



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

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Statesboro Planning Commission

July 8, 2014

5:00 P.M.

City Hall Council Chamber

Meeting Agenda

- I. Call to Order**
- II. Motion to Approve Order of the Meeting Agenda**
- III. Approval of Minutes**
 - a. March 11, 2014 Meeting
 - b. April 8, 2014 Meeting
 - c. May 13, 2014 Meeting
 - d. June 10, 2014 Meeting
- IV. New Business**
 - a. **APPLICATION # V 14-06-01:** Polestar Development, LLC requests a variance from Article X, Section 1003 (D) Side Building Setback line and (E) the minimum required setback between buildings for the property located at 349 Brampton Avenue (Tax Parcel # MS74000198A007).
- V. Announcements**
- VI. Adjourn**

STATESBORO PLANNING COMMISSION

March 11, 2014

5:00 P.M.

City Hall Council Chambers

Meeting Minutes

Present: Planning Commission Members: Rick Barr, R. Jeremy Ragan, Nick Propps and Rev. E. Charles Lee. City of Statesboro Staff: Director of Planning and Development Mandi Cody, Development Clerk Cindy Clifton and Development Project Manager Cindy Steinmann.

Absent: Planning Commission Member: April Stafford, Holmes Ramsey and Jim Benton.

I. Call to Order

Commissioner Propps called meeting to order.

II. Approval of Meeting Agenda

Motion made by Commissioner Ragan; second by Commissioner Barr to approve order of meeting agenda. Motion carried 4 to 0.

III. Approval of Meeting Minutes

- a. November 12, 2013 Meeting
- b. December 10, 2013 Meeting
- c. January 14, 2014 Meeting
- d. February 11, 2014 Meeting

Motion made by Commissioner Barr; second by Commissioner Lee to approve minutes for the November 12th, 2013th, December 10th, 2013th, January 14th, 2014th and February 11th, 2014th meetings . Motion carried 4 to 0.

IV. New Business

- a. **APPLICATION # RZ 14-02-01:** Dennis Rhodes dba Coley Homes requests a zoning map amendment from R20 (Single-Family Residential) District to R4 (High Density Residential) for property located at 444 South College Street. (Tax Parcel Number S21000011000)

Cindy Steinmann presented the rezone staff report and answered questions from the Commissioners. John Dotson of Maxwell Reddick & Associates spoke on behalf of the applicant and answered questions from the Commissioners.

Commissioner Ragan recused himself due to conflict of interest.

No one spoke in opposition of the request.

The staff recommended approval.

Commissioner Barr made a motion to approve the rezone; seconded by Commissioner Lee. Motion carried 3-0.

- b. **APPLICATION # RZ 14-02-02:** TI-Gentilly Garden LLC requests a zoning map amendment pursuant to the Statesboro Zoning Ordinance from R15 (Single-Family Residential) & R3 (Medium Density Residential) District to CR (Commercial Retail) District for the property located at 625 Gentilly Road (Tax Parcel Number MS73000002000).

Cindy Steinmann presented the rezone staff report and answered questions from the Commissioners. John Dotson of Maxwell Reddick & Associates spoke on behalf of the applicant and answered questions from the Commissioners.

Jack Orman, a neighboring property owner, spoke in favor of the request.

No one spoke in opposition of the request.

The staff recommended approval with the following conditions:

1. Submittal and approval of a combination plat.
2. The area where the detention pond is located must remain as such and not be permitted to develop in a commercial manner to ensure proper drainage for the Retreat at Gentilly.

Commissioner Barr made a motion to approve the requested rezone with staff recommended conditions; Commissioner Ragan seconded. Motion carried 4-0.

V. Announcements

Director of Planning and Development Mandi Codi reminded the Commissioners about the meeting time change of City Council Meetings from 6:00 p.m. to 5:15 p.m. She then announced that the upcoming City of Statesboro 2nd Annual Development Forum will be March 20th, 2014th and encouraged everyone to attend. Lastly, she commended the Commissioners for their service and invited them to attend Right Start meetings.

There were no other announcements.

VI. Adjourn

Motion was made to adjourn the meeting by Commissioner Ragan; seconded by Commissioner Barr. Motion carried 4-0.

Chair – Nick Propps

Secretary – Mandi Cody
Director of Planning and Development

STATESBORO PLANNING COMMISSION

April 8, 2014

5:00 P.M.

City Hall Council Chambers

The April 8, 2014 Planning Commission meeting was cancelled due to lack of agenda items for consideration.

Chair – Nick Propps

Secretary – Mandi Cody, Director of
Planning and Development

STATESBORO PLANNING COMMISSION

May 13, 2014

5:00 P.M.

City Hall Council Chambers

The May 13, 2014 Planning Commission meeting was cancelled due to lack of agenda items for consideration.

Chair – Nick Propps

Secretary – Mandi Cody, Director of
Planning and Development

STATESBORO PLANNING COMMISSION

June 10, 2014

5:00 P.M.

City Hall Council Chambers

The June 10, 2014 Planning Commission meeting was cancelled due to lack of agenda items for consideration.

Chair – Nick Propps

Secretary – Mandi Cody, Director of
Planning and Development



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

P.O. Box 348
Statesboro, Georgia 30458

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V 14-06-01 VARIANCE REQUEST 349 Brampton Ave

LOCATION: 349 Brampton Ave

REQUEST: Variance from Article X of the Statesboro Zoning Ordinance to reduce the required side yard setback and the minimum distance required between buildings to allow for subdivision of the development allowing shops to be constructed directly adjacent to the grocery store being constructed.

APPLICANT: Polestar Development, LLC

OWNER(S): Polestar GA (Altama), LLC

LAND AREA: 9.931 acres

PARCEL TAX MAP #s: MS74000198A007

COUNCIL DISTRICT: District 5 (Chance)



PROPOSAL:

The applicant is requesting a variance from Article X, of the *Statesboro Zoning Ordinance* to reduce the side yard setback from the required 15' to 0' and reduce the required minimum distance between buildings from 20' to 0' for the developer to add additional retail shops directly adjacent to the current grocery store development. (See **Exhibit A** – Location Map, **Exhibit C** – Conceptual Site Plan)

BACKGROUND:

The subject site is currently zoned CR (Commercial Retail) and fronts Brampton Avenue and Merchant Way, with access to Highway 67/Fair Road through Archway Drive.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	Commercial Retail	Commercial Retail; office; food service
SOUTH:	Planned Unit Development/ Commercial Retail	Commercial Retail; office; food service
EAST:	Commercial Retail	Commercial Retail; office; food service
WEST:	Commercial Retail	Commercial Retail; office; food service

The subject property is located in a commercial retail area and is surrounded by uses including restaurants, shopping centers, offices and health care providers. High Density Residential uses are across Highway 67 from the project.

COMPREHENSIVE PLAN:

The subject site is located within the Activity Center / Regional Centers character area as identified by the 2009 City of Statesboro Comprehensive Master Plan Future Land Development Map. The 2009 Plan states that this character area "will evolve into pedestrian-oriented shopping, office, and entertainment places." Small, mid-size, and regional retail commercial, including big box stores, are identified as appropriate land uses for this character area. Adopted development strategies for this character area include inter-parcel connectivity, especially along major thoroughfares, and encourage land uses that are suitable for the immediately surrounding area.

The Comprehensive Plan also encourages infill development and the recruitment of quality commercial retail opportunities Statesboro and adopts a 2009 Economic Development policy of accommodating economic development opportunities while protecting existing asset

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject site is currently serviced by city utilities including water and sewer, sanitation, and public safety services.

ENVIRONMENTAL:

The subject property does contain wetlands and is not located in a special flood hazard area. Any potential issues related to such can be resolved during the standard permitting processes.

ANALYSIS:

The subject site is zoned CR (Commercial Retail). Therefore, the use and development of the land is governed (in part) by Article X of the *Statesboro Zoning Ordinance*. Sections 1003 (D) and (E) of Article X require that a minimum side yard of 15 feet be established between each structure on the property and the side property line; and, additionally that buildings within a commercial development, if separated, shall not be less than 20 feet apart. The applicant is seeking to build a commercial retail shopping center with multiple tenants and is requesting these variances so that tenant spaces may be constructed adjacent to one another with a property line to be platted between the major anchor tenant and the companion retail places. Parking and landscaping would also be divided by the proposed property line - See Exhibit B Plat.

Other considerations from the Statesboro Zoning Ordinance include the requirements of Section 1601(A) which requires a minimum setback of three feet (3) from the property line for all parking facilities and Section 1601 (E)(2) which provides for joint parking arrangements and contemplates this type of design by simply requiring the involved parcels commit their agreement in writing and that such writing be filed with the City of Statesboro and in the real estate records of Bulloch County. A twenty percent (20%) reduction in required minimum parking spaces is also allowed where inter-parcel access is provided and shared parking arrangements demonstrate adequate numbers for the affected uses.

Another consideration is Section 4.4 of the Statesboro Subdivision Ordinance requires that "all lots shall abut a public right of way for a minimum length of thirty (30) feet. Subdivisions utilizing a condominium or similar ownership scheme are not required to meet this provision provided each lot has access to a public right of way through commonly- owned property". One of the parcels proposed by the Plat in Exhibit B would be landlocked from Brampton Avenue- a public right of way- and takes access to Highway 67/ Fair Road through Archway Drive - a private road. Several alternatives exist in which this requirement may be considered achieved by the request. First, the platting arrangement demonstrated on Exhibit B essentially reflects a condominium style ownership arrangement and would allow this provision to be met. Second Section 2201 of the Subdivision ordinance allows for adjoining lots held in common ownership to be considered as a single lot for purposes of the ordinance -which gives the entire plat access to a public right of way through Brampton Avenue. Thirdly, the governing body could require that the proposed lot take public access to Fair Road through the improvement and dedication of Archway Drive to the City of Statesboro

In addition, Section 1801 of the *Statesboro Zoning Ordinance* lists the following four (4) factors that the Mayor and Council [could] consider to be 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;

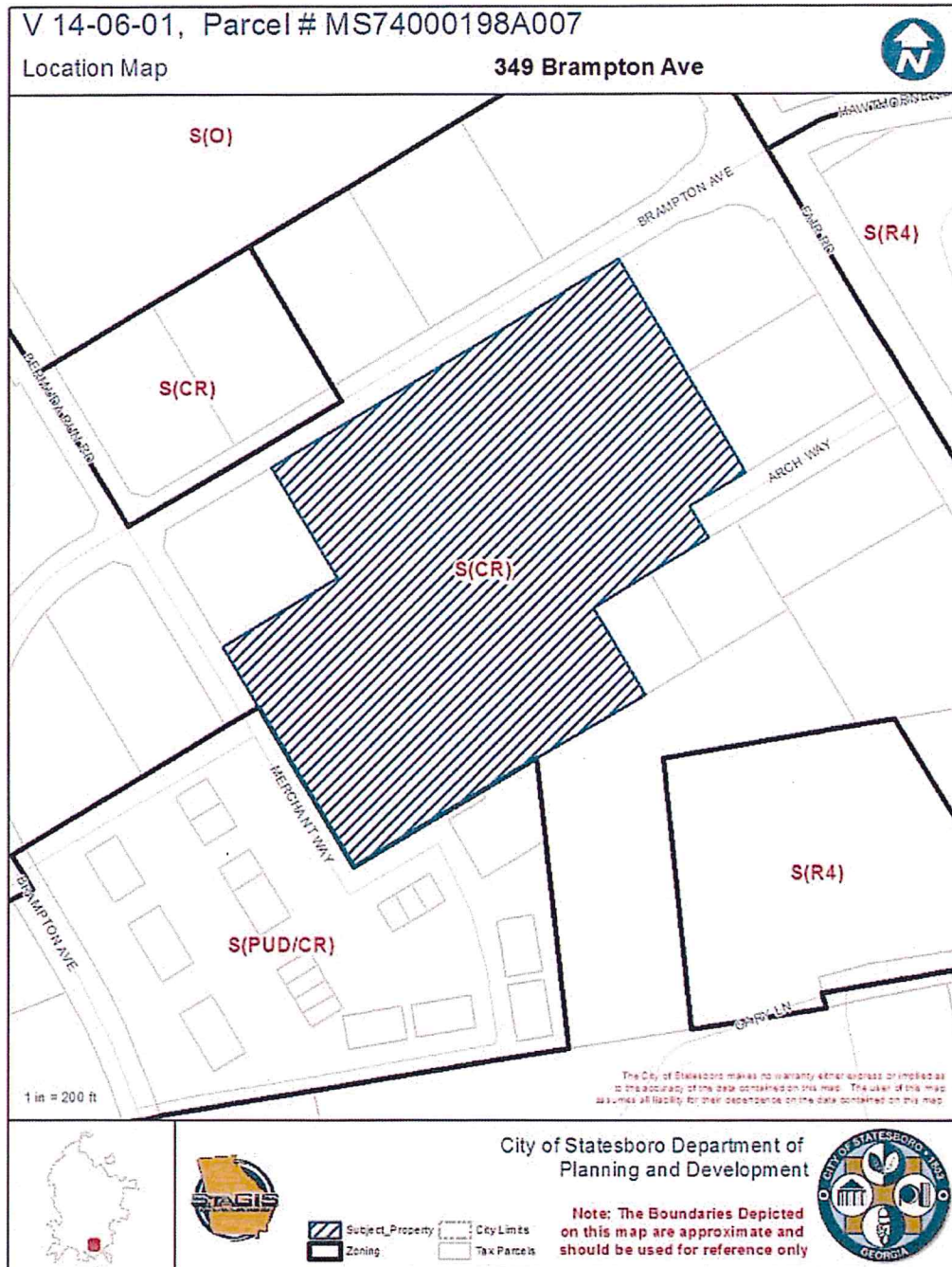
- There are no special conditions pertaining to the land or structure in question because of its size, shape, topography, or other physical characteristic that is not common to other land or buildings in the general vicinity or the same zoning district.
- (2) **The special conditions and circumstances do not result from the actions of the applicant;**
- The application for consideration is the result of the actions of the applicant.
- (3) **The application of the ordinance to this particular piece of property would create an unnecessary hardship; and**
- Application of the ordinance to this particular piece of property would not create an unnecessary hardship in terms of land use and ordinance application.
- (4) **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the zoning regulations.**
- Relief, if granted, would not cause substantial detriment to the public good nor would it impair the purposes and intent of the zoning regulations. Each consideration of the Statesboro Zoning Ordinance considered herein may be addressed through proper life safety arrangements and building codes (setback and building separation variance request); appropriate parking arrangements (which are permitted by the Code); and appropriate provision of access to the proposed parcel (the three alternatives explained above). Furthermore, a grant of relief of this application would serve the vision of the 2009 Statesboro Comprehensive Master Plan, its development strategies, and policies.

STAFF RECOMMENDATION:

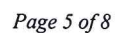
PLANNING COMMISSION RECOMMENDATION:

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit C) submitted on behalf of the applicant for this request to be illustrative only. Approval of the application does not constitute approval of any final building or site plan).

EXHIBIT A: LOCATION MAP



DEVELOPMENT SERVICES REPORT
Case # V 14-06-01
June 16, 2014



[illegible]

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY

Figure 1: South Western View of Subject Site from Brampton Avenue.



Figure 2: Eastern View of Subject Site



EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY

Figure 3: Directly across from Subject Site



Figure 4: Adjoining Properties to the West of Subject Site.

