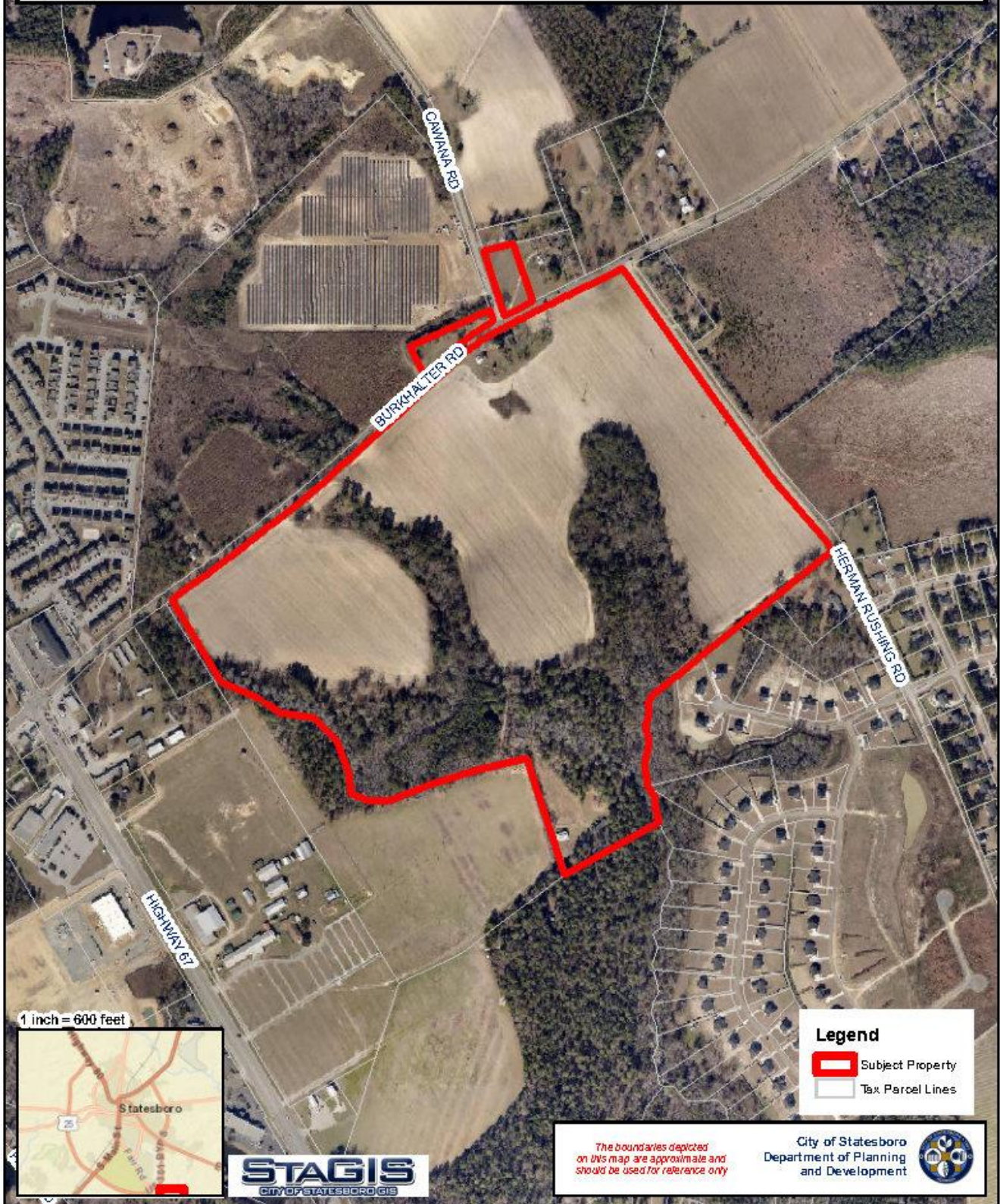
PETITIONER Five Guys Development, LLC
ADDRESS 101 Lancaster Point; Statesboro GA, 30458

REPRESENTATIVE CJ Chance; Hussey Gay Bell
ADDRESS 1100 Brampton Avenue; Statesboro GA, 30458

| PROPOSAL |
|---|
| The applicant is requesting an Annexation and subsequent Zoning Map Amendment to the R-2 (Townhouse Residential) zoning district for 113.4 acres of property in order to develop both a mixed Single-Family detached and townhouse development. |
| PLANNING COMMISSION RECOMMENDATION |
| <u>RZ 23-09-07 CONDITIONAL APPROVAL</u> |

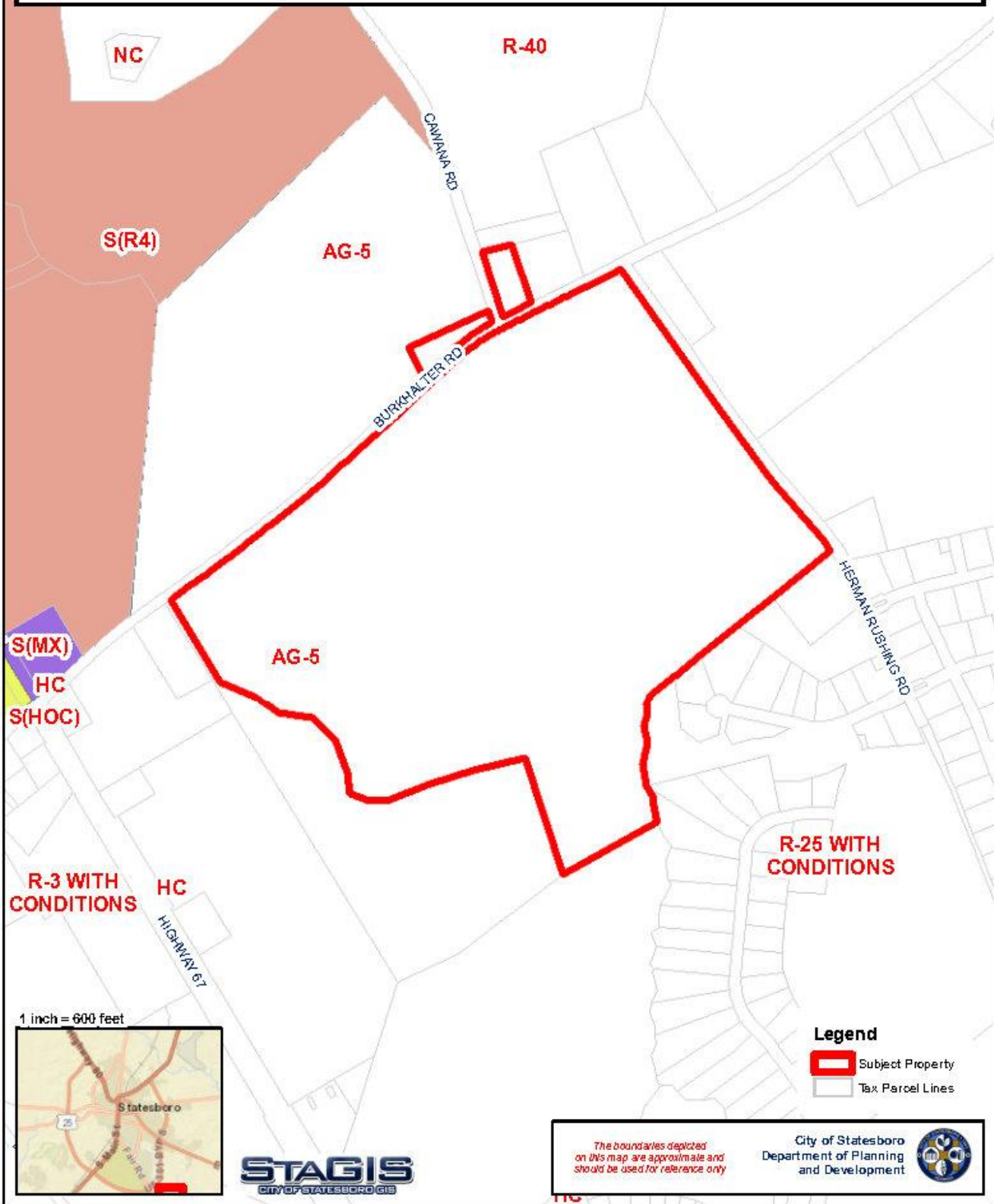
Case # AN 23-09-06 & RZ 23-09-07
6922 Burkhalter Rd
Parcel: 108 000002 000

Location Map



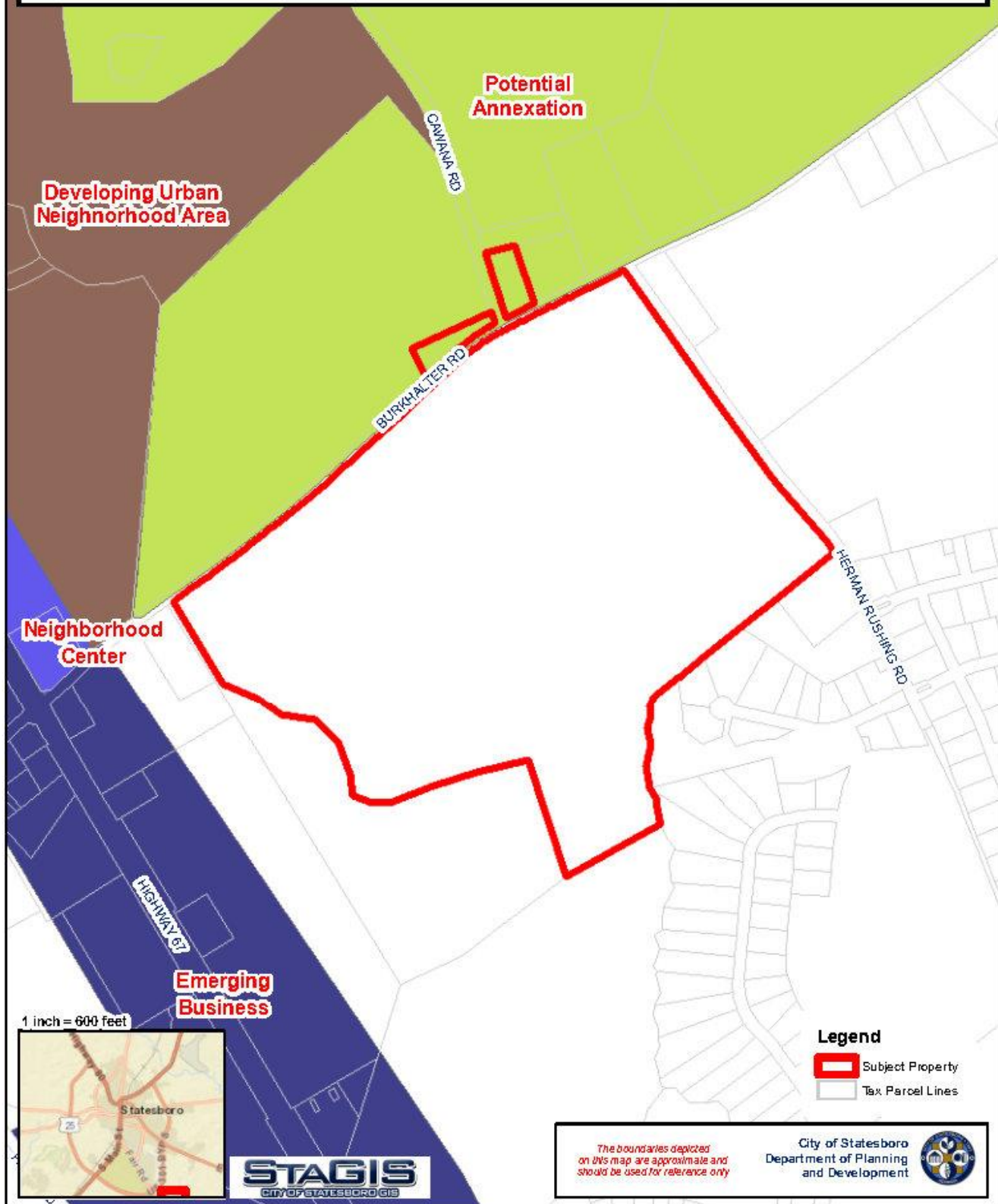
Case # AN 23-09-06 & RZ 23-09-07
6922 Burkhalter Rd
Parcel: 108 000002 000

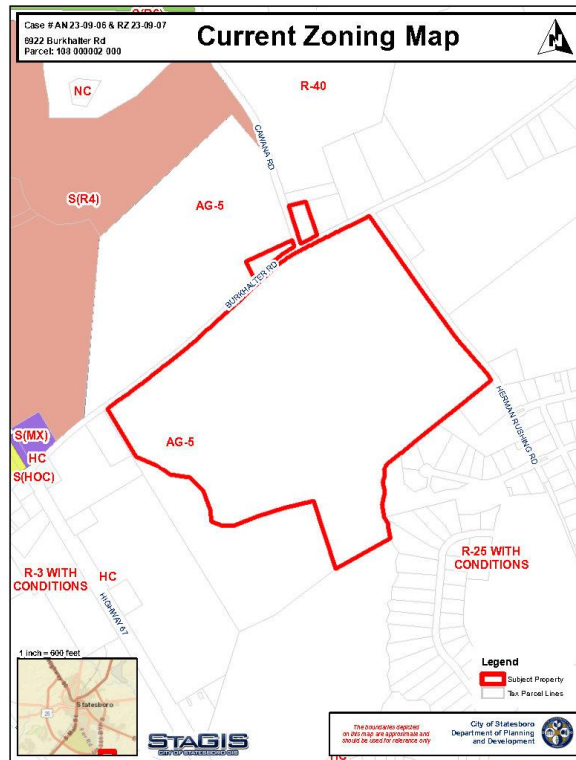
Current Zoning Map



Case # AN 23-09-06 & RZ 23-09-07
6922 Burkhalter Rd
Parcel: 103 000002 000

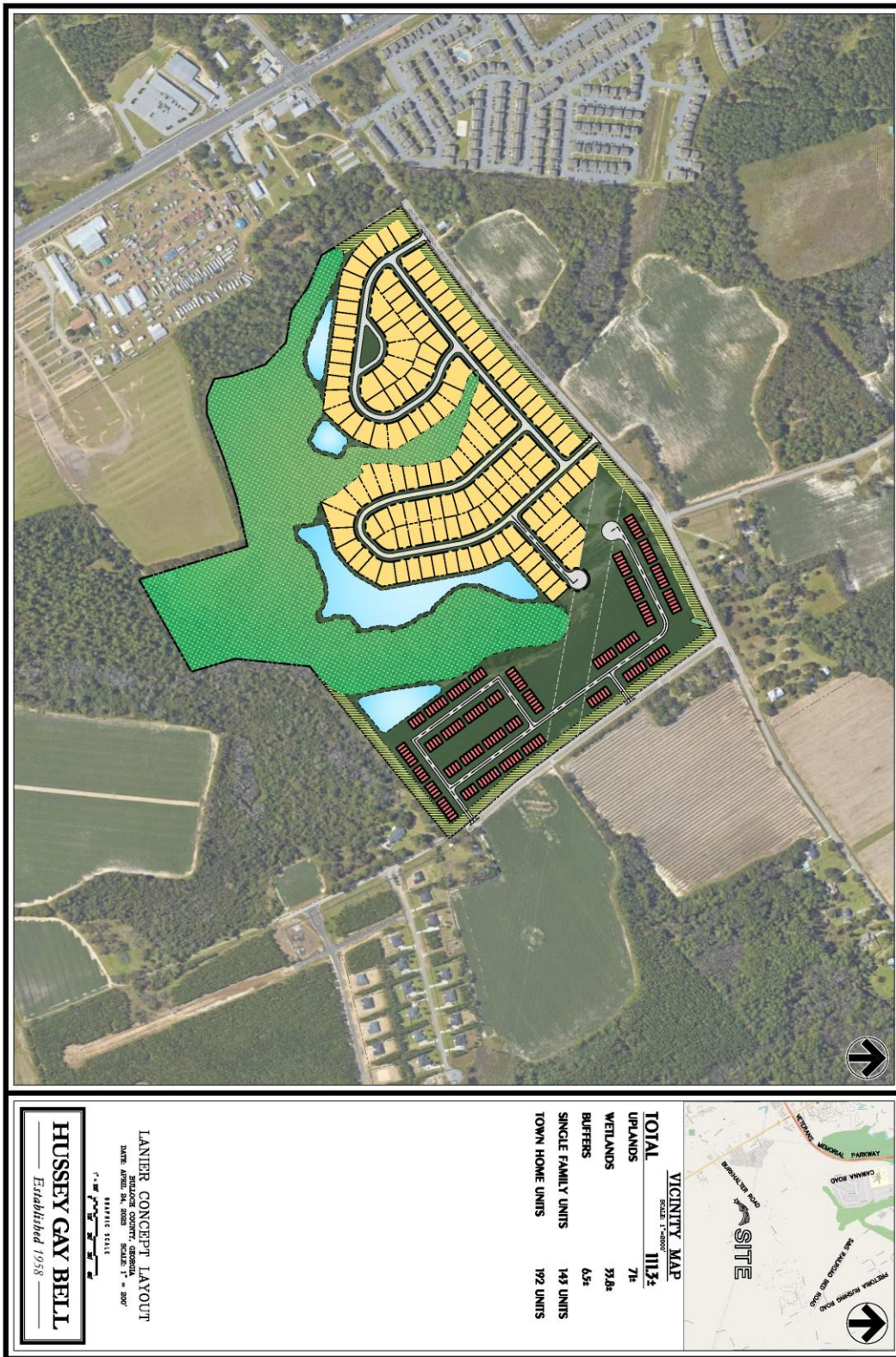
Future Landuse Map





| SURROUNDING LAND USES/ZONING | | |
|------------------------------|--|---------------------------|
| Location | Parcel Location & Zoning Information | Land Use |
| North | Location Area #1: AG-5 (Agricultural District – County) | Vacant |
| Northeast | Location Area #2: AG-5 (Agricultural District – County) | Vacant |
| Northwest | Location Area #3: AG-5 (Agricultural District – County) | Vacant |
| East | Location Area #4: AG-5 (Agricultural District – County) | Vacant |
| West | Location Area #5: AG-5 (Agricultural District – County) | Vacant |
| Southwest | Location Area #6: GC (General Commercial – County) | Vacant |
| Southeast | Location Area #7: R-25 (Single-Family Residential – County) | Chatham Place Subdivision |
| South | Location Area #8: R-25 (Single-Family Residential – County) | Chatham Place Subdivision |

PROPOSED SITE



SUBJECT SITE

Page 6 of 11

Development Services Report

Case **RZ 23-09-07**

The subject site is a mostly vacant lot located on Burkhalter Road. The property has an old home with farm equipment, and some wetlands on the site. The applicant intends to develop one half of the site as single-family detached residential, and the other half as townhomes. In total, the applicant seeks to develop the property with 335 units, with 192 townhomes and 143 single-family units. As per the Unified Development Code, the R-2 zoning district allows for not only townhomes, but also for one-household residential housing.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* does not show this area. It is recommended that this area boundary be included in the revision to the Statesboro Comprehensive Master Plan, due to the availability of City Water/Sewer.

ENVIRONMENTAL SITE ANALYSIS

The subject property contains significant wetlands, but all areas proposed for development are currently flat land for development. There are also no FEMA classified flood areas on the site.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but water and sewer can be connected from multiple areas, which are currently under consideration. The property discharges onto the existing Burkhalter Road. This road has significant issues associated with traffic stacking, and collaboration with the County must be undertaken to ensure the appropriate service level is attached to this road. In addition, right-of-way must be provided to ensure traffic improvements can be made on the property.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

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

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
 - The surrounding area is made up of a primarily single-family residential development, although there are some commercial areas immediately to the west of the site.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
 - The adjacent property already serves the role of providing housing, and it is unlikely that any substantial commercial development will form on this road due to the existing infrastructure already on site.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**

- This property would not be able to access City sewer and water without completion of an annexation. It would have the ability to develop in its current zoning but not with the density or housing mix as requested.
- 4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?**
- This road currently has significant traffic depending on the time of day, and the intersection of Highway 67 and Burkhalter already suffers from a low service level. Concerns must be addressed with the County, and access to this road would require approval by the County.
- 5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?**
- This is a growing area, and it is likely that there will be additional pressure further along the roadway based on the development of the 67 corridor.
- 6. Does the zoning proposal conform to the Long Range Land Use Plan of the Municipality?**
- The overall use does not conflict with the currently defined “Potential Annexation Area” of the Comprehensive Master Plan. Additional guidance will be provided in the upcoming update of this plan.

Subject Property



Subject Property (Southwest)



Subject Property (Northeast)



Northern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval RZ 23-09-07**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.
- (2) The applicant must ensure appropriate right-of-way is provided to the City to ensure appropriate road improvements on the site.
- (3) The applicant must submit a Traffic Impact Study before completion of the project subdivision to ensure that appropriate right-of-way and traffic calming measures may be implemented.
- (4) The Single-Family Residential subdivision must adhere to all zoning dimensional standards as outlined by Table 2.2.1-B in the Unified Development Code.
- (5) The applicant must provide amenity space to the site in accordance with the R-2 Dimensional Standards.



ZONING SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

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

| RZ 23-10-02 ZONING MAP AMENDMENT REQUEST LANGSTON CHAPEL ROAD | |
|--|---|
| LOCATION: | Langston Chapel Road) |
| EXISTING ZONING: | R-25 (Single-Family Residential – County) |
| ACRES: | 13.41 acres |
| PARCEL TAX MAP #: | MS76000010 000 |
| COUNCIL DISTRICT: | District 3 (Mack – Proposed) |
| EXISTING USE: | Vacant Lot |
| PROPOSED USE: | Townhouse Subdivision |

Location Map

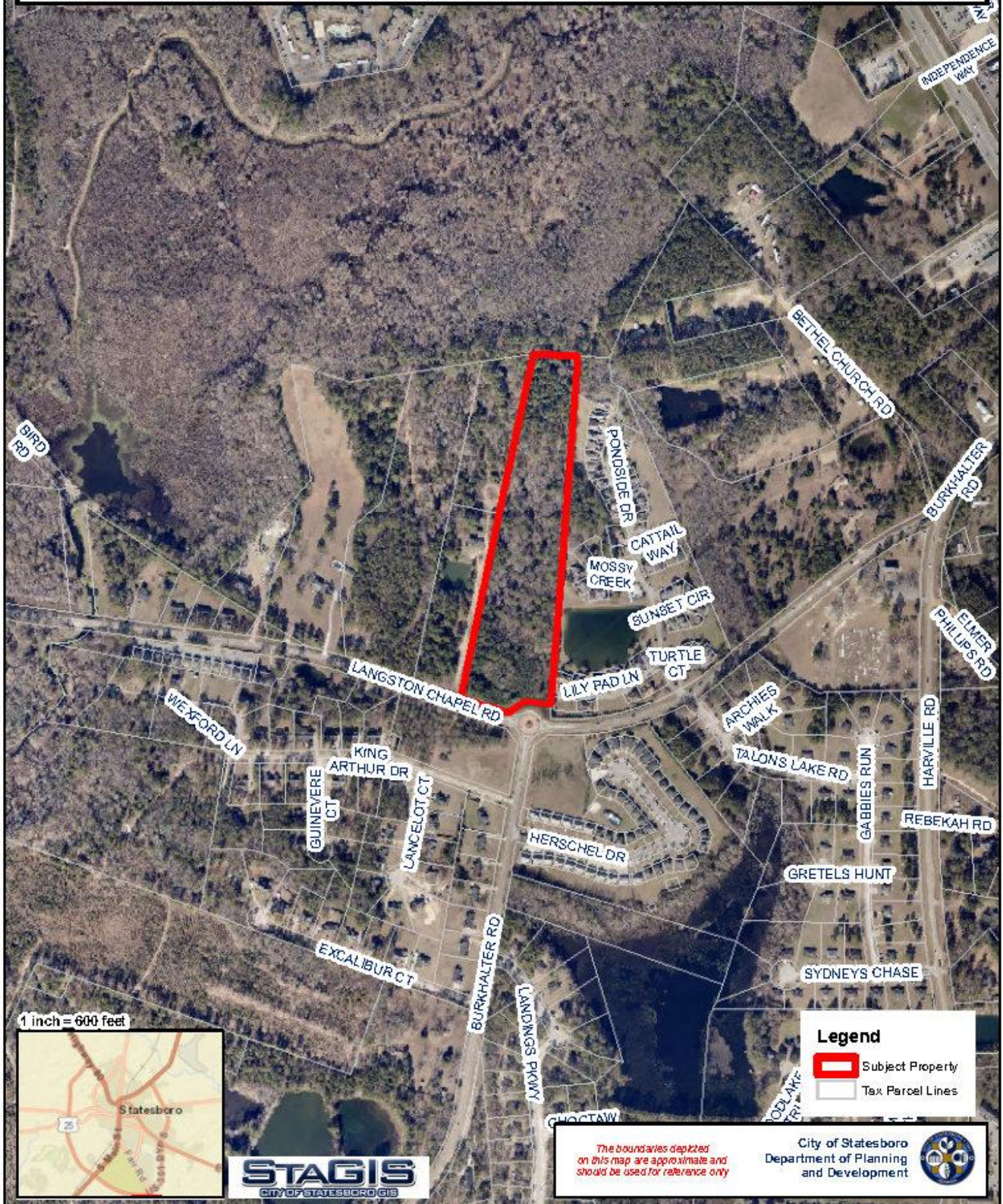
PETITIONER Hadden Capital LLC
ADDRESS 101 Lancaster Point; Statesboro GA, 30458

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

| PROPOSAL |
|--|
| The applicant is requesting an Annexation and subsequent Zoning Map Amendment to the R-2 (Townhouse Residential) for 13.41+/- acres of property located on Langston Chapel Road in order to build a townhouse subdivision. |
| PLANNING COMMISSION RECOMMENDATION |
| <u>RZ 23-10-02 CONDITIONAL APPROVAL</u> |

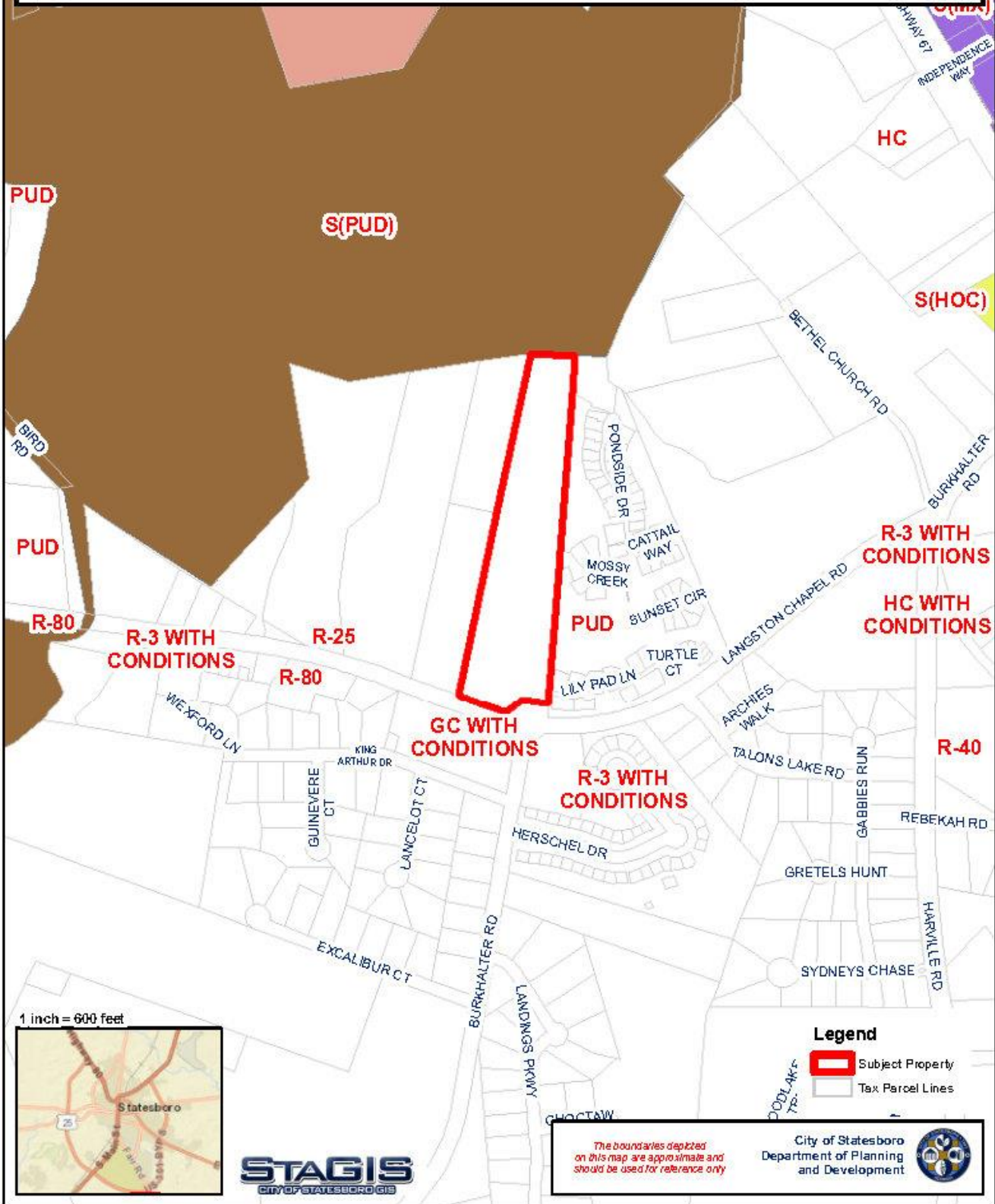
Case # AN 23-10-01, RZ 23-10-02
Langston Chapel Road
Parcel: MS76000010 000

Location Map



Case # AN 23-10-01, RZ 23-10-02
Langston Chapel Road
Parcel: MS76000010 000

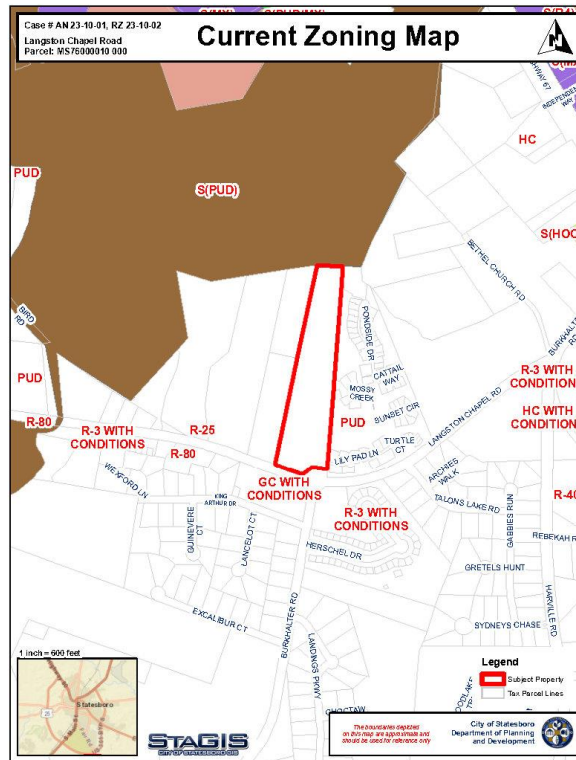
Current Zoning Map



Case # AN 23-10-01, RZ 23-10-02
Langston Chapel Road
Parcel: MS76000010 000

Future Landuse Map





SURROUNDING LAND USES/ZONING

| Location | Parcel Location & Zoning Information | Land Use |
|-----------------|---|------------------------|
| North | Location Area #1: PUD (Planned Unit Development) | Bird's Pond |
| Northeast | Location Area #2: PUD (Planned Unit Development) | Bird's Pond |
| Northwest | Location Area #3: PUD (Planned Unit Development) | Bird's Pond |
| East | Location Area #4: PUD (Planned Unit Development – County) | Townhouse Development |
| West | Location Area #5: R-25 (Single-Family Residential – County) | Single-Family Dwelling |
| Southwest | Location Area #6: GC (General Commercial – County) | Vacant |
| Southeast | Location Area #7: R-3 (Multiple Family Residential – County) | Vacant |
| South | Location Area #8: GC (General Commercial – County) | Vacant |

GENERAL ZONING NOTES FOR CITY OF STATESBORO:

| GENERAL ZONING | PROPOSED ZONING |
|------------------------------------|------------------------------------|
| RESIDENTIAL SINGLE-FAMILY (RS) | RESIDENTIAL TOWNHOME (RT) |
| MINIMUM LOT AREA: 10,000 SQ. FT. | MINIMUM LOT AREA: 10,000 SQ. FT. |
| MINIMUM FRONT YARD SETBACK: 20 FT. | MINIMUM FRONT YARD SETBACK: 20 FT. |
| MINIMUM SIDE YARD SETBACK: 10 FT. | MINIMUM SIDE YARD SETBACK: 10 FT. |
| MINIMUM REAR YARD SETBACK: 10 FT. | MINIMUM REAR YARD SETBACK: 10 FT. |
| MINIMUM LOT WIDTH: 40 FT. | MINIMUM LOT WIDTH: 40 FT. |
| MINIMUM LOT DEPTH: 120 FT. | MINIMUM LOT DEPTH: 120 FT. |
| MINIMUM LOT AREA: 10,000 SQ. FT. | MINIMUM LOT AREA: 10,000 SQ. FT. |
| MINIMUM LOT WIDTH: 40 FT. | MINIMUM LOT WIDTH: 40 FT. |
| MINIMUM LOT DEPTH: 120 FT. | MINIMUM LOT DEPTH: 120 FT. |
| MINIMUM LOT AREA: 10,000 SQ. FT. | MINIMUM LOT AREA: 10,000 SQ. FT. |
| MINIMUM LOT WIDTH: 40 FT. | MINIMUM LOT WIDTH: 40 FT. |
| MINIMUM LOT DEPTH: 120 FT. | MINIMUM LOT DEPTH: 120 FT. |

PROPOSED SITE NOTES:

| PROPOSED SITE | PROPOSED ZONING |
|------------------------------------|------------------------------------|
| RESIDENTIAL TOWNHOME (RT) | RESIDENTIAL TOWNHOME (RT) |
| MINIMUM LOT AREA: 10,000 SQ. FT. | MINIMUM LOT AREA: 10,000 SQ. FT. |
| MINIMUM FRONT YARD SETBACK: 20 FT. | MINIMUM FRONT YARD SETBACK: 20 FT. |
| MINIMUM SIDE YARD SETBACK: 10 FT. | MINIMUM SIDE YARD SETBACK: 10 FT. |
| MINIMUM REAR YARD SETBACK: 10 FT. | MINIMUM REAR YARD SETBACK: 10 FT. |
| MINIMUM LOT WIDTH: 40 FT. | MINIMUM LOT WIDTH: 40 FT. |
| MINIMUM LOT DEPTH: 120 FT. | MINIMUM LOT DEPTH: 120 FT. |
| MINIMUM LOT AREA: 10,000 SQ. FT. | MINIMUM LOT AREA: 10,000 SQ. FT. |
| MINIMUM LOT WIDTH: 40 FT. | MINIMUM LOT WIDTH: 40 FT. |
| MINIMUM LOT DEPTH: 120 FT. | MINIMUM LOT DEPTH: 120 FT. |

Page 6 of 11
Development Services Report
Case **RZ 23-10-02**

The subject site is a vacant 13.4+/- lot located on Langston Chapel Road. The applicant intends to develop the property for a residential townhouse subdivision. There are wetlands on the site, but these are not intended for significant disruption. The development will include two entrances which is sufficient in accordance with the International Fire Code. The total proposed development will consist of approximately 108 units.

The *City of Statesboro 2019 – 2029 Comprehensive Master Plan* shows this area in the “Potential Annexation” character area, which calls for small and midsize regional retail and commercial development, as well as mixed use retail and multi-family housing.

ENVIRONMENTAL SITE ANALYSIS

The subject property does contain wetlands, but does not have any FEMA Flood Areas listed.

COMMUNITY FACILITIES AND TRANSPORTATION

The subject property is not currently served by City Water or Sewer, but water and sewer can be connected from the Northernmost Boundary of the site. The development will disburse all traffic onto a County road (Langston Chapel) and will require approval for exits to be placed on this street. Streets within the development are proposed to be public and the associated guest parking is subject to change.

ZONING MAP AMENDMENT STANDARDS FOR DETERMINATION

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

The Zoning Procedures Law, specifically the “Steinberg Criteria” provides minimum standards for local governments to consider in the rezoning of properties. Those standards are as follows:

- 1. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**
 - The surrounding area is made up of a mix of residential development of varying densities. Historically, efforts to rezone the property in the County to Commercial have failed, due to the concerns of surrounding residents.
- 2. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?**
 - This would be development in alignment to the existing County properties, but would have a generally higher density. It will not adversely impact the surrounding use.
- 3. Does the property be rezoned have a reasonable economic use as currently zoned?**
 - This property would not be able to access City sewer and water without completion of an annexation. It would have the ability to develop in its current zoning but not with the density as requested.

4. Will the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

- This road currently has significant traffic depending on the time of day, but does not serve as a main thoroughfare in this area. Concerns must be addressed with the County roundabout, but access to this road would require approval by the County.

5. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

- This is a slow growing area, as many of the surrounding parcels are already developed. Development of this area is in line with other expectations for growth in the surrounding area.

6. Does the zoning proposal conform to the Long Range Land Use Plan of the Municipality?

- The overall use does not conflict with the currently defined “Potential Annexation Area” of the Comprehensive Master Plan. Additional guidance will be provided in the upcoming update of this plan.

Subject Property



Southern Property



Western Property



Eastern Property



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Approval RZ 23-10-02**. If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Zoning Map Amendment does not grant site and/or building plan approval as submitted. Project will be required to meet all City Ordinances and applicable building codes.



ZONING SERVICES REPORT

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SUB 23-10-03 PRELIMINARY SUBDIVISION REQUEST HILL STREET

| | |
|--------------------------|------------------------------------|
| LOCATION: | 0 Hill Street |
| EXISTING ZONING: | R-6 (Single-Family Residential) |
| ACRES: | 1.21 Acres |
| PARCEL TAX MAP #: | S39 000043 000 |
| COUNCIL DISTRICT: | District 1 (Boyum) |
| EXISTING USE: | Wooded Lot |
| PROPOSED USE: | Single-Family Detached Development |



PETITIONER Burbank Pointe LLC
ADDRESS 1007 Monarch Circle; Statesboro, GA 30461

REPRESENTATIVE Nathan Brown: Hussey Gay Bell
ADDRESS 1100 Brampton Avenue; Statesboro GA, 30458

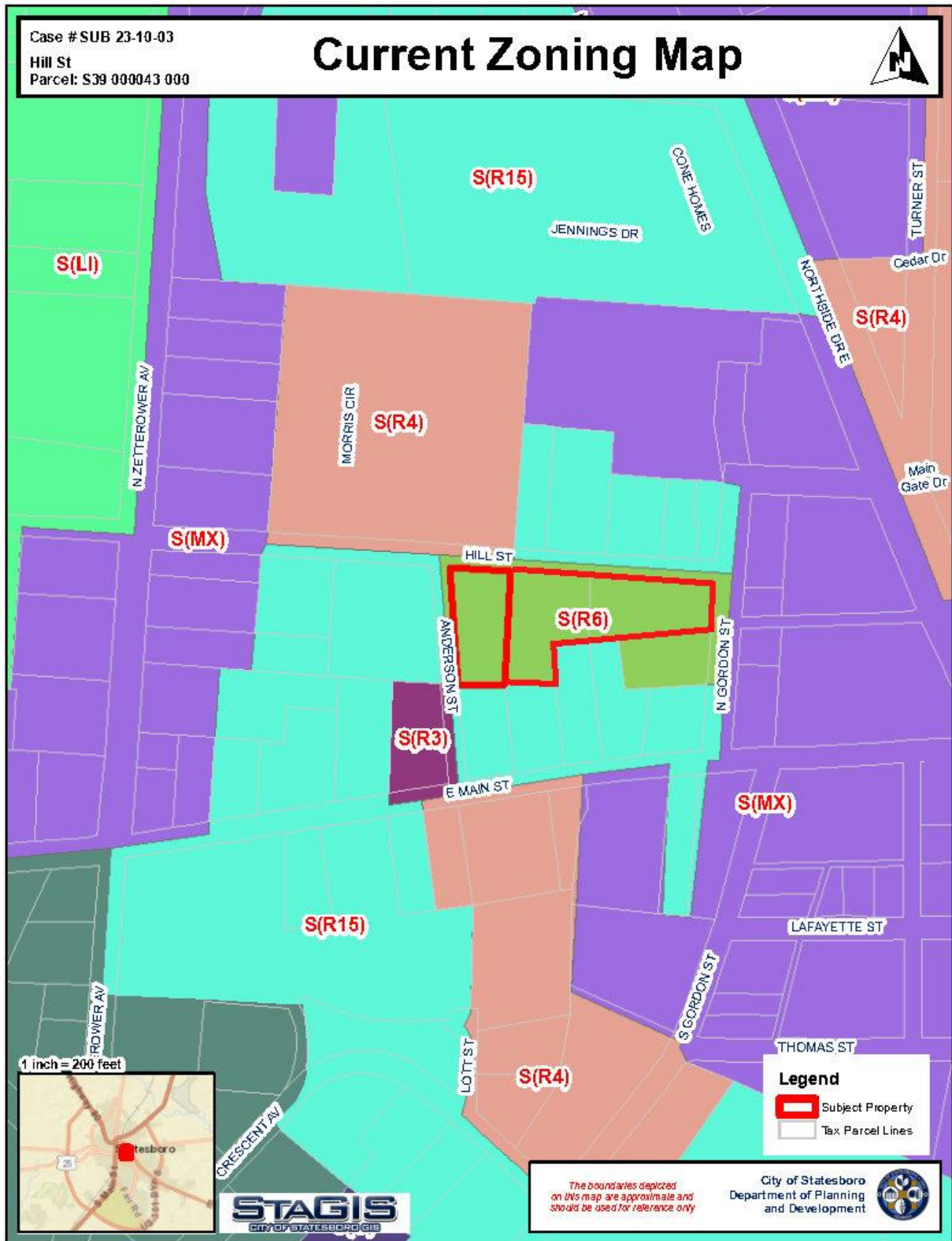
PROPOSAL

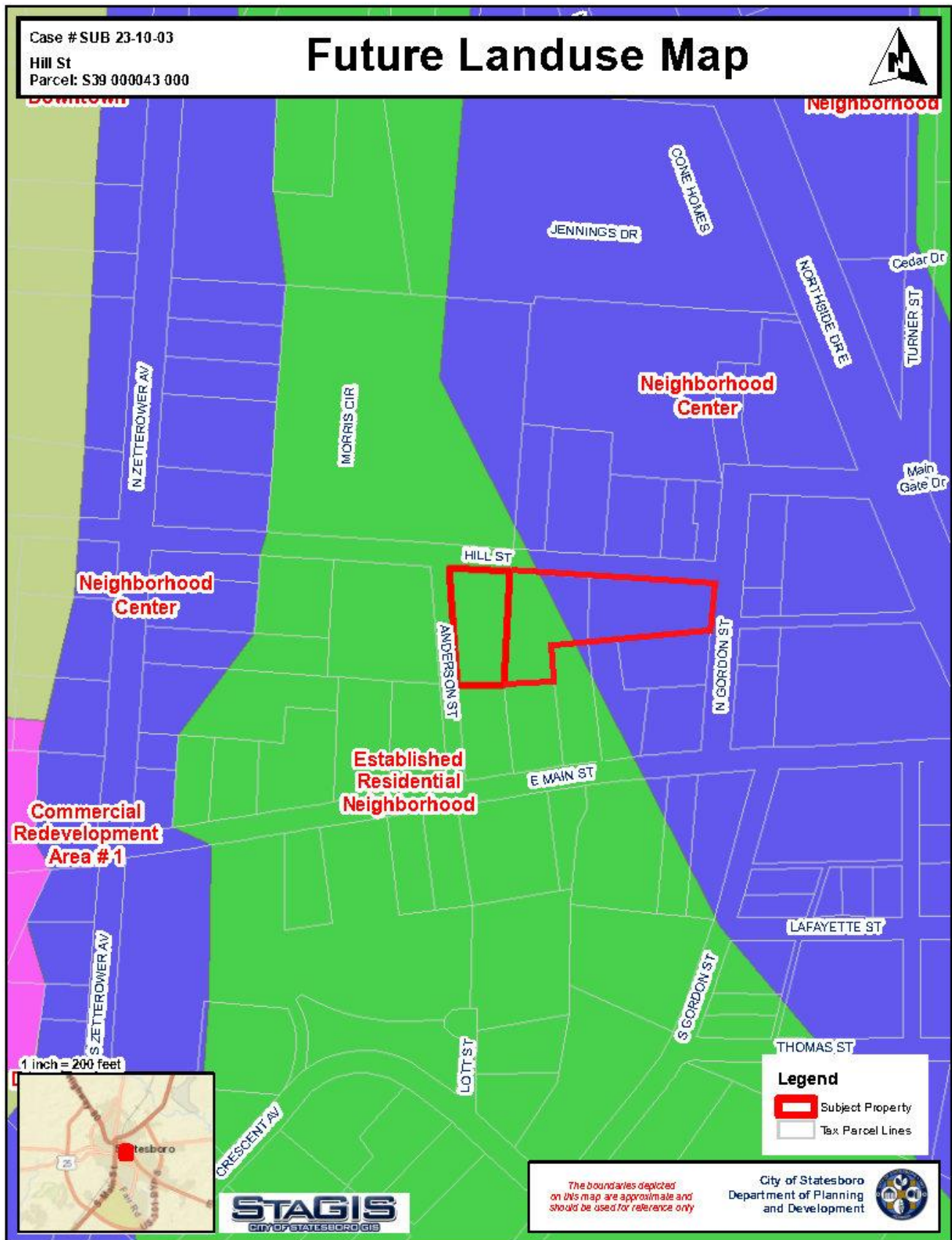
The applicant requests a preliminary subdivision of approximately 1.21 acres in order to develop a small single-family detached subdivision of approximately 8 units on both Hill Street.

STAFF/PLANNING COMMISSION RECOMMENDATION

SUB 23-10-03 - DENIAL







SUBJECT SITE

The subject site consists of a recently combined parcel consisting of approximately 2.59 acres and an existing home which will be demolished.

Within the last year, the applicant has both updated the zoning of the property and permitted construction on the adjacent R-15 (Single-Family Residential) lots on East Main Street.

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

ENVIRONMENTAL SITE ANALYSIS

The property does not appear to contain wetlands on the site. There are no flood zones being projected on the site. There are some heritage and historic trees on the site, which the owner would look to retain if possible. The property as shown will likely exceed the area allowance for impervious surfaces, and would not be eligible for a land disturbance permit in its current form.

COMMUNITY FACILITIES AND TRANSPORTATION

This site has access to City of Statesboro utilities. The existing access on Anderson Street would require some improvements to allow for better traffic flows, but this is currently a City Street. Anderson Street is a project under consideration for paving and will require right-of-way on the site that interferes with the existing makeup of the proposed lots.

Subject Property



Northern Property



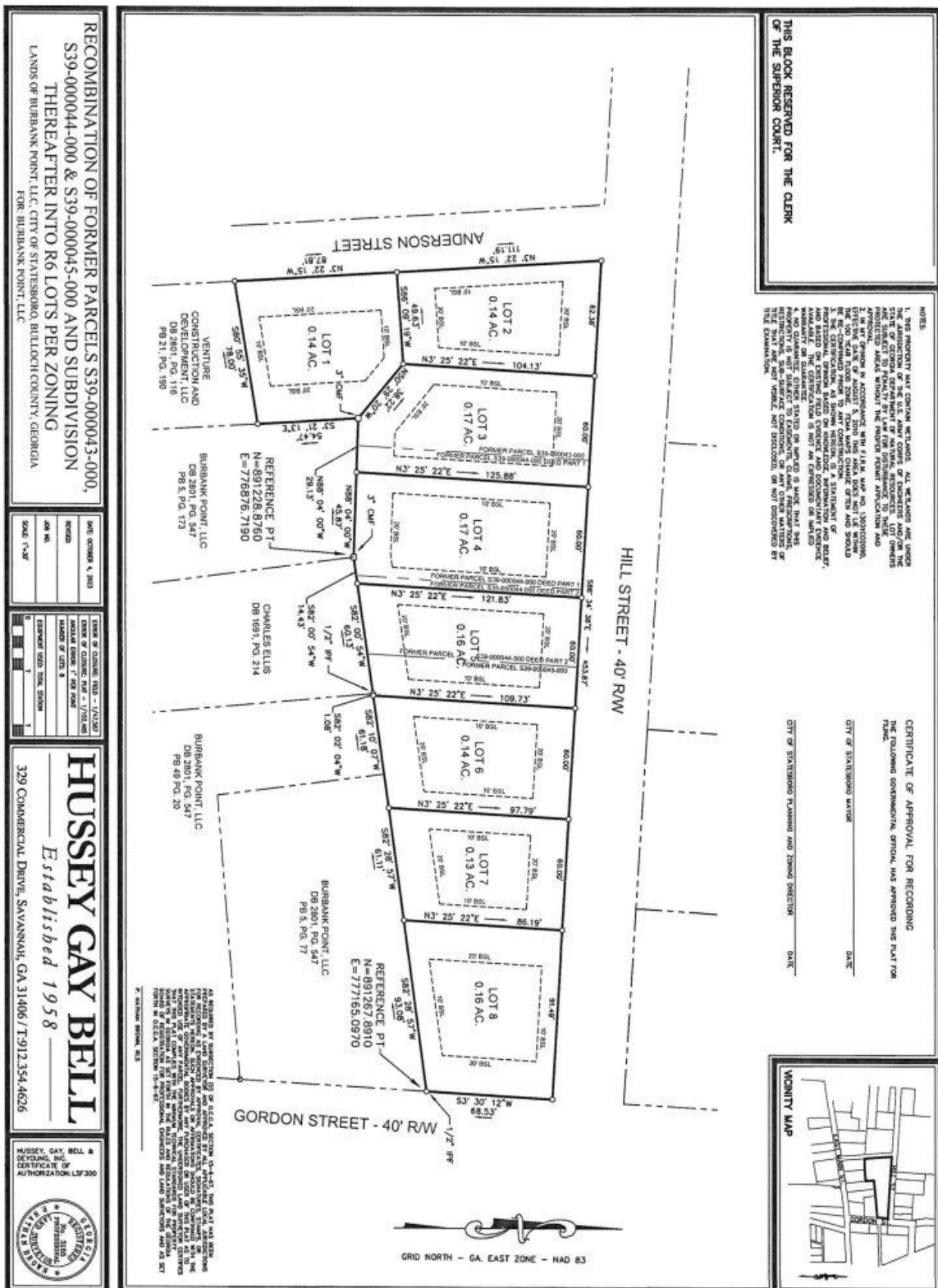
Western Property



Eastern Property



Preliminary Plat



STAFF/PLANNING COMMISSION RECOMMENDATION

Staff recommends **Denial SUB 23-10-03 due to the lack of stormwater facility improvements and right-of-way concerns. Staff has discussed this matter and the applicant has agreed to submit project alterations to meet these concerns** If this petition is approved by the Mayor and City Council, it should be subject to the applicant's agreement to the following enumerated condition(s):

- (1) Approval of this Preliminary Subdivision does not grant the right to develop on the site without approval under Article 4.2: Stormwater Management in the Unified Development Code. All construction must be approved by the City.
- (2) The final plat must meet all recording requirements of the Unified Development Code before any units may be sold in the subdivision.
- (3) The builder must construct a drainage ditch on the Hill Street right-of-way from Anderson Street to Gordon Street in order to ensure appropriate drainage from the site.
- (4) The developer will be required to provide up to 10 feet of right-of-way for Anderson Street improvements.