



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

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**Statesboro Planning Commission**

**November 3, 2015**

**5:00 P.M.**

**City Hall Council Chamber**

**Meeting Agenda**

**I. Call to Order**

**II. Approval of Minutes**

1.) October 6, 2015 Meeting Minutes

**III. Consideration of a Motion to Approve the 2016 Planning Commission Meeting Schedule**

**IV. New Business**

**APPLICATION # SE 15-10-01:** Lawrence J. Zaslavsky requests a special exception to allow for the utilization of the property located at 116 Savannah Avenue as a mixed use commercial and residential on both upper and lower-level floors. The subject site is zoned CBD (Central Business District), which does not permit residential uses on lower floors by right (Tax Parcel # S28 000079 000).

**V. Announcements**

**VI. Adjourn**

**STATESBORO PLANNING COMMISSION**

**October 6, 2015**

**5:00 P.M.**

**City Hall Council Chambers**

**Meeting Minutes**

**Present:** Planning Commission Members: Benjamin McKay, Holmes Ramsey, David McLendon, Patrick Sullivan, April Stafford, Jamey Cartee and James W. Byrd, Sr. City of Statesboro Staff: Director of Planning and Development Mandi Cody, Development Clerk Candra Teshome, Code Compliance Officer Eric Short and Code Compliance Officer Mike Chappel.

**I. Call to Order**

Commissioner McLendon called the meeting to order at 5:01 P.M.

**II. Motion to Appoint Temporary Chair to Preside**

**III. Motion to Approve Order of the Meeting Agenda**

Commissioner Cartee made a motion to approve the order of the meeting agenda; seconded by Commissioner McKay and the motion carried 6-0.

**IV. Motion to Nominate a Planning Commission Member to Serve as Chair of the Commission**

Commissioner McLendon announced the agenda item nomination of a Planning Commission member to serve as chair of the commission. Commissioner Sullivan made a motion to nominate Commissioner McLendon as chair, which he declined. Commissioner Sullivan then made a motion to nominate Commissioner Ramsey as chair, which he accepted, seconded by Commissioner Byrd and the motion carried 6-0.

**V. Motion to Nominate Member to Serve as Vice Chair of the Planning Commission**

Commissioner McLendon made a motion to nominate Commissioner Byrd as Vice Chair of the Planning Commission, seconded by Commissioner Ramsey and the motion carried 6-0.

**VI. Motion to Adopt the Rules of Order (Attachment A)**

Commissioner Cartee made a motion to adopt the rules of order, seconded by Commissioner McKay, and the motion carried 6-0.

**VII. Approval of Minutes**

**1.) September 1, 2015 Meeting Minutes**

Commissioner McLendon made a motion to approve the September 1, 2015 meeting minutes, as written, seconded by Commissioner Ramsey, and the motion carried 6-0.

## VIII. New Business

1. a. **APPLICATION # RZ 15-09-03**: Bill Simmons requests a zoning map amendment for 3.34 acres of property located at 0 Hill Pond Lane from the R-4 (High Density Residential) and CR (Commercial Retail) zoning districts to PUD/CR (Planned Unit Development with Commercial Overlay) zoning district (Tax Parcel # MS74 000198A 030).
- b. **APPLICATION # RZ 15-09-08**: Bill Simmons requests a zoning map amendment for .74 acres of property located at 0 Brampton Avenue from R-4 (High Density Residential) to PUD/CR (Planned Unit Development with Commercial Overlay) zoning district (Tax Parcel # MS74 000198A 021).
- c. **APPLICATION # V 15-09-02**: Bill Simmons requests a variance from Article XIV of the Statesboro Zoning Ordinance to reduce the lot regulations from the required 10 acres to 4.08 acres for the requested PUD (Planned Unit Development) zoning district (Tax Parcel # MS74 000198A 030 and MS74 000198A 021).
- d. **APPLICATION # V 15-09-09**: Bill Simmons requests a variance from the buffering requirements when a nonresidential use abuts a residential zoning area as required by Article XXIII of the Statesboro Zoning Ordinance (Tax Parcel # MS74 000198A 030).

Mandi Cody presented the City's Development Services Report, explaining the requests for zoning map amendments to two parcels of land, a variance from the minimum requirement of 10 acres for a PUD and a variance from the landscape buffering requirements. John Dotson of Maxwell-Reddick and Associates, Inc. spoke on behalf of the developer and answered questions posed by the Commission. Commissioner McLendon made a motion to approve the application with the staff's recommended conditions, seconded by Commissioner Cartee and the motion carried 6-0.

2. a. **APPLICATION # V 15-09-01**: Pankaj Patel requests a variance from Article X of the Statesboro Zoning Ordinance to increase the maximum building height from 35' to 60' to construct a hotel (Tax Parcel # MS63 000026 022).
- b. **APPLICATION # V 15-09-07**: Pankaj Patel requests a variance from Article XVI to decrease the required parking spaces from 98 to 94 for the referenced hotel (Tax Parcel # MS63 000026 022).

Mandi Cody presented the City's Development Services Report, explaining the requests for variances from the maximum building height and a decrease in the required parking spaces. Jay Patel, of BPR Properties Savannah spoke on behalf of the applicant answering any questions posed by the Commission. Commissioner McKay made a



motion to approve the requests, with staff recommendations, seconded by Commissioner Stafford and the motion carried 6-0.

3. a. **APPLICATION # SE 15-09-06:** Trenton Beard requests a special exception to allow for the utilization of the property located at 606 South Zetterower Avenue as an automotive enhancement services retail use. The subject site is zoned CR (Commercial Retail), which does not permit automotive enhancement services by right (Tax Parcel # S31 000021 003).
- b. **APPLICATION # V 15-09-05:** Trenton Beard requests a variance from Article X of the Statesboro Zoning Ordinance to reduce the required side yard setback from 15' to 5' to allow for the proposed addition to be aligned with the existing building (Tax Parcel # S31 000021 003).

Mandi Cody presented the City's Development Services Report, explaining the requests for a special exception and variance. Trenton Beard, the applicant, spoke on behalf of his request and answered questions regarding the services his business offers. Commissioner Cartee made a motion to approve the requests, seconded by Commissioner McKay and the motion carried 6-0.

4. **APPLICATION # V 15-09-04:** John Wayne Figg requests a variance from Article IV of the Statesboro Zoning Ordinance to reduce the required accessory structure setback from 10' to 2.5' for the rear and right side setback to allow for an 18' X 24' open front wood and metal shed to be constructed to store recreational vehicles (Tax Parcel # S26 000019 000).

Mandi Cody presented the City's Development Services Report, explaining the applicant's request for a setback variance. John Wayne Figg, the applicant, spoke on behalf of his request. Mandi Cody explained that staff was neither for nor against the request. Commissioner Stafford made a motion to approve the request, seconded by Commissioner McLendon, and the motion carried 6-0.

#### **IX. Announcements**

Mandi Cody introduced Code Compliance Officers Eric Short and Mike Chappel to the new members of the Planning Commission.

#### **X. Adjourn**

Commissioner McLendon made a motion to adjourn the meeting at 5:45 PM, seconded by Commissioner Stafford, and the motion carried 6-0.

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**Chair – Commissioner Holmes Ramsey**

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**Secretary – Mandi Cody**  
**Director of Planning and Development**



## CITY OF STATESBORO PLANNING COMMISSION 2016 SCHEDULE

Deadline Date*	Planning Commission Meeting**	City Council Meeting***
December 4, 2015	January 5, 2016	January 20, 2016
January 8, 2016	February 2, 2016	February 16, 2016
February 5, 2016	March 1, 2016	March 15, 2016
March 4, 2016	April 5, 2016	April 19, 2016
April 8, 2016	May 3, 2016	May 17, 2016
May 6, 2016	June 7, 2016	June 21, 2016
June 10, 2016	July 5, 2016	July 19, 2016
July 8, 2016	August 2, 2016	August 16, 2016
August 5, 2016	September 6, 2016	September 20, 2016
September 9, 2016	October 4, 2016	October 18, 2016
October 7, 2016	November 1, 2016	November 15, 2016
November 4, 2016	December 6, 2016	December 20, 2016
December 9, 2016	January 3, 2017	January 18, 2017

\*Applications are due by 4:00 p.m. local time on the deadline date. Applications must be complete and include all required attachments in order to be considered by the Planning Commission and City Council on the corresponding meeting dates.

\*\*Planning Commission meetings are held the first Tuesday of each month, 5:00 PM, City Hall, City Council Chambers, 50 East Main Street.

\*\*\*Anticipated meeting date. City Council meetings are typically held the first and third Tuesday of each month; traditionally moved to Wednesday following a Monday holiday. Confirm City Council meeting dates with the City Clerk's office (912) 764-0621.





City of Statesboro – Department of Community Development  
**DEVELOPMENT SERVICES REPORT**

P.O. Box 348  
Statesboro, Georgia 30458

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» (912) 764-0664 (Fax)

**SE 15-10-01**  
**SPECIAL EXCEPTION REQUEST**  
**116 SAVANNAH AVENUE**

**LOCATION:** 116 Savannah Avenue

**REQUEST:** Special Exception to allow commercial and residential mixed use, on upper and lower-level floors, in the CBD (Central Business District).

**APPLICANT:** Lawrence J. Zaslavsky

**OWNER(S):** Farmers & Merchants Bank

**LAND AREA:** .29 acres

**PARCEL TAX MAP #s:** S28 000079 000

**COUNCIL DISTRICT:** 2 (Lewis)



**PROPOSAL:**

Lawrence J. Zaslavsky requests a special exception to allow for the utilization of the property located at 116 Savannah Avenue as commercial and residential mixed use on both upper and lower-level floors. The subject site is zoned CBD (Central Business District), which does not permit residential uses on lower-level floors by right. (See **Exhibit A – Location Map**)

**BACKGROUND:**

The subject site contains a 5,988 square foot building which was previously utilized as a flower shop by both Colonial House of Flowers and the Flower Girl. The property is situated on the corner of Savannah Avenue and Broad Street. A large structure, its Savannah Avenue frontage of 79 feet and a depth down Broad Street of 141 feet. A pedestrian entrance is offered from Savannah Avenue, but parking and vehicle access occurs from Broad Street. Off Street paved parking is provided at the site (See **Exhibit B—Building Sketch**).

**SURROUNDING LAND USES/ZONING:**

ZONING:		LAND USE:
<b>NORTH:</b>	CBD (Central Business District)	Business offices
<b>SOUTH:</b>	CBD (Central Business District)	Single-family residences
<b>EAST:</b>	CBD (Central Business District)	Personal services facilities, office buildings
<b>WEST</b>	CBD (Central Business District)	Retail establishments; food service facilities; office buildings

The subject property is located in a mixed-use area with business offices to the north, single-family residences to the south and a mix of personal services, retail establishments, food service facilities and office buildings to the east and west (See **Exhibit C—Photos of the Subject and Adjacent Properties**).

## COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core/Downtown" character area as identified by the City of Statesboro 2014 Future Development Map (See Exhibit F) within the City of Statesboro Updated 2014 Comprehensive Plan (See Exhibit D-2014 Future Development Map).

### *Vision:*

Downtown is the historic core of the city and should remain the activity and cultural hub of the region. In the Urban Core, Traditional development patterns of buildings along the sidewalk and a lively streetscape should be respected and promoted. Historic buildings should be protected from demolition or inappropriate restoration which can degrade the architectural details of the structures. Additional residential opportunities, especially in the form of lofts or other residential over retail, should be promoted. Street-level uses should be reserved for retail, entertainment, or similar high activity uses.

### Appropriate Land Uses

- Neighborhood-scale retail and commercial, especially niche market stores which serve as a destination
- Arts and entertainment venues
- Civic uses
- Office
- Neighborhood services
- Range of housing styles & price points
- Multifamily Residential
- Loft, mixed use, and urban residential, including small lot single-family residential along secondary streets
- Multi-story buildings with retail on the street and office/residential above
- Government offices & services

### Suggested Development & Implementation Strategies

- Maintain/enhance integrity of interconnected grid and pedestrian circulation interconnectivity.
- New development should respect historic context of building mass, height and setbacks.
- New developments that contain a mix of residential, commercial and/or community facilities at small enough scale and proximity to encourage walking between destinations should be encouraged.
- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment. Uses should typically transition across the rear of properties instead of across the street to soften the transition and maintain appropriate streetscapes.
- Economic development strategies should continue to nurture thriving commercial activity.

Statesboro Updated 2015 Comprehensive Plan, Community Agenda page 14.

## DOWNTOWN STATESBORO DEVELOPMENT AUTHORITY (DSDA) MASTER PLAN

The subject sites lies within the boundaries of the Downtown Statesboro Development Authority's Master Plan. The master plan envisions a downtown that:

- Serves as the employment, entertainment, service and retail hub of the community
- Maintains and strengthens the governmental functions for the city, county, and federal governments
- Develops a vibrant retail presence
- Develops diverse entertainment, recreational and cultural opportunities
- Offers expanded housing opportunities and types
- Offers significant new public community space
- Provides increased transportation choices for Statesboro residents, workers, and visitors
- Links and enhances city wide trails and open spaces
- Accommodates future major attraction needs for the region

The DSDA Locational Guidance for Redevelopment Initiatives Land Use Map places the subject site within zone 10 with targeted use/enhancements identified as residential, institutional and mixed use. This area is considered to be secondary as importance level, as it operates as a supportive element to downtown, but could potentially include some additional enhancement activity. Implementation strategies for zone 10 include:

- Targeted redevelopment in this area which is consistent with the emerging development pattern is an appropriate approach in this zone.
- Ensure residential and office uses continue with minimal conflict and promote the development an emerging mixed use corridor.
- Implement neighborhood residential revitalization and stabilization programs to improve and maintain housing stock.



"The Land Use Strategy of the DSDA Master plan designates recommended land uses for downtown Statesboro, identifying parcels in which a specific land use is recommended over the long term implementation of the master plan. Existing parcels and properties suitable for specific uses should be considered for development and generally based on the siting strategies identified in the plan." The Land Use Strategy of the Plan encourages a mixed use framework wherever feasible and recommends that the "predominant or most important ground floor use" of this site is secondary retail, stating that "street level retail activity is desirable but not necessary to generate adequate vitality on secondary retail streets. Thus these secondary retail blocks allow commercial uses to be mixed in with retail uses at the ground floor. Key actions include:

- Convert non-retail uses- existing storefront non-retail uses should be replaced, to create a continuous and uninterrupted retail frontage
- Parking – shopper friendly retail supportive parking should be proximate to destinations
- Existing retail, entertainment, and commercial uses – where these activities already occur, street frontages would be strengthened by being filled in with further supporting uses
- Destination uses – that benefit from high traffic volume exposure but do not need a strong pedestrian orientation

### **TAX ALLOCATION DISTRICT (TAD) REDEVELOPMENT PLAN**

The subject site also falls within the boundaries of the Tax Allocation District (TAD). The goal of the TAD is to "encourage the private redevelopment of outmoded, highway-oriented commercial development into pedestrian friendly, mixed use centers to achieve the vision set forth in the 2011 Statesboro Downtown Master Plan and 2009 and 2014 Comprehensive Plans." The plan does not set forth suggestions specific to this subject site.

### **COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):**

The subject site is currently served by city services including water, sewer, sanitation, and public safety. No significant impact is expected on city services as a result of this request.

### **ENVIRONMENTAL:**

The subject property does not contain wetlands and is not located in a special flood hazard zone. 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 .29 acre site is currently zoned CBD (Central Business) District with one vacant 5,988 square foot building on the property which has previously been utilized in both commercial and residential manners. The CBD (Central Business) District has a stated purpose of permitting logical, timely, and orderly development of land in accordance with the objectives, policies, and proposals of the future land use plan for the City of Statesboro. This zoning district proposes uniformity of design in buildings, land use, and parking areas as a business and commerce area.

Special Exceptions allow for a land use that is not permitted as right within a zoning district but which may be granted where the requested use may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a facility that provides commercial and residential mixed use on upper and lower-level floors is not a use permitted by right within the CBD (Central Business) zoning district; rather requiring that mixed residential and commercial uses be occur with restricted placement of retail on bottom floor and residential to upper floors.

Section 2406 of the *Statesboro Zoning Ordinance* lists seven (7) factors that should be considered by Mayor and City Council "in determining compatibility" of the requested use with adjacent properties and the overall community for considerations of Conditional Use Variances, or Special Exceptions as follows:

- A. Adequate provision is made by the applicant to reduce any adverse environmental impact of the proposed use to an acceptable level.
- B. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
  - The proposed use should not cause an increased negative impact on vehicular traffic.
  - The property takes vehicular access from Broad Street and has paved on-site parking.
- C. Off street parking and loading, and the entrances to and exits from such parking and loading, will be adequate in terms of location, amount, and design to serve the use.
  - Paved, off street parking is provided at the site and takes access from Broad Street.
- D. Public facilities and utilities are capable of adequately serving the proposed use.
  - Building Inspections by the Building Inspections Division (Building Official) have not been conducted but may be required in the permitting stage.



- E. The proposed use will not have significant adverse effect on the level of property values or the general character of the area.
- F. Unless otherwise noted, the site plan submitted in support of an approved conditional use shall be considered part of the approval and must be followed.
- i. Section 803 of the Statesboro Zoning Ordinances requires that a site plan and architectural drawings are required prior to issuance of a building permit. It continues to state that the planning commission shall review these plans and drawings and submit their findings and recommendations to the building inspector and city council prior to the issuance a building permit. The drawings shall keep in mind the integrity and harmony of the central business district as designated in the future land use plan and other related studies.
  - ii. Although the applicant has not expressed an intention of making exterior changes to the property to staff, applicant has NOT submitted a site plan, concept or representation of his intended use of the property. Therefore, no approvals for site plans could be granted at this time and would have to be brought back before Planning Commission and City Council at such time as they are developed before staff could authorize any permitting for the property.
- G. Approval of a proposed use by the mayor and council does not constitute and [an] approval for future expansion of or additions or changes to the initially approved operation. Any future phases or changes that are considered significant by the planning commission and not included in the original approval are subject to the provisions of this section and the review of new detailed plans and reports for said alterations by the governing authority.
- This request, if approved, is personal to the applicant. Any future changes to this proposal must be approved by City Council.

Additionally, § 2406 also requires consideration of the following factors given for standards for determination in a zoning change in “balancing the promotions of the public health, safety, morality [morals] and general welfare against the right of unrestricted use of property” given in § 2007 of the *Statesboro Zoning Ordinance*”:

1. Existing uses and zoning or [of] property nearby.
  - Surrounding properties are zoned CBD (Central Business District), O (Office), and R4 (High Density Residential) and uses range from single family residential to small-scale retail.
2. The extent to which property values are diminished by the particular zoning restrictions.
  - a. The existing structure was originally constructed and designed as a home in the early twentieth century and has undergone alteration. In the recent past, the subject site was used in a commercial capacity.
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 suitable to be utilized as zoned.
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 has been vacant and/or underutilized for the last several years.
7. The extent the proposed change would impact population density in the area, community facilities, living conditions in the area, traffic patterns and congestion, environmental aspects, existing and future land use patterns, and property values in adjacent areas.
  - The proposed use should not negatively impact any of the above.
  - The Comprehensive Plan, DSDA Master Plan, and TAD Redevelopment Plan all support an increase in residential living and population in the downtown area.
8. Consistency with other governmental land use, transportation, and development plans for the community.
  - a. Land use plans for this area consistently recommend the infill of residential development in the downtown area. However, they are also consistent in the recommendation that residential use should be restricted to upper floors and not serve to interrupt a consistent retail or commercial frontage for downtown streets.

#### **STAFF RECOMMENDATION:**

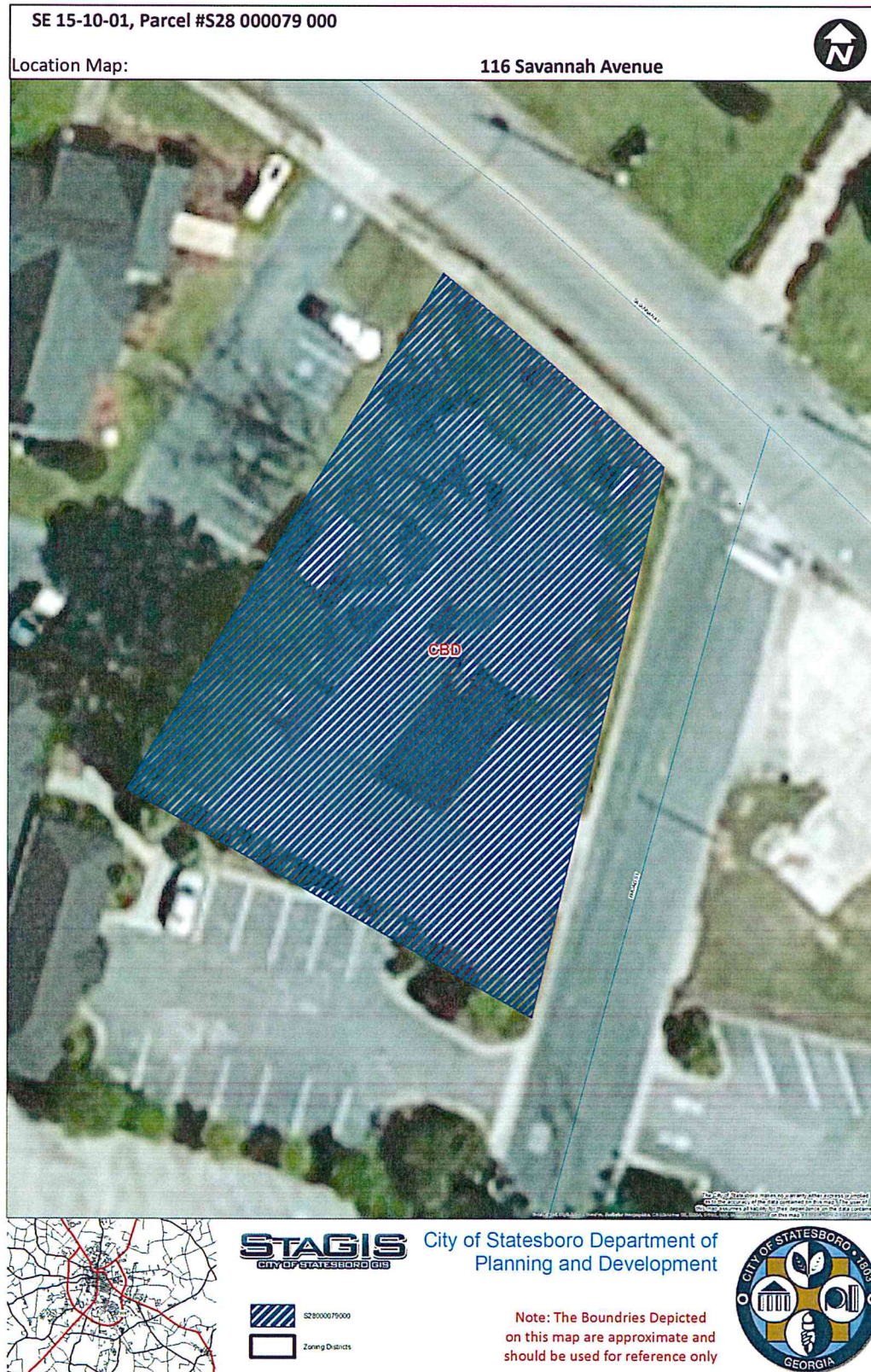
In consideration of the factors of this case, and the guidance of the City of Statesboro Comprehensive Land Use Plan, the DSDA Master Plan, and the Tax Allocation District Master Plan, staff recommends that the special exception allowing the mixed commercial and residential use of this property be permitted with the following mitigating conditions:

1. The portion of the structure with frontage on Savannah Avenue must be utilized in a commercial fashion.

2. Residential usage is restricted to the "back" of the property – those sections not having frontage on Savannah Avenue.
3. Site Plans, Concepts, and/or appropriate renderings must be submitted for approval. Any changes to the exterior or footprint of the property will require additional council approvals.
4. Redevelopment plans must meet all standards and regulations of the City of Statesboro and the State of Georgia, including but not limited to, the Design Standards for this area and adequate off street parking for mixed uses.



# EXHIBIT A: LOCATION MAP

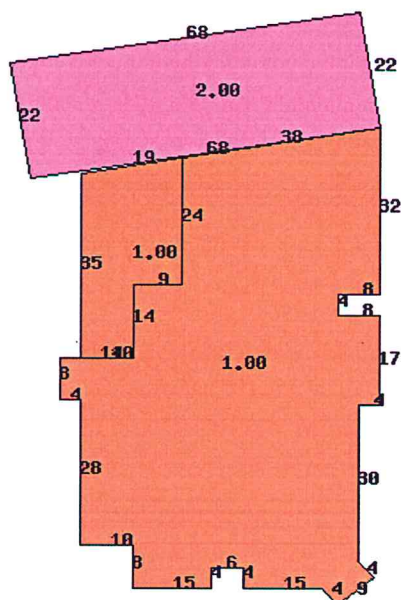


## 10/30/2015

## Bulloch County Building Sketcher

Resize

Close Window



Color	Area Type Description	Square Feet
	1.00	3906
	2.00	1514
	1.00	568

[http://qpublic7.qpublic.net/cgi-bin/gap\\_sketch.cgi?county=bulloch&p=25746&b=2305&s=400&c=bulloch&t=C](http://qpublic7.qpublic.net/cgi-bin/gap_sketch.cgi?county=bulloch&p=25746&b=2305&s=400&c=bulloch&t=C)

1/1



**EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES**



**Picture 1 Subject Property Facing West**



**Picture 2 Rear of Subject Property Facing North**



**EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES (CONT.)**



**Picture 3 Front of Subject Property Facing South**



**Picture 4 Side of Subject Property Facing East**



**EXHIBIT C: PHOTOS OF THE SUBJECT AND ADJACENT PROPERTIES (CONT.)**



**Picture 5 Adjacent Property Facing North**



**Picture 6 Adjacent Property Facing South**



# EXHIBIT D: 2014 FUTURE DEVELOPMENT MAP

