

STATESBORO PLANNING COMMISSION

March 12, 2013

5:00 p.m.

City Hall Council Chambers

MEETING AGENDA

1. Call to Order.
2. Motion to Approve Order of the Meeting Agenda.
3. Approval of Minutes
 - a. January 8, 2013 Meeting.
 - b. February – Notice of Cancelled Meeting.
4. New Business
 - a. **APPLICATION # SE 13-02-01**: Damascus, LLC requests a special exception be granted pursuant to the *Statesboro Zoning Ordinance* to allow the operation of a personal care home in the CBD (Central Business) District for property located at 120 North College Street. (Tax Parcel number S17000096000).
 - b. **APPLICATION # RZ 13-02-02**: Mr. Gerald Donaldson requests a zoning map amendment for property located at 101 South Zetterower Avenue from O (Office) District to R4 (High Density Residential) District. (Tax Map # S29000106000).
5. Announcements
6. Adjourn

STATESBORO PLANNING COMMISSION

January 8, 2013

5:00 P.M.

City Hall Council Chambers

Minutes

Present: Planning Commission Members: Rick Barr, Holmes Ramsey, R. Jeremy Ragan, Jonathan McCollar, Nick Propps, and Jim Benton. City of Statesboro Staff: Director of Planning and Development Mandi Cody, City Manager Frank Parker, Development Clerk Cindy Steinmann, and Debra Wiese, Administrative Assistant.

Absent: Planning Commission Member: April Stafford.

1. Approval of Meeting Agenda

Planning Commission members not asked to approve agenda as written. Meeting agenda order changed due to people having to leave early.

2. Approval of Meeting Minutes

a. November 13, 2012

Motion made to approve minutes by Commissioner Barr; second by Commissioner Ramsey. Motion carried 6 to 0.

New Business

- I. **APPLICATION # AN 12-09-01:** Valnoc, LLC requests annexation by the 100% method into the City of Statesboro and rezoning of approximately 65.91 acres of property located on Cawana Road from HC (Highway Commercial – Bulloch County) and R40 (Single Family Residential – Bulloch County) to R4 (High Density Residential). (Tax Parcel # 092000012000).

Cindy Steinmann presented case. Representative, John Dotson, asked for a favorable vote. No one spoke against case. Motion made by Commissioner Ramsey to approve with conditions as recommended by staff; second by Commissioner Ragan. Motion carried 6 to 0. Motion approved.

- II. **APPLICATION # AN 12-12-06:** Drayton Parker Companies, LLC, requests annexation by the 100% method and rezoning of property located at 6381 Burkhalter Road from HC (Highway Commercial – Bulloch County) to HOC (Highway Oriented Commercial). (Tax parcel # MS88000025000).

Commissioner Propps recused himself. Jeremy Ragan presided as Chair. Cindy Steinmann presented case. Motion made by Commissioner Barr to approve with conditions as stated by staff; second by Commissioner McColiar. Motion carried 5 to 0. Motion approved.

- III. **APPLICATION # SE 12-11-01**: Mr. Lance Holloway requests a special exception be granted pursuant to the *Statesboro Zoning Ordinance* to allow the operation of a personal care home in an R-4 (High Density Residential) District for property located at 302 Johnson Street. (Tax Map # S11000089000).

Nick Propps resumed chairmanship. Cindy Steinmann presented case. Applicant, Lance Holloway, asked for a favorable vote. Motion made by Commissioner Benton to approve; second by Commissioner Barr. Motion carried 6 to 0. Motion approved.

- IV. **APPLICATION # RZ 12-12-01**: Hussey, Gay, Bell & DeYoung, Inc. requests a zoning map amendment from R15 (Single Family Residential) District to CR (Commercial Retail) District for a portion of property located on 701 Gentilly Road. (Tax Parcel # MS73000003000).

Cindy Steinmann presented case. Representative, C J Chance with HGBD asked for a favorable approval. Motion made by Commissioner Ramsey to approve with City's recommendations; second by Commissioner Ragan. Motion carried 6 to 0. Motion approved.

- V. a. **APPLICATION # AN 12-12-02**: The City of Statesboro requests annexation by the 100% method and rezoning of 13.8 acres of property located on Veterans Memorial Parkway from HC (Highway Commercial) to PUD (Planned Unit Development). (Tax Parcel # MS63000026015).

Mandi Cody presented case. Recommendation that parcel be characterized as green space. Proposed parcel as Planned Unit Development (PUD) district. Motion to approve parcel made by Commissioner Barr; second Commissioner Ramsey. Motion carried 6 to 0. Motion approved.

- b. **APPLICATION # AN 12-12-03**: The City of Statesboro requests annexation by the 100% method and rezoning of property located on Highway 67 from CP (Conservation Preservation – Bulloch County) and HC (Highway Commercial – Bulloch County) to PUD (Planned Unit Development). (Tax Parcel # MS75000021000).

Mandi Cody presented case. Recommendation that parcel be characterized as green space. Proposed parcel as Planned Unit Development (PUD) district. Motion made to approve parcel made by Commissioner Ramsey; second by Commissioner Barr. Motion carried to 6 to 0. Motion approved.

- c. **APPLICATION # AN 12-12-05**: The City of Statesboro requests annexation by the 100% method and rezoning of property located on Langston Chapel from R80 (Residential – Bulloch County) to PUD (Planned Unit Development). (Tax Parcel # 092000008001).

Mandi Cody presented case. Recommendation that parcel be characterized as green space. Proposed parcel as Planned Unit Development (PUD) district. Don Whaley and Sunshine Bird

neighbors asked questions of staff and the commission. Motion made to approve with staff recommendations by Commissioner Ragan, second by Commissioner Barr. Motion carried 6 to 0. Motion approved.

3. Announcements

All cases will be presented at City Council meeting on January 15, 2013, at 6:00 P.M.

4. Adjourn

Motion made to adjourn meeting by Commissioner Ragan; second by Commissioner Benton.

Chair – Nick Propps

Secretary – Mandi Cody, Director of
Planning and Development

STATESBORO PLANNING COMMISSION

February 12, 2013

5:00 P.M.

City Hall Council Chambers

The February 12, 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



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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SE 13-02-01
SPECIAL EXCEPTION REQUEST
120 NORTH COLLEGE STREET

LOCATION: 120 North College Street

REQUEST: Special Exception to allow a group home in the CBD (Central Business) District.

APPLICANT: Damascus, LLC

OWNER(S): Laurie Kelly

LAND AREA: .29 acres

PARCEL TAX MAP #s: S17000096000

COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

The applicant requests a Special Exception to allow for the utilization of the property located at 120 North College Street as a group home. The subject site is zoned CBD (Central Business) District, which does not permit group homes by right. (See Exhibit A – Location Map)

BACKGROUND:

There is no past zoning history on this property. This .29 acre single lot contains a vacant 1,883 square foot building and has been utilized for multiple uses in the past ranging from retail to the most recent, residential.

It should be noted that the purpose of this application is to consider whether the property may qualify for a zoning recommendation for the requested use as a group home.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CBD (Central Business District)	Small Scale Retail
SOUTH:	CBD (Central Business District)	Small Scale Retail
EAST:	CBD (Central Business District)	Small Scale Retail
WEST	O (Office) & R4 (High Density Residential)	Daycare, Apartments, Retail

The subject property is located in mixed-use area with a daycare to the west (across South College Street) of the subject site, apartments to the northwest, single family and small-scale retail facilities such as thrift shops scattered throughout. (See Exhibit B)

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, 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:

- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment.
- Redevelop warehouses for major employer/tenant to build critical mass downtown.

Statesboro Comprehensive Plan, Community Agenda pages 12-13.

To achieve the *Comprehensive Plan's* vision of evolving into an attractive destination and becoming a regional leader in quality growth, the community should promote the idea that all residents have a right to quality housing regardless of social economic standing by monitoring housing needs, continuing to emphasize walkability, and embracing diverse housing options. "Whenever possible, existing structures should be preserved and/or renovated to accommodate changing land uses in order to protect both the neighborhood and overall community character."

Statesboro Comprehensive Plan, Community Agenda page 7.

The *Comprehensive Plan* also lists mixed use as a preferred development strategy and recognizes the opportunity to increase residential opportunities in the downtown area, which strengthens the Urban Core. The grant of a Special Exception at this site would encourage mixed use, infill and redevelopment as encouraged by the *Comprehensive Plan*. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

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 1,883 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.

The future tenant currently holds a business license for the operation of Damascus, LLC at a different location in Statesboro. This location is proposed to be part of Damascus, LLC as a group home for the care of four (4) individuals who reside in the building and participate in the Damascus programming. It should be noted that the *Statesboro Zoning Ordinance* states that no more than three (3) unrelated individuals may reside in the same household located in any residential district (this rule does not apply in the CBD zoning district).

Special Exceptions allow for a land use that are 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 group home is not a use permitted by right within the CBD (Central Business) zoning district; however, the *Statesboro Zoning Ordinance* lacks regulations providing guidance as to which zoning district for which this type of use is permissible. Given past case history and the intent of the *Statesboro Zoning Ordinance*, staff believes the proposed use of a group or group home is restricted to industrial related districts; therefore, this proposed use by this applicant necessitates approval by the Mayor and Council as for previous applicants.

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.
- 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.
 - The applicant has indicated that there will be four (4) residents. According to Article XVI of the *Statesboro Zoning Ordinance*, the applicant must have 1.4 parking spaces for every four (4) beds. This site has adequate room for the required parking; however, Section 1600 of the *Statesboro Zoning Ordinance* states that lots located in the CBD (Central Business) District are not required to provide the minimum number of off-street parking spaces.
- 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.
 - The proposed use is not expected to have an adverse effect on property values in the area given the uses of surrounding structures.
- 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.
 - The existing structure is approximately 1,883 square feet in size and contains 2 bedrooms and 2 baths with a total of 6 rooms.
- 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.
 - There are existing personal care homes nearby that have been issued Special Exceptions by Council in the past.
2. The extent to which property values are diminished by the particular zoning restrictions.
 - The existing structure was constructed and designed as a home. Restricting the use to only retail uses limits the property owner’s ability to sale/lease the house.
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.
 - There is a seemingly increasing need for group living arrangements such as that being offered by this applicant.
5. The suitability of the subject property for the zoned purposes.
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.
 - The subject site has been vacant of retail businesses since 1999 but has most recently been utilized as a single family home.
 - Surrounding properties appear to be developed and occupied.
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.

STAFF RECOMMENDATION:

Based on the factors of consideration for Special Exceptions given in Section 2406 of the *Statesboro Zoning Ordinance*, the *Statesboro Comprehensive Plan*, staff recommends approval of the Special Exception requested by this application.

EXHIBIT A: LOCATION MAP

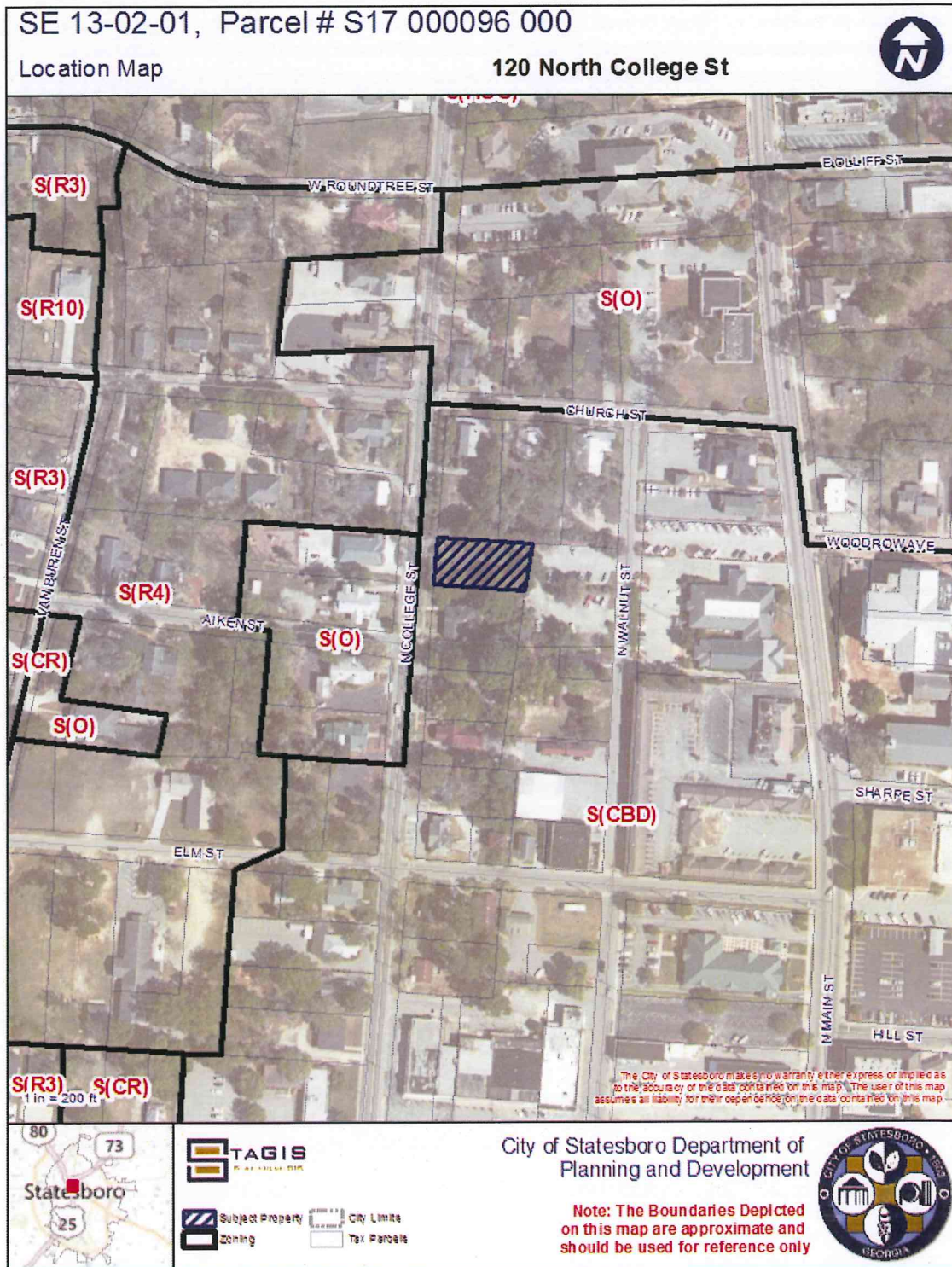


EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: The Subject Property from North College Street.



Figure 2: Subject property showing multiple doors/entrances.

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



Figure 3: Rear of the building.



Figure 4: Daycare across street from subject site.

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



Figure 5: Properties to the west of the subject site.



Figure 6: Properties to the north east of the subject site.



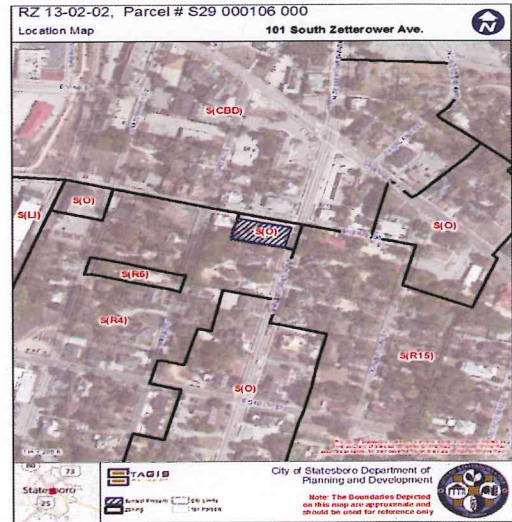
City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

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RZ 13-02-02
ZONING MAP AMENDMENT
101 SOUTH ZETTEROWER AVENUE

LOCATION: 101 South Zetterower Avenue
REQUEST: Rezone from O (Office) to R4 (High Density Residential)
APPLICANT: Gerald Donaldson
OWNER(S): Nadine Walker
LAND AREA: .34 acres
PARCEL TAX MAP #s: S29000106000
COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

The applicant requests the rezoning of approximately .34 acres of property located at 101 South Zetterower Avenue from O (Office) to R4 (High Density Residential) for a proposed use of one bedroom apartments. (See **Exhibit A** – Location Map)

BACKGROUND:

There is no previous zoning history on this property. Historically, the existing building was utilized as offices with separate exterior entrances per unit.

USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CBD (Central Business) District	Insurance & Retail
SOUTH:	R4 (High Density Residential)	Retail & Single Family Homes
EAST:	R15 (Single Family Residential)	Retail & Single Family Homes
WEST:	R4 (High Density Residential)	Apartments & Single Family Homes

The subject property is located on South Zetterower Avenue, which is comprised of mixed-uses ranging from small-scale retail and offices to high density and single family homes.

(See **Exhibit B**)

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.

Neighborhood-scaled retail and commercial, arts and entertainment venues, civic centers, office, neighborhood services, lofts, 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:

- Historic structures should be preserved or adaptively reused wherever possible.
- Encourage mixed-use infill and redevelopment.
- Redevelop warehouses for major employer/tenant to build critical mass downtown.

Statesboro Comprehensive Plan, Community Agenda pages 12-13.

Approval of this request would accomplish an objective of the *Comprehensive Plan* by promoting redevelopment while further promoting mixed use as encouraged by the *Comprehensive Plan*. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

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 entire .34 acre site is currently zoned O (Office) and contains a building that consists of five units (one room, bath, and kitchen each) previously utilized as individual offices. The applicant is proposing to utilize the existing units as residential units. Residential uses in the O (Office) district are limited to single family detached dwelling units only; thus, necessitating this request.

Residential zoning designations of the *Statesboro Zoning Ordinance* range from single family to R3 (Medium Density Residential) and R4 (High Density Residential). The R3 (Medium Density Residential) zoning district restricts residential uses to single family detached units and two-family duplexes; however, the R4 (High Density Residential) zoning district permits apartment houses such as that proposed by the applicant.

The R4 (High Density Residential) zoning district has a stated purpose of encouraging the logical and timely development of land for apartment and other high-density residential purposes in accordance with the future land use plan and to permit a variety of housing while assuring suitable design of apartments in order to protect the surrounding environment and nearby neighborhoods. The R4 (High Density Residential) zoning district also restricts density to twelve (12) dwelling units per developable acre. As such, at .34 acres, this site would not be permitted to have any additional residential units than that which presently exists. Approval of the applicant's request to rezone the property from O (Office) to R4 (High Density Residential) would permit the applicant to utilize the existing vacant building as one bedroom residential apartments without producing a negative impact on the surrounding properties.

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;

- Because the current zoning of this particular piece of property is seemingly spot zoned, an R4 (High Density Residential) is more harmonious to the adjacent properties' zoning districts and uses.
- Existing uses of nearby property range from commercial to high density and single-family residential homes.

- (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 South Zetterower Avenue is an area known for its mixed-use character while keeping the historic feel to existing structures. Rezoning this property will permit the applicant to occupy an existing vacant building already designed to meet the needs of the proposed use.
- (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*.
 - o The existing building on the property fits the general character of a small one-bedroom apartment complex.
 - o The subject site has no striped parking spaces. Article XVI of the *Statesboro Zoning Ordinance* requires one (1) space per bedroom plus one (1) space per ten (10) units. At five (5) proposed units, five (5) striped parking spaces would generally be required; however, Section 1601(F) states that sites required to have a minimum of five (5) spaces or less may utilize alternative surface materials such as turf, gravel, wood, mulch, or cobble; therefore, striped parking is not required for this proposal. Regardless, to avoid parking conflicts on site, staff recommends the installation of striped parking spaces.
- (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 This property has been vacant for some time while surrounding properties are developed and occupied.
- (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 Given the surrounding mixed uses, 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, 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 South Zetterower Avenue has existing curb and gutter and sidewalk extending the full length of the road.
 - o This request actually mitigates an issue of spot zoning for this parcel as it is the only parcel currently zoned O (Office) in the surrounding area.

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 13-02-02 with the following **recommendation**:

- 1. The installation of five (5) striped parking spaces.**

EXHIBIT A: LOCATION MAP

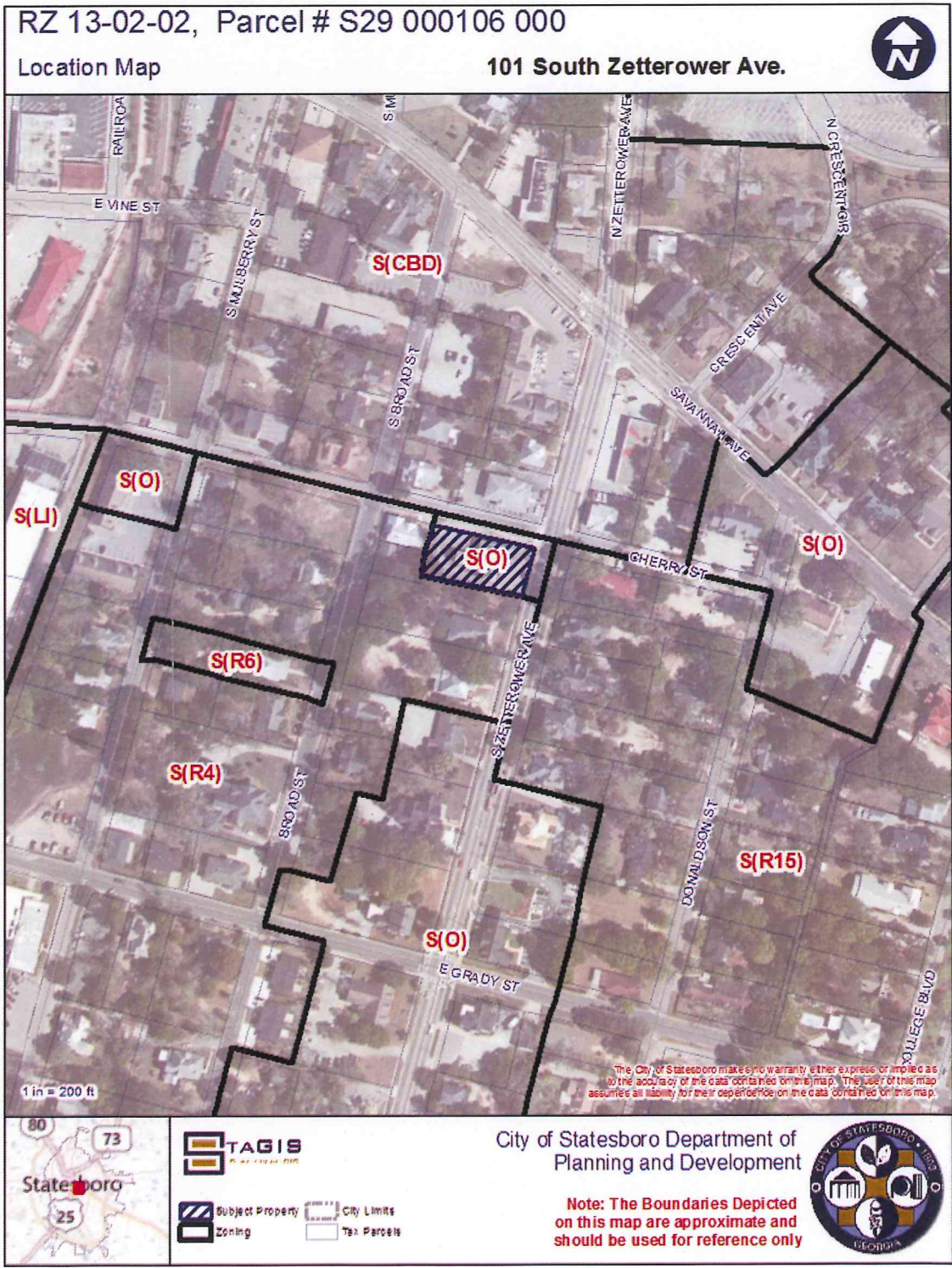


EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: Subject Property.



Figure 2: Side of the subject property.

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



Figure 4: Side of subject property.



Figure 5: Front of the subject property – existing sign.

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



Figure 6: Insurance business across Cherry Street from the subject property.



Figure 7: Pharmacy and small-scale retail businesses across South Zetterower Avenue from the subject site.

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



Figure 8: Doctor's office and vacant single-family home across South Zetterower Avenue from subject site.



Figure 9: Apartments and single-family homes to the rear of the subject site.

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



Figure 10: Sidewalk along South Zetterower Avenue from front of the subject site.