



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
March 11, 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. November 12, 2013 Meeting
 - b. December 10, 2013 Meeting
 - c. January 14, 2014 Meeting
 - d. February 11, 2014 Meeting
- 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)
 - 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).
- V. Announcements**
- VI. Adjourn**

STATESBORO PLANNING COMMISSION

November 12, 2013

5:00 P.M.

City Hall Council Chambers

Meeting Minutes

Present: Planning Commission Members: Rick Barr, R. Jeremy Ragan, Jim Benton, Reverend Charles Lee, and Nick Propps. City of Statesboro Staff: Director of Planning and Development Mandi Cody, Development Clerk Cindy Clifton, City Engineer Robert Cheshire, and Assistant City Engineer David Hendrix.

Absent: Planning Commission members Holmes Ramsey and April Stafford.

1. Call to Order

Commissioner Propps called meeting to order.

2. Approval of Meeting Agenda

Motion made by Commissioner Lee; second by Commissioner Barr to approve order of meeting agenda. Motion carried 3 to 0.

3. Approval of Meeting Minutes

a. October 8, 2013 Meeting

Motion made by Commissioner Barr; second by Commissioner Lee to approve minutes for the October 8th, 2013 meeting. Motion carried 3 to 0.

Note: Jim Benton arrived at 5:08 pm and R. Jeremy Ragan arrived at 5:13 making 5 total Commissioners present.

4. New Business

- a. 1. **APPLICATION # RZ 12-06-06:** Lisa P. Hodges requests a zoning map amendment from CR (Commercial Retail) District to PUD (Planned Unit

Development) District with mixed use for property located on Chandler Road. (Tax Parcel Number MS620000099A000)

2. **APPLICATION # V 12-06-07:** Lisa P. Hodges requests a variance from Section 1402 of the Statesboro Zoning Ordinance regarding lot size for PUD (Planned Unit Development) District for property located on Chandler Road. (Tax Parcel Number MS620000099A000)

Mandi Cody presented the rezone and variance staff reports combined and answered questions from the commissioners. John Dotson of Maxwell Reddick & Associates spoke on behalf of the applicant and requested an increase of the number of bedrooms from that which was agreed upon from 55 to 66.

No one spoke in opposition of the requests.

The staff recommended approval with the following conditions:

- A. **Administration:** In addition to the provisions of Article XVII (Administration) of the *Statesboro Zoning Ordinance*, the following shall be applicable to the subject property.
 1. The Director of Planning and Development shall have the duty and power to administer the provisions of RZ 12-06-06 unless otherwise provided. Where referenced herein, the term "Director of Planning and Development" may also include her/his designee.
 2. The City Engineer shall have those specific and necessary duties and powers referenced herein to administer the provisions of RZ 12-06-06. Where referenced herein, the term "City Engineer" may also include her/his designee.
 3. *Minor Amendments.* In addition to the provisions of Article XIV (Planned Unit Development District), the Director of Planning and Development shall have the authority to approve minor amendments to the PUD District created by action of the Statesboro City Council for RZ 12-06-06. Minor amendments shall not include changes that intensify the use of the property as otherwise permitted in the High Density Residential and Commercial Retail districts, or changes that conflict with the requirements listed herein as determined by the Director. Where the Director of Planning and Development determines that a proposed amendment to PUD cannot be classified as "minor" in nature, such amendments shall be deemed as major amendments and will require City Council approval.
 4. *Major Amendments.* Deemed a deviation of more than twenty percent (20%) from the standard, or any other deviation, that the Director of Planning and Development feels exceeds the scope of approval of City Council. The intent of this request, if approved, is to allow residential mixed with small-scale retail and office on the bottom floor of the

structure. Any future requests for a sole use of the property that would defeat the intent of mixed use would require approval from City Council.

5. *Permits/Subdivision*. Any future subdivision plats shall be approved by the City of Statesboro and shall be recorded by subdividing the parcels subject to RZ 12-06-06 prior to the approval of any building permits for this site.

B. Land Uses:

1. *Permitted Uses*.

- a. High density residential
- b. Neighborhood Small-Scale Retail including:
 - i. Retail Professional Services
 - ii. Personal Services Facilities
 - iii. Neighborhood Markets not to include Convenience Stores or Gas Stations
 - iv. Business or Professional Offices not to include Medical Service Facilities
 - v. Food Service Facilities with no Drive-Through Services
 - vi. Similar uses as approved by the Zoning Administrator.

Retail uses are restricted to no more than 50% of the first floor of any structure on the site.

2. *Condominiums*: This site is not required to operate as a single proprietary unit. Each unit may be subdivided and owned independently of others upon approval of a subdivision plat.
3. *Alcoholic Beverages*. This property does not meet the proximity restrictions set forth by the City of Statesboro or the state of Georgia and may not serve or sell alcohol on the premises.

C. Area, Width and Yard Regulations:

1. *Dwelling units per acre*. There shall be no more than 66 bedrooms on the site.
2. *Front Yard*. There shall be a front yard on each lot which shall not be less than twenty (20) feet in depth from the property line. The front yard setback shall be required for each street which the lot provides access.
3. *Side Yards*. There shall be two side yards, each having a width of not less than ten (10) feet.

4. *Rear Yard*. There shall be a rear yard on each lot which shall not be less than ten (10) feet.
5. *Accessory Buildings*. Accessory uses and buildings are prohibited from the site.
6. *Distance between Buildings*. There shall be a distance of at least ten (10') feet between any buildings.
7. *Building Coverage*. Not more than seventy percent (70%) of any lot shall be occupied by buildings.

D. Offstreet Parking and Loading:

1. In addition to the provisions of Article XVI (Parking), the minimum number of parking spaces shall not be less than as follows:
 - High Density Residential: 1 space per bedroom.
 - Office/Retail: 1 space per every 1,000 square feet of office or retail space.
2. The Zoning Administrator may authorize joint or shared parking with the adjacent northern parcel if requested by the owners. The Zoning Administrator may approve a reduction up to 20% in the number of parking spaces required for a specific use when inter-parcel access is provided and a shared parking arrangement demonstrates that adequate parking will be provided for the affected use as permitted by Article XVI.

The property owner must gain reciprocal access to the adjacent northern parcel for ingress/egress purposes.

Commissioner Benton made a motion to approve the requested rezone and variance with staff recommended conditions; seconded by Commissioner Lee. Motion carried 5-0.

- b. **APPLICATION # V 13-10-04:** Gregory M. Parker requests a variance from Section 4.3 of the *Statesboro Subdivision Regulations* regarding minimum right of way widths for property located at the intersection of Brampton Avenue and Veterans Memorial Parkway. (Tax Parcel Number MS63000026022)

Mandi Cody presented the staff report and answered questions from commissioners. Assistant City Engineer David Hendrix voiced concerns about the turnaround as it was currently shown on the plat. City Engineer Robert Cheshire also voiced his concerns.

Thomas & Hutton Representative Nathan Long for Parker's Convenience Store addressed the concerns. Mr. Long agreed that he was willing to make the accommodations to correct any concerns.

No one spoke in opposition of the request.

The staff recommended approval with the following conditions:

1. Applicant must install curb and gutter.
2. Applicant must construct a 150' maximum turnaround from the end. The applicant must add notes to standard on the plat inset showing dimensions to be recorded as buyer's obligations as purchased.
3. The proposed right of way must be approved prior to subdividing.
4. The proposed right of way must be dedicated to the City of Statesboro as public right of way.
5. Applicant must install a sidewalk on the southern side of the proposed road.
6. The proposed right of way must be built to the end of the development (not the end of parcel).

Commissioner Ragan made a motion to approve the requested variance with staff recommended conditions; seconded by Commissioner Benton. Motion carried 5-0.

5. Adjourn

Motion was made to adjourn the meeting by Commissioner Ragan; second by Commissioner Barr. Motion carried 5-0. Meeting adjourned.

Chair – Nick Propps

Secretary – Mandi Cody
Director of Planning and Development

STATESBORO PLANNING COMMISSION

December 10, 2013

5:00 P.M.

City Hall Council Chambers

The December 10, 2013 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

January 14, 2014

5:00 P.M.

City Hall Council Chambers

The January 14, 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

February 11, 2014

5:00 P.M.

City Hall Council Chambers

The February 11, 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

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

**RZ 14-02-01
 ZONING MAP AMENDMENT
 444 South College Street**

LOCATION: 444 South College Street

REQUEST: Rezone from R20 (Single-Family Residential) to R4 (High Density Residential)

APPLICANT: Dennis Rhodes dba Coley Homes

OWNER(S): Dennis Rhodes

LAND AREA: 1.32 acres

PARCEL TAX MAP #s: S21000011000

COUNCIL DISTRICT: District 1 (Boyum)



PROPOSAL:

The applicant is requesting the rezoning of approximately 1.32 acres of property located at 444 South College Street from R20 (Single-Family Residential) District to R4 (High Density Residential) District to develop and construct six additional single-family style structures on the site to create a small neighborhood environment. (See Exhibit A – Location Map & Exhibit B – Sketch Plan)

BACKGROUND:

The subject site of this request is adjacent to northern parcel tax map S21000011001 which was rezoned from PUD/CR (Planned Unit Development with Commercial Retail overlay) to R4 (High Density Residential) in May of 2012 in case RZ 12-05-02. In August of 2012, .27 acres of the subject site was subdivided and combined with the above mentioned northern adjacent parcel and rezoned from R20 (Single-Family Residential) to R4 (High Density Residential) in case RZ 12-06-10 leaving the remaining 1.32 acres of the subject site zoned R20 (Single-Family Residential). The site currently contains four existing single-family units. The applicant wishes to develop and construct six additional units, totaling ten units all together on the site, necessitating a zoning map amendment.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R4 (High Density Residential)	Residential duplexes
SOUTH:	R20 (Single Family Residential)	Single-Family Residential
EAST:	HOC (Highway Oriented Commercial)	Commercial
WEST:	R20 (Single Family Residential)	Single-Family Residential

The subject property is located in a primarily residential use area with the eastern property line backed by commercial uses such as mini storage, used car sales etc. (See Exhibit A & C)

COMPREHENSIVE PLAN:

The subject site lies within the "Urban Core" character area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The "Urban Core" character areas are identified as the activity and cultural hub of the region and support a wide range of acceptable uses. As a major gateway into downtown, traditional development patterns of buildings along the sidewalk and a lively streetscape are respected and promoted, while encouraging retail uses with large storefront windows at street level.

Neighborhood-scaled retail and commercial, arts and entertainment venues, civic centers, office, neighborhood services, lofts and urban residential including single-family residential along secondary streets, mixed use, multi-story buildings with retail on the street and office/residential above are all appropriate land uses for properties within the Urban Core character area. Some suggested development and implementation strategies for the area include the following:

- Encourage mixed-use infill and redevelopment.
- New development should respect historic context of building mass, height and setbacks.
- Economic development strategies should continue to nurture thriving commercial activity.
- Develop sites within the southern portions of the character area (especially along South Main, generally from Grady Street to Fair Road) in a manner that promotes the functional and aesthetic objectives of the character area while providing a greater physical linkage between Georgia Southern University and downtown.

Statesboro Comprehensive Plan, Community Agenda pages 12-13.

The land use strategy in the *Statesboro Downtown Master Plan* states that sites in the vicinity of College and Bulloch Streets offer potential locations to develop a significant amount of urban housing. Within that area high-density housing would comprise buildings which are two to four-stories in height with a density of 8 to 12 units per acre. These sites would be potential locations for development in the near-term:

- Underutilized or vacant parcels – including a significant number of sites that accommodate infill, high-density construction.
- Amenities – proximate to transit (when available or planned), new parks, retail and services within short walking distances.

Statesboro Downtown Master Plan, Land Use Strategy page 41.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

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

ENVIRONMENTAL:

The subject property does not contain wetlands but is located in a special flood hazard zone; however, this request should not generate any additional issues. 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 entire 1.32 acre site is currently zoned R20 (Single Family Residential) and contains four single family homes. The applicant's request to rezone the property from R20 (Single Family Residential) to R4 (High Density Residential) would allow the proposed development of an additional six units to be constructed on the property.

The request to rezone the subject property 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 R4 (High Density Residential) zoning district for residential uses only 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;**
 - o Existing uses and zoning of nearby property range from highway commercial to high density residential and single family residential homes. According to the *Statesboro Comprehensive Master Plan*, this area provides urban style housing opportunities through live-work and loft housing. Expanding housing options in downtown is encouraged in the *Statesboro Comprehensive Master Plan*.
- (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.**
 - o Rezoning of the site would allow for infill development, increased property values, and enhancement of the existing structures at the site.
- (5) **The suitability of the subject property for the zoned purposes.**
 - o The proposed land use meets the provisions of the *Statesboro Zoning Ordinance* and the *Comprehensive Plan* and could be developed in conformance with R4 (High Density Residential) Standards.
 - o The property is currently utilized in a residential manner.
- (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.**
 - o The parcel currently holds only four single family units. The majority of the lot is vacant. Allowing the applicant to rezone will allow development of the underutilized portion of the property.
- (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;**
 - o Traffic counts for the immediate area (and thereby relative to the subject property’s proposed use) states that the total average annual daily trips reached approximately 1,310 trips both ways for the year 2011 which is an increase of 1,000 trips from 2010 but is not expected to increase significantly with the applicant’s request.
 - o *The Long Range Transportation Plan* does not identify the level of service at this segment.
 - o The proposed use is not expected to have a negative impact on population density, community facilities, living conditions, traffic patterns and property values in adjacent areas given its current single family zoning district, and is not expected to be negative or burdensome to the general public or surrounding property owners.
- (8) **Consistency with other governmental land use, transportation, and development plans for the community.**
 - o The requested zoning map amendment is consistent with the policies articulated within the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan*.
 - o As illustrated on the sketch plan submittal, the subject property can be developed in conformance with the requirements for the proposed R4 (High Density Residential) zoning district. The property will be sufficient in size and shape for proposed residential use and should meet the setback and other standards of the R4 (High Density Residential) zoning districts as well as the parking, buffering, and other development requirements set forth in the *Statesboro Zoning Ordinance*.
 - o The *Statesboro Comprehensive Plan* adopts a goal of “promot[ing] infill and redevelopment” stating that “infill development, which consists of developing vacant lots dispersed in developed areas, strengthens neighborhoods and reinvests money into infrastructure which is already in place”. (*Community Agenda, page 51*). The requested utilization of the subject site would achieve this goal.
 - o Use of the property as high density residential is consistent with the vision and guiding principles of the “Urban Core” character area as articulated within the *Statesboro Comprehensive Plan* which promotes new developments to include mixed uses such as small to mid-size retail, single family residential, and multifamily residential.

STAFF RECOMMENDATION:

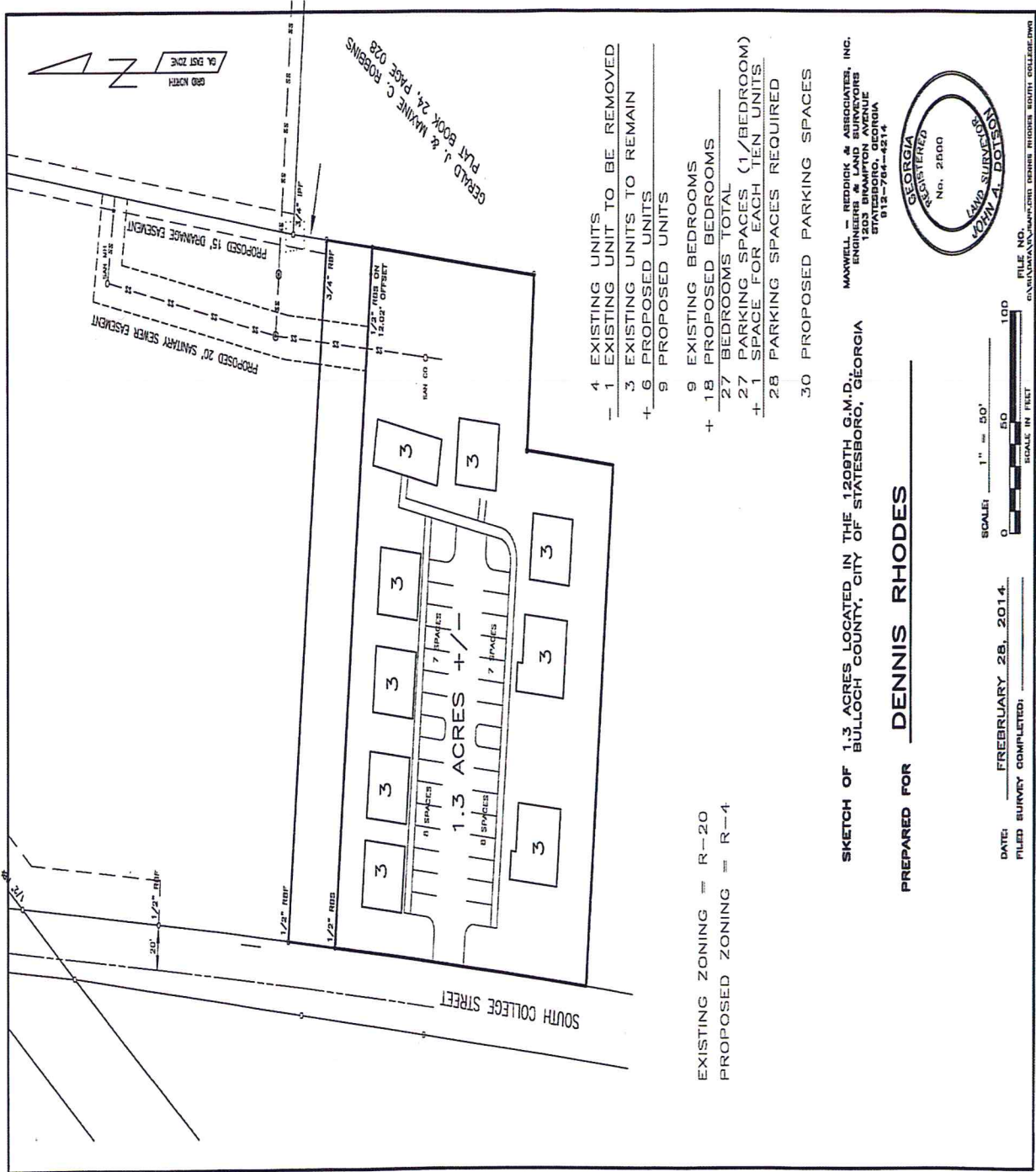
Based on the factors of consideration for zoning map amendments given in Section 2007, *the Comprehensive Plan*, and the *Long Range Transportation Plan*, staff recommends approval of the zoning map amendment requested by application RZ 14-02-01.

(Please note: Unless otherwise stated in any formal motion by City Council, staff considers the conceptual site plan (Exhibit B) 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



EXHIBIT B: SITE PLAN & PROPOSED DEVELOPMENT PROTOTYPE



MAXWELL REDDICK & ASSOCIATES, INC.
ENGINEERS AND ARCHITECTS
1203 BRAMPTON AVENUE
STATESBORO, GEORGIA
912-764-4514

FILE NO.
 C:\WORK\2014\PROJECTS\DENNIS RHODES SOUTH COLLEGE.DWG

SKETCH OF 1.3 ACRES LOCATED IN THE 1208TH G.M.D., GEORGIA
BULLOCH COUNTY, CITY OF STATESBORO, GEORGIA

PREPARED FOR DENNIS RHODES

DATE: FEBRUARY 28, 2014
FILED SURVEY COMPLETED:

SCALE: 1" = 50'
0 50 100
SCALE IN FEET

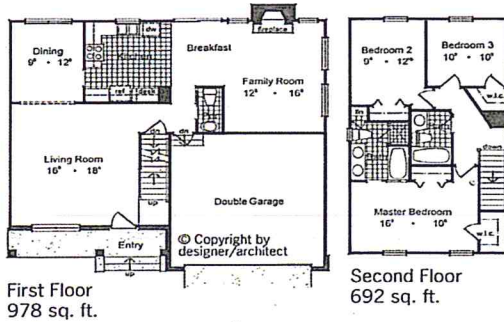


EXHIBIT B: SITE PLAN & PROPOSED DEVELOPMENT PROTOTYPE CONT'D

1

MADEIRA

Plan #653-047D-0014



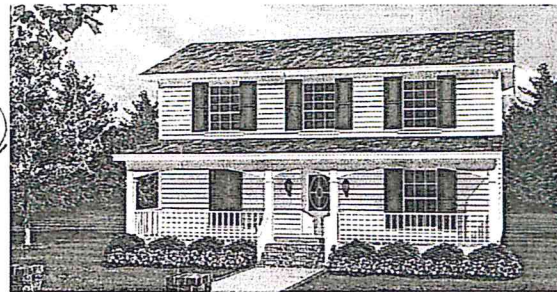
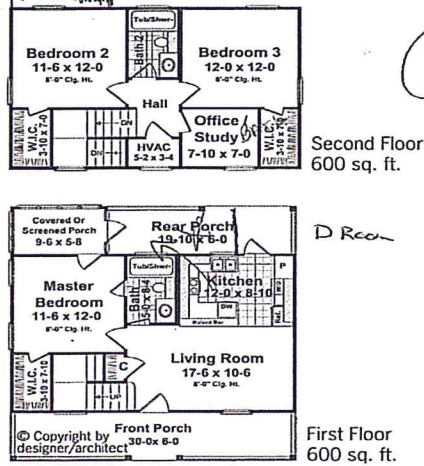
Total living area: 1,670
 Width: 40'-0" Depth: 39'-8"
 3 bedrooms, 2 1/2 baths
 2-car garage
 Basement foundation
 Price Code C

charming two-story with porch

- There is plenty of closet space throughout this home
- The delightful family room is flooded with sunlight from many windows
- Open living areas make this home appear larger

LAURELWOOD PLACE

Plan #653-077D-0106



Total living area: 1,200
 Width: 30'-0" Depth: 32'-0"
 3 bedrooms, 2 baths
 Slab or crawl space foundation,
 please specify when ordering
 Price Code F

delightful two-story

- The raised snack bar connects the kitchen to the living room, creating a lovely open living area
- Front and rear covered porches provide lovely settings for relaxing in the great outdoors
- Each bedroom features a walk-in closet for easy organization

1-800-373-2646
 houseplansandmore.com

EXHIBIT C: PHOTOS OF SUBJECT SITE AND GENERAL VICINITY



Figure 1: Eastern view of Subject Property from South College Street



Figure 2: Southern view of Subject Property from northern side of Subject Property

EXHIBIT C: PHOTOS OF SUBJECT SITE AND GENERAL VICINITY CONT'D



Figure 3: Northern Parcel Adjacent to Subject Site



Figure 4: Southern Parcel Adjacent to Subject Site

EXHIBIT C: PHOTOS OF SUBJECT SITE AND GENERAL VICINITY CONT'D



Figure 5: Across South College from Subject Property.



Figure 6: Eastern Parcel Adjacent to Subject Site



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

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Statesboro, Georgia 30458

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» (912) 764-0664 (Fax)

RZ 14-02-02
ZONING MAP AMENDMENT
625 & 701 GENTILLY ROAD

LOCATION: 625 and 701 Gentilly Road

REQUEST: Rezone from R15 (Single Family Residential) and R3 (Medium Density Residential) to CR (Commercial Retail)

APPLICANT: TI – Gentilly Gardens, LLC

OWNER(S): TI – Gentilly Gardens, LLC and New Covenant Church

LAND AREA: Approximately 2.08 acres and 0.31 acres

PARCEL TAX MAP #s: MS73000002 000 and MS73000003 000

COUNCIL DISTRICT: 4 (Riggs)



PROPOSAL:

The applicant is requesting the rezoning of an approximate .31 acre strip of land currently zoned R15 (Single Family Residential) and owned by New Covenant Church in anticipation of acquisition and combination with property owned by Gentilly Gardens which is currently zoned CR (Commercial Retail). The proposed expansion of Gentilly Gardens has prompted the acquisition of land in order to meet setback regulations set forth by the *Statesboro Zoning Ordinance*. Gentilly Gardens is categorized as a healthcare facility (to include assisted living facilities) which is not a permissible use in the R15 (Single Family Residential) zoning district. Because the proposed building expansion will encroach upon the strip of land being acquired from New Covenant Church, the property must be rezoned to CR (Commercial Retail) before a building permit may be granted for the proposed expansion.

In addition to the aforementioned rezone request, the applicant, with staff's recommendation, is requesting the rezoning of the northern portion of the parcel (approximately 2.08 acres) owned by Gentilly Gardens which contains a detention pond for storm water run-off. The detention pond was originally constructed for and utilized by Hendley Properties' the Retreat at Gentilly which is currently zoned R3 (Medium Density Residential). The applicant has since obtained and combined the property with Gentilly Gardens' existing property which is zoned CR (Commercial Retail); thus, creating a split zoned parcel. Split zoning is defined as two or more zoning designations on one piece of property. An assisted living facility is not a permissible use in the R3 (Medium Density Residential) zoning district, and, while the applicant doesn't intend to develop the area where the detention pond currently exists, the property should be rezoned to match the entire parcel to ensure consistency and property legality to avoid potential issues in the future. (See Exhibit A)

BACKGROUND:

Gentilly Gardens was rezoned from R15 (Single Family Residential) to CR (Commercial Retail) in April, 2012 pursuant to case RZ 12-03-01 to rid the applicant of the burden of the existing Special Exception in which the use was originally permitted and allow a permissible use that is consistent with the current and future use as an assisted living facility for the anticipated expansion. Following the zoning map amendment of the entire parcel, a small adjacent strip of property to the west was also rezoned from R15 (Single Family Residential) to CR (Commercial Retail) on January 15, 2013 pursuant to case RZ 12-12-01 for the acquisition and combination with Gentilly Gardens. Adjacent property to the north was acquired and combined from the Retreat at Gentilly in February, 2013 causing the property to be split zoned CR/R3 (Commercial Retail) / (Medium Density Residential).

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R15 (Single Family Residential),R3 (Medium Density Residential)	Vacant, Duplexes, and Trail
SOUTH:	R15 (Single Family Residential)	Church and Single Family Homes
EAST:	R15 (Single Family Residential)	Church and Single Family Homes
WEST	R15 (Single Family Residential)	Single Family Homes

The subject property is located in mixed use area with a church to the southeast of the subject property, single family homes to the west, and duplexes, a trail, and a lumber yard to the north. (See Exhibit D)

COMPREHENSIVE PLAN:

Given the existing use of the subject property as an assisted living facility and the necessity of the requested zoning map amendment as a general "house-keeping" action to ensure consistency and formality, the recommendations of the *Comprehensive Plan* may not be applicable to this request. In addition, recommendations of the *Comprehensive Plan* for the current use have been considered in past zoning cases and were found to be complimentary to the existing use and were approved by Mayor and Council.

Nevertheless, the subject site lies within the "Developing" character area and adjacent to a proposed "Green Space" area as identified by the City of Statesboro Future Development Map within the *City of Statesboro Comprehensive Plan*. The Developing character area is primarily residential in nature, but is "under pressure to grow in a suburban manner." "These developing areas can be found at the periphery of the city, adjacent to existing suburban development and highway corridors." *Statesboro Comprehensive Plan, Community Agenda*, page 16.

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 community facilities or services as a result of this request.

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 applicant has requested a zoning map amendment for approximately .31 acres of land currently zoned R15 (Single Family Residential) and belonging to New Covenant Church. Gentilly Gardens has determined that in order to successfully expand the existing building while meeting the regulations of the *Statesboro Zoning Ordinance*, the acquisition and combination of the .31 acre strip of land is necessary. Gentilly Gardens is classified by the *Statesboro Zoning Ordinance* as a healthcare facility (to include assisted living facilities), and, as such, the subject property must be rezoned to CR (Commercial Retail) to match the existing zoning district for Gentilly Gardens which permits such use.

Additionally, the entire existing 4.29 acre site is currently split zoned R3 (Medium Density Residential) and contains a detention pond previously constructed and utilized by the Retreat at Gentilly. The applicant's request to rezone a portion (approximately 2.08 acres) of the property from R3 (Medium Density Residential) to CR (Commercial Retail) is being requested as a recommendation by staff to avoid any potential future issues associated with the confusion and inconsistency of split zoned properties. This request is preferable as a matter of "house-keeping" and should not have a negative effect on surrounding properties.

Staff also recommends that Council consider the effect this request would have on split zoning which can be defined as two or more zoning designations on one piece of property. Split zoning can be viewed as a short-term solution but can easily turn into a long-term problem if, for example, the applicant does not follow through with subdivision and combination. In such instance, accurately mapping split-zoned properties can be difficult, causing potential liability issues. The current zoning ordinance does not provide guidance for split-zone requests nor does it prohibit the practice; therefore, staff must consider each request on a case by case basis. While split zoning of parcels can be problematic and should ordinarily be used with caution, in this case, the applicant has a positive history of submitting subdivision/combination plats to be approved by the Mayor and Director of Planning and Development and should be completed if this request is approved. Therefore, there are no indications that the combination with the adjacent property would not be successful; thereby, alleviating any concerns in this instance.

The request to rezone the subject property 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 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;**
 - o Existing uses and zoning of nearby property range from commercial to single family residential homes.
 - o The requested zoning change is minor and should not have a negative impact on surrounding properties.
- (2) The extent to which property values are diminished by the particular zoning restrictions.**
 - o The proposed zoning designation already exists on this property.
 - o Property values may be decreased if split zoning exists as it currently does.
- (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.**
 - o The proposed combination of the property allows Gentilly Gardens to expand the facility appropriately to accommodate the growing needs of its members and the demand for new members.
 - o Given the long term existence and planned expansion of this use, the grant of this rezone effectively would not eliminate any resident zoning or uses.
- (5) The suitability of the subject property for the zoned purposes.**
 - o The acquisition and combination is necessary to satisfy the provisions of the *Statesboro Zoning Ordinance*.
- (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.**
 - o Allowing the applicant to rezone for subdivision/combination purposes will allow development of an underutilized wooded portion of property.
- (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;**
 - o The proposed rezone is not expected to have a negative impact on population density, community facilities, living conditions, traffic patterns and property values in adjacent areas given its current existence, and is not expected to be negative or burdensome to the general public or surrounding property owners.
- (8) Consistency with other governmental land use, transportation, and development plans for the community.**
 - o The requested zoning map amendment is consistent with the policies articulated within the *2035 Bulloch County/City of Statesboro Long Range Transportation Plan* and the anticipation of the City's construction of a sidewalk along Gentilly Road.
 - o As illustrated on the sketch plan submittal, the subject property can be developed in conformance with the requirements for the proposed CR (Commercial Retail) zoning district when combined with the adjacent lot. The combined property will be sufficient in size and shape for proposed commercial use and will help Gentilly Gardens meet the setback requirements and other standards of the CR (Commercial Retail) zoning districts as well as the parking, buffering, and other development requirements set forth in the *Statesboro Zoning Ordinance*. If the subject property does not combine with the adjacent parcel after being rezoned, the provisions of the *Statesboro Zoning Ordinance* could not be met.
 - o The remainder of the church property continues to meet regulatory standards of the *Statesboro Zoning Ordinance*.
 - o The *Statesboro Comprehensive Plan* adopts a goal of "promot[ing] infill and redevelopment" stating that "infill development, which consists of developing vacant lots dispersed in developed areas, strengthens neighborhoods and reinvests money into infrastructure which is already in place". (*Community Agenda, page 51*). The requested utilization of the subject site would achieve this goal.

- This request may pose an issue of split-zoning the property until subdivision and combination is completed. The *Statesboro Zoning Ordinance* does not offer any provisions or guidance in regards to split-zoning parcels. In this case, however, no negative impact on zoning is expected as result of this request since a combination plat for approval and recording is expected pending approval of this request.

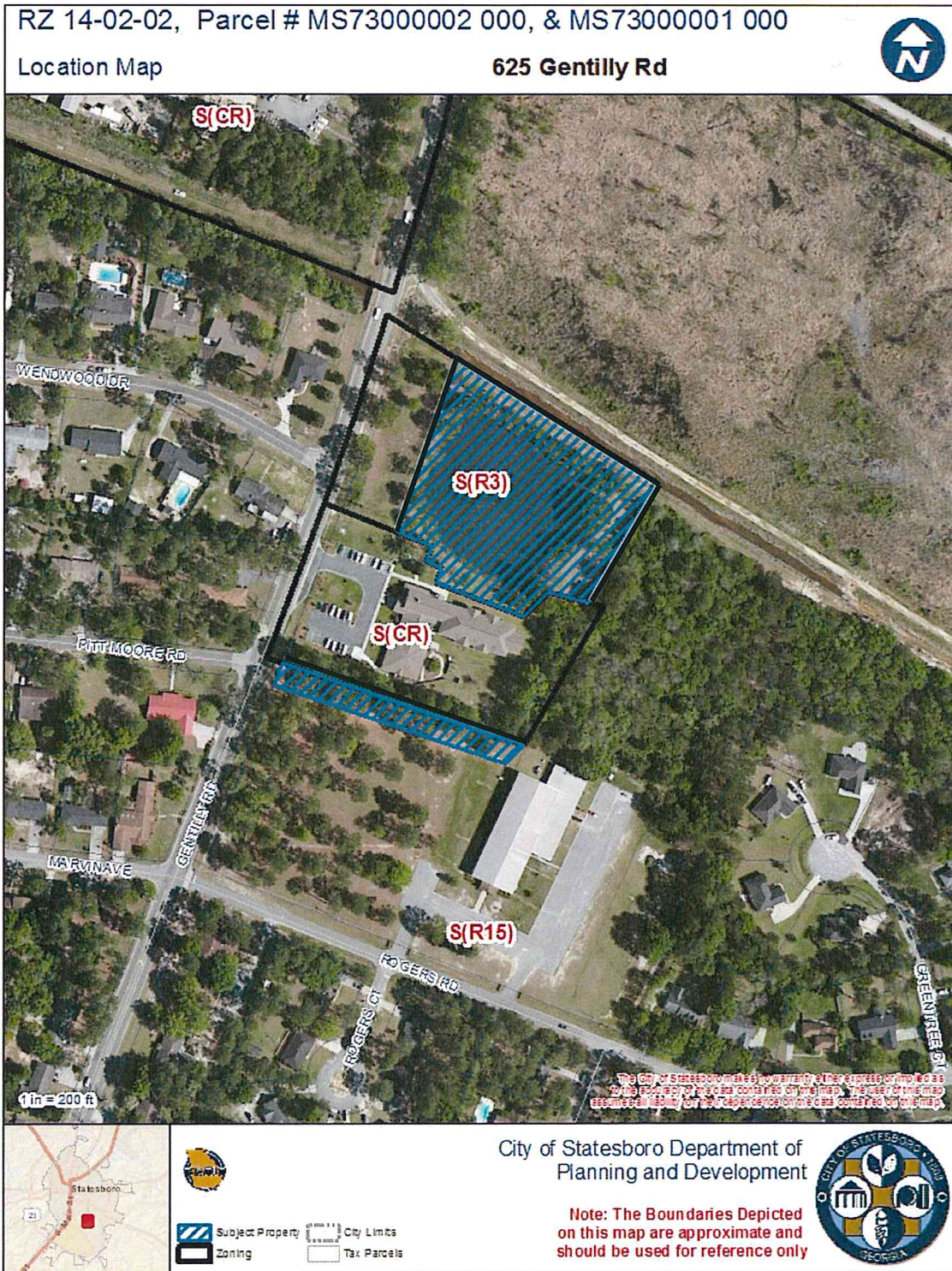
STAFF RECOMMENDATION:

Based on the factors of consideration for zoning map amendments given in Section 2007, *the Comprehensive Plan*, and the *Long Range Transportation Plan*, staff recommends approval of the zoning map amendment requested by application RZ 14-02-02 with the following condition:

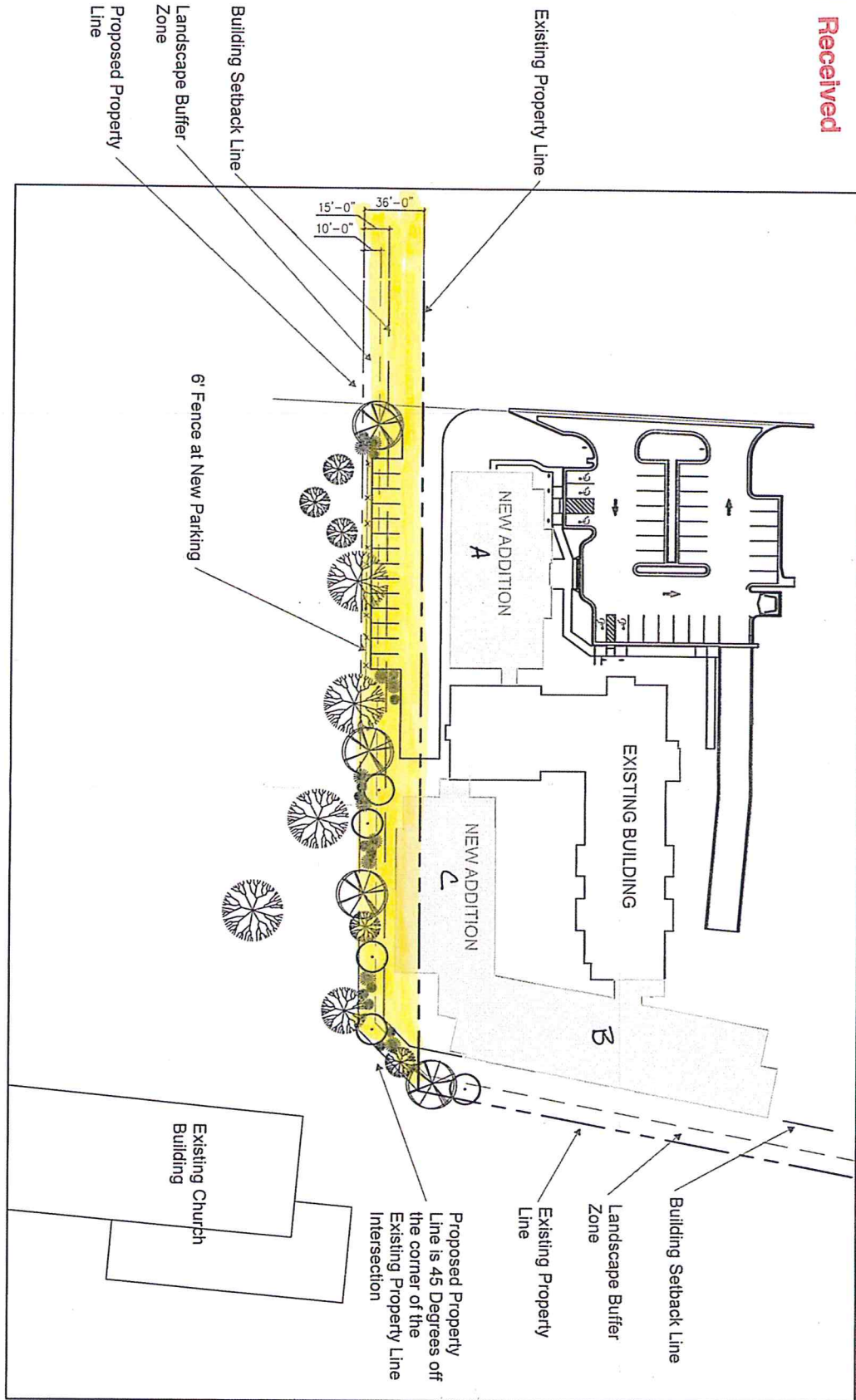
1. Submittal and approval of a combination plat.
2. The area where the detention pond is located must remain as such and not be permitted to develop in a commercial manner to ensure proper drainage for the Retreat at Gently.

(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



Received



NORTH

Site Plan
SCALE: 1" = 60'-0"

EXHIBIT C: ZONING MAP

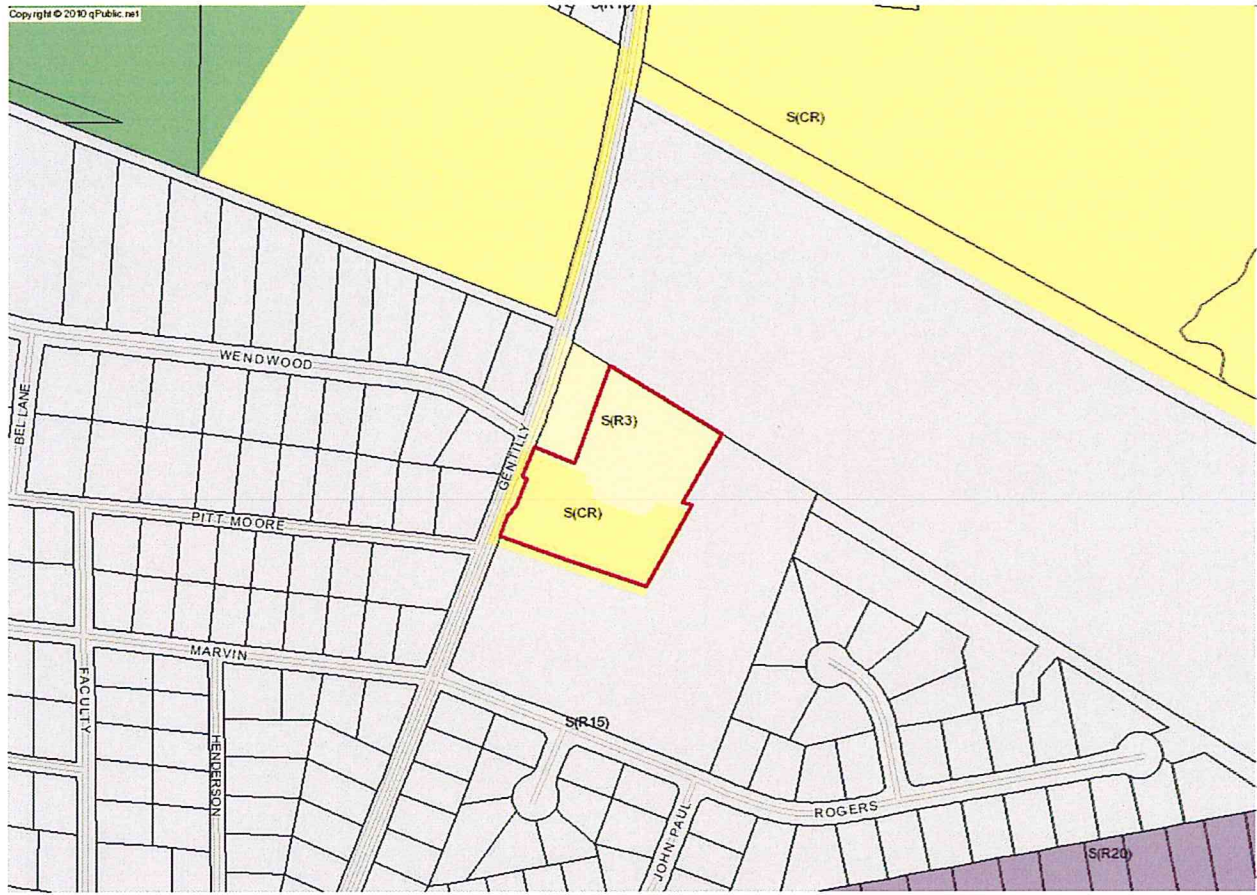


EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: The wooded area of the subject property to be combined with Gentry Gardens.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 2: Gently Gardens (Rear Portion to be combined with Subject Site.)



Figure 3: New Covenant Church.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 4: Detention Pond – Currently part of Gentilly Gardens Property – Zoned R3



Figure 5: The Retreat at Gentilly to the North of the Subject Site.

EXHIBIT D: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY (CONT.).



Figure 6: Single Family Homes across Gentilly Road from Subject Site.

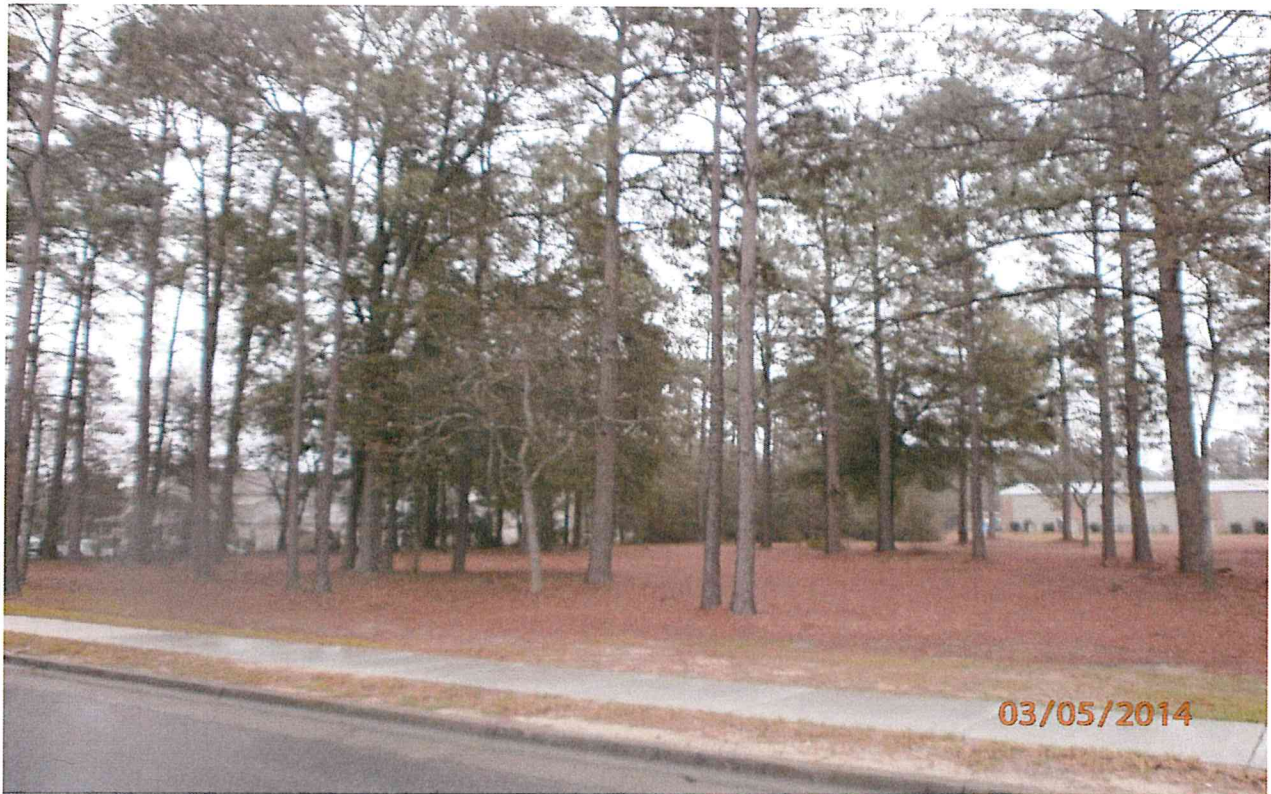


Figure 7: View of the wooded area to be combined with Gentilly Gardens from Gentilly Road.