



City of Statesboro
Department of Planning and Development Memorandum

50 East Main Street

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Statesboro Planning Commission

March 10, 2015

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

- 1) February 10, 2015 Meeting Minutes

IV. New Business

- 1) **APPLICATION # RZ 15-02-01:** Shin Real Estate Holdings, LLC requests a zoning map amendment for 4.41 acres of property located at 9 Grady Johnson Road from R4 (High Density Residential) zoning district to CR (Commercial Retail) zoning district to permit a sale of the property for the construction and use of medical office(s). (Tax Parcel Number MS75000002A000).
- 2) **APPLICATION # V 15-02-02:** Averitt Center for the Arts requests a sign variance from Article XV of the Statesboro Zoning Ordinance to permit the proposed animated wall signage and LED channel lighting within the CBD (Central Business District) for the newly renovated Art Center located at 41 West Main Street. (Tax Parcel Number S18000065000).

V. Announcements

VI. Adjourn

STATESBORO PLANNING COMMISSION

February 10, 2015

5:00 P.M.

City Hall Council Chambers

Meeting Minutes

Present: Planning Commission Members: Rev. E. Charles Lee, Rick Barr, Nick Propps, Holmes Ramsey, April Stafford, David McLendon, Jeremy Ragan and April Stafford. City of Statesboro Staff: Director of Planning and Development Mandi Cody and Development Clerk Cindy Clifton.

I. Call to Order

Commissioner Propps called the meeting to order at 5:02 P.M.

II. Motion to Approve Order of the Meeting Agenda

Commissioner Barr made a motion to approve the order of the meeting agenda; seconded by Commissioner Ramsey. Motion carried 6 to 0.

III. Approval of Meeting Minutes

Motion made by Commissioner Ramsey; second by Commissioner McLendon to approve minutes for the January 13, 2015 meeting. Motion carried 6 to 0.

Commissioner April Stafford arrived at 5:06 P.M.

IV. New Business

1. **APPLICATION # RZ 14-11-03:** Brason Investments LLC requests a zoning map amendment for .38 acres of property located at 101 Hawthorne Road from R20 (Single Family Residential) zoning district to O (Office) zoning district to utilize the existing single family residence as an office (Tax Parcel Number MS74000085000).

Mandi Cody presented the rezone case and expressed the staff's concern about spot zoning. She also explained if City Council were to make a finding that the area around the subject site was going to change then the rezone would be in line with present conditions and the projected future needs of the City. She then answered questions from the Commissioners. Commissioner Propps requested Ms. Cody to explain the purpose of a Special Exception and if it were possible for such to be used instead of a rezone for this case.

John Dotson of Maxwell Reddick and Associates and the applicant, Brandon Parker, spoke in support of the request and answered questions from the commission. Mr. Parker agreed

that he would be willing to consider a Special Exception with conditions if it was the recommendation of commission.

Bryan Davis, Property Manager for Hendley Properties addressed the commission. Mr. Davis stated that Hendley Properties would like to know the applicant's plan of action and possibly see a design of the proposed plans. He explained that they did not oppose at this time, but also wanted to make sure that the design was nice in appearance and would not pose any conflict with the rental properties surrounding the subject site owned by Hendley properties. He also pointed out his concern if this request was approved, it would be the gateway for adjacent property owners to follow making the same request.

Commissioner Ramsey made a motion to recommend approval of a Special Exception for the subject property pursuant to the following conditions:

- a. To allow the use of the property as a professional office.
- b. To require a vegetative buffer along the shared lot lines with lots 109, 110, and 107, but not along Hawthorne Road and Fair Road. Buffer conditions to be clarified by staff and applicant at a site visit on February 13, 2015 for presentment to Council.
- c. To limit parking spaces to a maximum of 10 spaces plus the garage.
- d. Property is not subject to sign district 3 regulations. Rather, signage shall be limited to no more than one monument style sign, no greater than 5X6 in size, brick in material. Signage is limited to Fair Road frontage or may be at the corner at Fair Road and Hawthorne Road, if approved for line of sight by City staff. Wall signage is limited to a 2 X 2 placard at the entrance to the building.

Commissioner Ragan seconded the motion and it carried 7 to 0.

Commissioner Ragan dismissed himself from the meeting at 6:03 P.M.

2. **APPLICATION # RZ 15-01-01:** Alan Gross requests a zoning map amendment for .29 acres of property located at 10 East Grady Street from HOC (Highway Oriented Commercial) zoning district to R4 (High Density Residential) zoning district to allow for construction of two new duplexes (Tax Parcel Number S29000041000).

Mandi Cody presented the rezone and explained that the subject site's zoning was out of date for the current zoning district HOC (Highway Oriented Commercial) and recommended that the site be rezoned from HOC (Highway Oriented Commercial) zoning district to R4 (High Density Residential) zoning district. She then answered questions from the Commissioners.

John Dotson of Maxwell Reddick and Associates spoke on behalf of the applicant for the request.

There was no opposition.

Commissioner Barr made a motion to recommend approval of requested zoning map amendment RZ 15-01-01 to rezone .29 acres of property located at 10 East Grady Street from HOC (Highway Oriented Commercial) zoning district to R4 (High Density Residential) zoning district to allow for the construction of two new duplexes. Commissioner McLendon seconded the motion and it carried 6 to 0.

V. Announcements

There were no announcements.

VI. Adjourn

Motion was made to adjourn the meeting at 6:27 P.M. by Commissioner Ramsey. Commissioner Stafford seconded the motion and it carried 6-0.

Chair – Nick Propps

Secretary – Mandi Cody
Director of Planning and Development



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

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**RZ 15-02-01
ZONING MAP AMENDMENT
9 GRADY JOHNSON ROAD**

LOCATION: 9 Grady Johnson Road

REQUEST: Rezone from R4 (High Density Residential) to CR (Commercial Retail) to allow for the construction of medical offices.

APPLICANT: Shin Real Estate Holdings, LLC

OWNER(S): Estate of Jane Harless Ward c/o Julia Ward Youngblood & Susan Ward Turner, Executors

ACRES: 4.41 Acres

PARCEL TAX MAP #: MS75000002A000

COUNCIL DISTRICT: 5 (Chance)



PROPOSAL:

The applicant is requesting a zoning map amendment for 4.41 acres located at 9 Grady Johnson Road from the R4 (High Density Residential) zoning district to the CR (Commercial Retail) zoning district for the anticipated sale of the property for the construction of medical offices. (See **Exhibit A** – Location Map & **Exhibit B** – Proposed Site Plan)

BACKGROUND:

On June 15, 2010, the subject property was rezoned (RZ 10-04-03) from CR (Commercial Retail) district to R4 (High Density Residential) for the proposed construction of a senior citizen residential development. The proposed development was not constructed and the subject property remains undeveloped.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	CR (Commercial Retail)	Restaurants, Offices & Retail Stores
SOUTH:	CR (Commercial Retail)	Mobile Home Park, Retail & Offices
EAST:	CR (Commercial Retail)	Retail, Offices, & Personal Service Facilities
WEST	CR (Commercial Retail) & PUD/CR (Planned Unit Development with Commercial Retail overlay)	Retail, Offices, Personal Services & Restaurants

The property is located off of State Route 67 (also known as Fair Road) and north of the Highway 301 Bypass (also known as Veterans Memorial Parkway). It is bordered on the north and the west by office and retail development

within The Market District and the east by the Statesboro Fire Department's Fair Road Station and Statesboro Self Storage (both of which front on Fair Road).

Properties to the north, south, east, and west of the subject parcel are all zoned CR (Commercial Retail). However, nearly 15 (fifteen) acres of property just across Grady Johnson Road from the subject property are utilized in a residential fashion (Johnson's Mobile Home Park), despite its CR (Commercial Retail) zoning designation. Cotton Ridge Medical Plaza is also adjacent to the residential area and fronts Fair Road.

It is important to note, however, that should the zoning map amendment be granted, development of the property would not be limited to the developer's proposed medical office use represented in the application. Rather, a zoning map amendment would allow for the subject property to be developed into any use permissible in the Commercial Retail zoning district.

COMPREHENSIVE PLAN:

The subject site lies within the "Activity Center/ Regional Centers" character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan, 2014 Update*. The *Statesboro Comprehensive Plan* articulates the vision of the Activity Center character area as follows:

"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."

Appropriate land uses include:

- Small, mid-size, and regional retail
- Office
- Medical
- Mixed uses retail/office/residential buildings
- Diverse mix of higher density housing types

Some suggested development and implementation strategies for the Activity Center character include the following:

- 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).
- Encourage infill, new, and redevelopment to build close to the street.
- Incorporate inter-parcel connectivity, especially along major thoroughfares.
- New developments that contain a mix of residential, commercial uses, and community facilities at small enough scale and proximity to encourage walking between destinations.
- Use infrastructure availability to steer development away from areas of natural, cultural, and environmentally sensitive resources.
- Require shade trees to be planted in parking lots and along highway corridors.

COMMUNITY FACILITIES AND TRANSPORTATION:

The subject property is currently serviced by city utilities and sanitation, and public safety are available to the subject site. No significant impact is expected on community facilities or services as a result of this request.

Access to the subject property is available from either Grady Johnson Road or Rushing Lane. Grady Johnson Road, the direct and most logical access route to the site, is a local dead end street which also provides access to two (2) single family residential lots, Johnson Mobile Home Park and secondary access to Cotton Ridge Medical Center (which fronts on Fair Road). No traffic counts were available from the Georgia Department of Transportation for either Grady Johnson Road or Rushing Lane; however, given that both roadways offer limited access and destination points, there is little indication of substantial traffic volumes or "cut-through" traffic on either roadway.

The Georgia Department of Transportation (GDOT) functionally classes Grady Johnson Road and Rushing Lane as local streets. The *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* rated Grady Johnson Road, Rushing Lane, and Fair Road at a level of service (LOS) of C or better. Level of Service ratings are a "qualitative measure of traffic flow describing operating conditions" ranging from A (representing the best operating

conditions) to F (representing the worst operating conditions). A rating of C or better indicates that "travel speeds are slightly lower than the posted speed with noticeable delay in intersection areas." A rating of D or worse is considered deficient. Neither Grady Johnson Road nor Rushing Road were identified in the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* as prioritized areas of needed improvement, the nearby intersection of Fair Road with the Veteran's Memorial Bypass was cited as having operational safety issues and identified by the *Transportation Plan* as a prioritized area of needed safety and capacity improvements.

ENVIRONMENTAL:

The subject property does not contain wetlands and is not located in a special flood hazard area. There is no expected environmental impact associated with this request. Any potential issues will be brought forth and discussed during standard permitting and review procedures.

ANALYSIS:

The request to rezone the subject property from R4 High Density Residential to CR- Commercial Retail should be considered in light of the standards for determination of zoning map amendments given in Section 2007 of the *Statesboro Zoning Ordinance*; the vision and community policies articulated within the city's two (2) primary land use policies: The *Statesboro Comprehensive Plan* and the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*; and the potential for the property to develop in conformance with the requirements of the proposed CR (Commercial Retail) zoning district for commercial retail uses as set forth in the *Statesboro Zoning Ordinance*.

Section 2007 of the Statesboro Zoning Ordinance provides eight (8) standards for the Mayor and City Council to consider "in making its determination" regarding a zoning map amendment and "balancing the promotions of the public health, safety, morality (morals), and general welfare against the right of unrestricted use of property." Those standards are numbered below 1-8. Staff findings regarding some of the factors are given for Council's consideration of the application:

- (1) Existing uses and zoning or (of) property nearby;**
 - a. Adjacent and nearby properties are both zoned and utilized in conformance with the CR (Commercial Retail) district.
- (2) The extent to which property values are diminished by the particular zoning restrictions.**
- (3) The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.**
- (4) The relative gain to the public, as compared to the hardship imposed upon the property owner.**
- (5) The suitability of the subject property for the zoned purposes.**
 - a. The property is adequate in size and shape to develop in conformance with the CR regulations.
- (6) The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.**
 - a. The property contains one single family structure.
 - b. Property in the nearby area has and continues to develop in a commercial fashion.
- (7) The extent the proposed change would impact the following: population density in the area; community facilities; living conditions in the area; traffic patterns and congestion; environmental aspects; existing and future land use patterns; property values in adjacent areas;**
 - a. Transportation patterns and congestion along Grady Johnson Road would be impacted by the development of this site.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**
 - a. Commercial Retail zoning is appropriate for the character area of the property as identified by the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff recommends approval based on evaluation of *Statesboro Zoning Ordinance* and *Comprehensive Plan*.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PROPOSED SITE PLAN

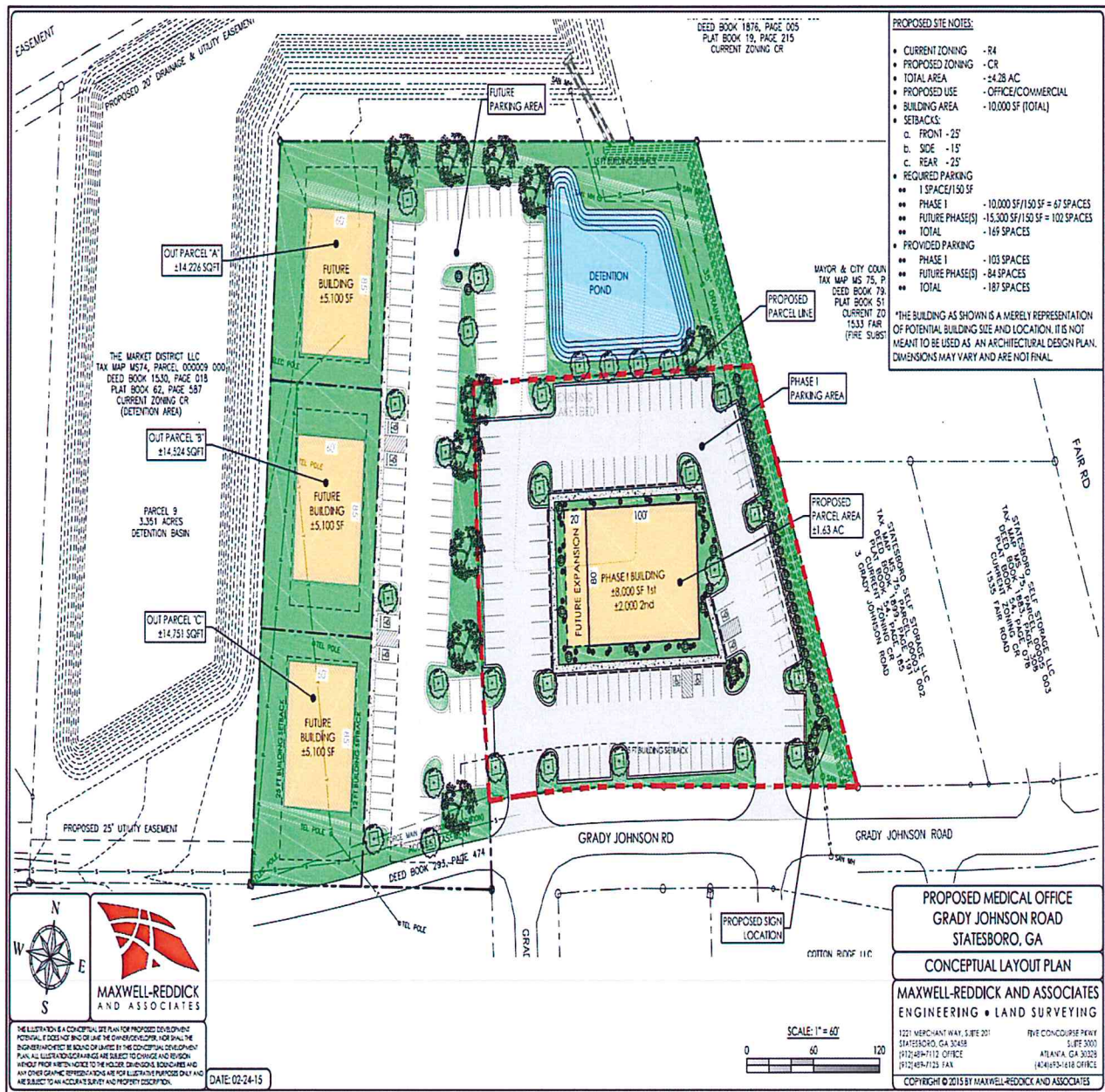


EXHIBIT C: PHOTOS OF SUBJECT SITE & SURROUNDING PROPERTIES

Photo 1: View of subject property from Grady Johnson Road.



Photo 2: Existing Structure on Subject Property



Photo 3: Johnson's Mobile Home Park from the subject property to the south.



Photo 4: Statesboro Self Storage and Fire Department from the east property line of subject property.





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

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V 15-02-02 VARIANCE REQUEST 41 WEST MAIN STREET

LOCATION: 41 West Main Street

REQUEST: Variance from Article XV to allow animated wall signage and LED channel lighting within the CBD (Central Business District) zoning district.

APPLICANT: Averitt Center for the Arts

OWNER(S): Statesboro Arts Council Inc.

LAND AREA: .25 Acres

PARCEL TAX MAP #s: S18000065000

COUNCIL DISTRICT: District 1 (Boyum)



PROPOSAL:

The applicant is requesting a sign variance from Article XV of the Statesboro Zoning Ordinance to allow for the use of animated wall signage and LED channel lighting within the CBD (Central Business District) zoning district. See **Exhibit A- Location Map** & **Exhibit B-Proposed Sign Rendering**.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CBD (Central Business District)	Commercial Retail; office
SOUTH:	CBD (Central Business District)	Commercial Retail; office; food service; loft apartments
EAST:	CBD (Central Business District)	Commercial Retail; office; food service
WEST	CBD (Central Business District)	Commercial Retail; office; food service

The subject property is surrounded by mixed uses including restaurants, retail services, offices, and apartments that are all within the Urban Core.

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/ Downtown" character area identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The "Urban Core" character area is identified as the downtown core of the city and should remain the activity and cultural hub of the region.

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 not contain wetlands. Any potential issues related to such can be resolved during the standard permitting processes.

ANALYSIS:

The Averitt Art Center is making application for sign permits to erect a marquee style sign with bulb illumination, a manual changeable copy message board, neon lights and four (4) banners along the exterior of the building located at 41 West Main Street for their black box theatre location. Several elements of this design are contrary to the provisions of Article XV of the *Statesboro Zoning Ordinance*, thereby necessitating this variance application.

The subject site is located within Sign District 4, the Central Business District, as identified by the *Statesboro Zoning Ordinance*. Several provisions regarding District 4, including the prohibition against internal illumination in Section 1506 (F) and Table 6's restriction of "two (signs) per building elevation where one sign is in the form of a canopy/awning" and section 1510 (B)(1) restriction of the changeable copy portion of any sign to 50 percent of the overall display surface area, or 20 square feet, whichever is less, are at issue here. As shown on the attached renderings for this sign application, this application contemplates internal illumination, external bulb lighting, and the changeable copy portion of the sign is estimated at 42.4 square feet or 75% of the sign area. Additionally, the 4 banners are more than permissible by the code.

Section 1503(G), as amended effective July 1, 2009, states that no variances shall be permitted from the terms of Article XV regarding signs in the *Statesboro Zoning Ordinance*. It continues to state that "specifically, no variances under Article XVIII (regarding consideration and approval of variances) of this ordinance shall be applicable to the standards contained within this Article [XV]." However, Article XV regarding signs is part of the *Statesboro Zoning Ordinance*, which 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" and **Section 1801 states that the Mayor and Council [should] consider if the following are true in its consideration of a variance request:**

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 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.
 - The *Statesboro Comprehensive Plan*, the *Downtown Statesboro Development Authority Master Plan*, and the *South Main Street Redevelopment Plan* all support a vibrant and culturally infused downtown area for Statesboro. The subject site is located on West Main

Street, in the core of downtown, and will operate as a culturally significant artistic theatre in our downtown area thereby serving to further the realization of the goals of each of these plans.

- This signage compliments the signage located at the Art Center's main theatre on East Main Street.

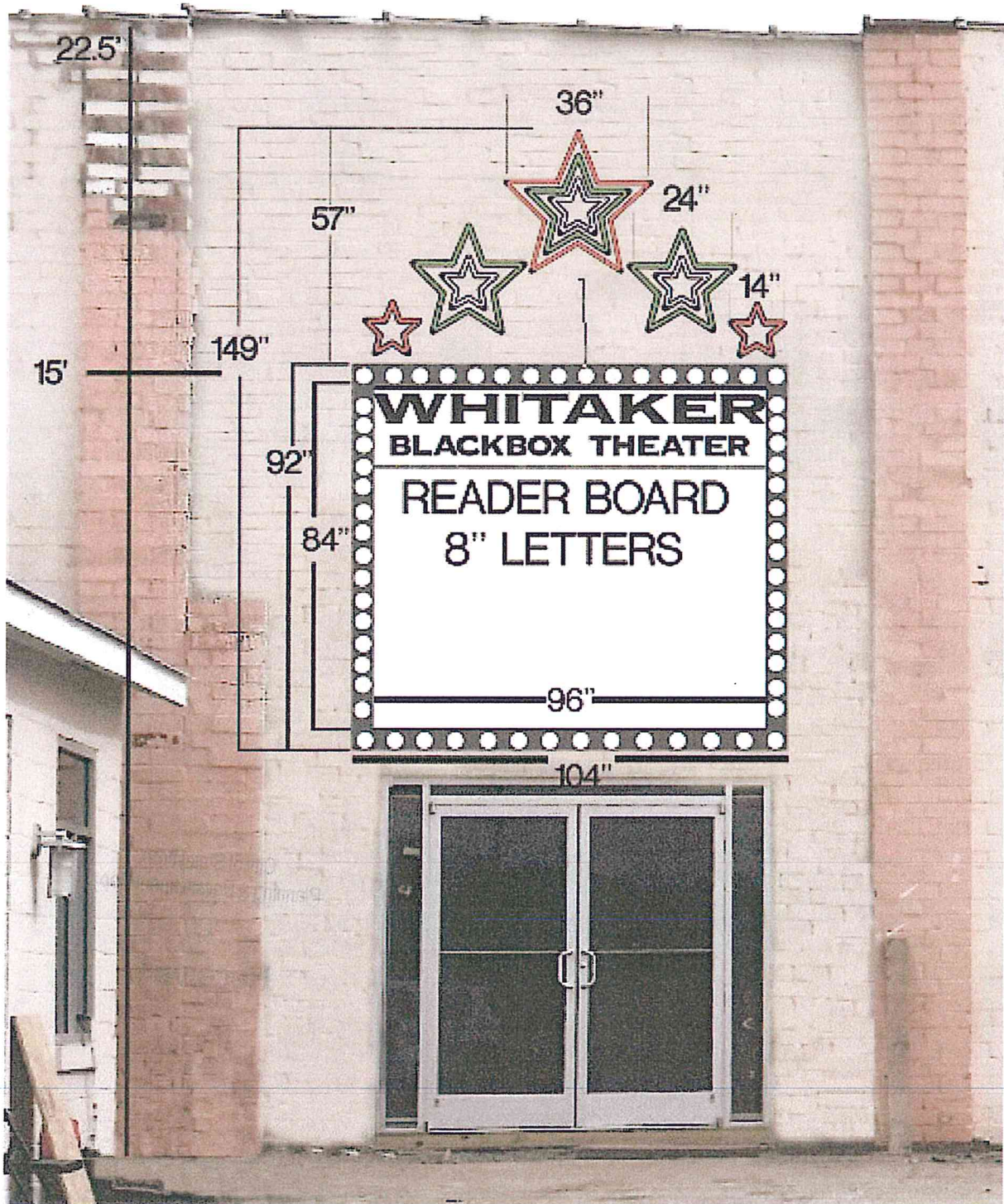
STAFF RECOMMENDATION: Staff recommends approval of the variance application from Article XV.

EXHIBIT A: LOCATION MAP



EXHIBIT B: PROPOSED SIGN RENDERINGS

Proposed Wall Signage:



Four Proposed Banner Flag Designs:



Proposed Banner Flag Location:



EXHIBIT C: PHOTOGRAPHS OF SUBJECT SITE AND SURROUNDING PROPERTIES

Photo 1: Subject Site



Photo 2: Eastern view from subject site.



Photo 3: To the direct west of subject site.



Photo 4: Parking to the south of subject site

