

STATESBORO PLANNING COMMISSION

January 8, 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. November 13, 2012 meeting.
 - b. Notice of no December meeting.
4. New Business
 - I. a. **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).
 - II. b. **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).
 - III. c. **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).
 - IV. d. **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).
 - V. e. **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).

- VI. f. **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).
- VII. g. **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).

5. Announcements

6. Adjourn

STATESBORO PLANNING COMMISSION

November 13, 2012

5:00 P.M.

City Hall Council Chambers

Minutes

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

1. Approval of Meeting Agenda

Motion made to approve the order of the meeting agenda by Commissioner Barr; second by Commissioner Ramsey. Motion carried 6 to 0. Minutes approved.

2. Approval of Meeting Minutes

a. October 9, 2012

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

Note: Commissioner Ragan joined meeting at this point.

3. New Business

- I. a. **APPLICATION # V 12-10-01**: Goo-Goo Car Wash requests a variance from Article X of the Statesboro Zoning Ordinance regarding setback and landscape buffer requirements for property located on Brannen Street. (Tax Map # MS72000016000).

Motion made by Commissioner Ramsey to approve with staff recommended conditions and concerns toward reservoir; second by Commissioner Barr. Motion carried 7 to 0. Motion approved.

- b. **APPLICATION # V 12-10-02**: Goo-Goo Car Wash requests a variance from Article XV of the Statesboro Zoning Ordinance regarding maximum square footage and height for signs for property located on Brannen Street. (Tax Map # MS72000016000).

Motion made by Commissioner Barr to approve variance on sign with staff recommended conditions; second by Commissioner Ragan. Motion carried 7 to 0. Motion approved.

- II. **APPLICATION # SE 12-10-04:** Mrs. Dorothy Cummings requests a special exception be granted pursuant to the Statesboro Zoning Ordinance to allow the applicant to operate a Group Daycare in an R-6 (Single Family Residential) District for property located at 324 James Street. (Tax Map # S09000033000).

Motion made by Commissioner Benton to approve with staff recommended conditions; second by Commissioner Ramsey. Motion carried 7 – 0. Motion approved.

4. Adjourn

Meeting adjourned by Commissioner Propps.

These minutes were adopted by the City of Statesboro Planning Commission at its November 13, 2012 meeting.

Chair – Nick Propps

Secretary – Mandi Cody, Director
Planning and Development

STATESBORO PLANNING COMMISSION

December 11, 2012

5:00 P.M.

City Hall Council Chambers

The December 11, 2012 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

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 Statesboro, Georgia 30458

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SE 12-11-01
SPECIAL EXCEPTION REQUEST
302 JOHNSON STREET

LOCATION: 302 Johnson Street
REQUEST: Special Exception to allow a group home in a R4 (High Density Residential) district.
APPLICANT: Lance Holloway
OWNER(S): Lance & Lamar Holloway
LAND AREA: .39 acres
PARCEL TAX MAP #s: S11000089000
COUNCIL DISTRICT: 2 (Lewis)



PROPOSAL:

The property owner requests a Special Exception to allow for the continued utilization of the property located at 302 Johnson Street as a group or personal care home. The subject site is zoned R4 (High Density Residential). The proposed use is not permitted in the R4 (High Density Residential) zoning district. (See **Exhibit A – Location Map**)

BACKGROUND:

The .39 acre single lot contains a vacant building and has had multiple Special Exceptions granted for uses related to personal care homes. The first approval was granted in 1997, followed by an additional approval of a different applicant in 1999 with the final approval given in 2003 to Pineland Mental Health.

The use proposed in this application is beyond the scope of City Council's previous approvals in licensees/applicants. It should be noted that the purpose of this application is to consider whether the land uses and licenses proposed at the site may qualify this applicant for a zoning recommendation of approval at the site for the requested uses and licenses.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R8 (Single Family Residential)	Single Family Homes
SOUTH:	R8 (Single Family Residential)	Single Family Homes
EAST:	R4 (High Density Residential)	Single Family Homes
WEST	R4 (High Density Residential)	Government Housing

The subject property is located in a residential area with the property's boundaries surrounded by single family homes and the Statesboro Housing Authority to the north. (See **Exhibit B**)

COMPREHENSIVE PLAN:

The subject site lies within the "Established" character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. The "Established" character areas are identified as being traditionally residential in nature. Some neighborhoods within this character area are facing decline and issues with blight. Extra efforts should be made to return them to viable neighborhoods.

Neighborhood-scaled retail and commercial, small-scale office, neighborhood services, and small-lot single family residential are all appropriate land uses for properties within the Established character area. Some suggested development and implementation strategies for the area include the following:

- Ensure that new development and land uses do not encroach upon or detract from the character of the recognized National Historic Districts within this area.
- Provide support for the creation of neighborhood associations and provide continued support for these organizations once established through the development of initiatives to address unique neighborhood issues/characteristics.
- Strengthen enforcement of code violations for private property, including property maintenance, parking, and structural conditions.
- Add crosswalks and pedestrian signals along busy streets, including Johnson Street.

Statesboro Comprehensive Plan, Community Agenda pages 14-15.

As illustrated in the *Comprehensive Plan*, small-scale retail and neighborhood services in this area is acceptable. Utilizing the subject site in a neighborhood services manner contributes to the goals set forth in the implementation strategies. Careful attention should be paid to maintaining the residential neighborhoods while reasonably addressing these and code violations in this area. 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 .39 acre site is currently zoned R4 (High Density Residential) with one vacant building on the property. A Conditional Use Variance, currently referred to as Special Exception, was granted by the Statesboro Mayor and City Council in 1997, 2000, and 2003 each to a different applicant for the use of the property as a personal care or mental care home. The current property owner invested in this property with the assumption that the proposed use would be permissible for any future tenants due to the previous approvals. However, *Article XXIV* of the *Statesboro Zoning Ordinance* states that approval of a conditional use variance by the Mayor and Council does not constitute an approval for future expansions, additions, or changes to the initially approved operation. Therefore, the proposed change of business ownership necessitates additional approval by the Mayor and Council.

Special Exceptions allow for a land use that is inconsistent with uses permitted of right within a zoning district but which may be granted where requested uses may be deemed appropriate and compatible with the surrounding neighborhood. In this case, a personal care home is not a use permitted by right within the R4 (High Density Residential) zoning district; however, the *Statesboro Zoning Ordinance* lacks regulations providing guidance as to which zoning district this type of use permissible in. Given past case history and the intent of the *Statesboro Zoning Ordinance*, staff believes the proposed use of a group or personal care home is restricted to retail 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 as 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.**

- Traffic counts for the area and thereby relative to the subject site were 4,830 trips both ways for the year 2011. The proposed use is not being intensified from that which was approved in the past and should not cause an impact on vehicular traffic.
 - The *Statesboro Comprehensive Plan* encourages crosswalks and pedestrian signals particularly on Johnson Street. The subject site connects to a crosswalk that crosses Johnson Street to Statesboro Housing Authority.
- 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.**
- A previous applicant constructed an unpaved parking lot suitable for five (5) spaces and access as part of a condition of approval by Mayor and City Council.
 - 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; therefore, this site has adequate parking.
- 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.**
- This area is in need of positive development due to issues of blight and criminal activity. The proposed use is not expected to have an adverse effect on property values in the area; however, it is also important that we consider ways to enhance property values and control violations in this neighborhood.
- 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.**
- A proposed site plan or floor plan was not submitted as part of this application.
- 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.**
- The previously approved uses have since expired and the applicant has changed.

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 range from single family residential to small scale retail.
2. The extent to which property values are diminished by the particular zoning restrictions.
3. The extent to which the description of property values of the property owner promotes the health, safety, morals or general welfare of the public.
4. The relative gain to the public, as compared to the hardship imposed upon the property owner.
5. The suitability of the subject property for the zoned purposes.
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 remained empty when not being utilized in a manner similar to the request.
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.

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 with the following condition:

1. Special Exception for use as a personal care home is granted to property owners Lance and Lamar Holloway. Individual operators must obtain an Occupational Tax Certificate (Business License) and any other City of Statesboro required licensing and permitting with evidence of state licensing.

EXHIBIT A: LOCATION MAP

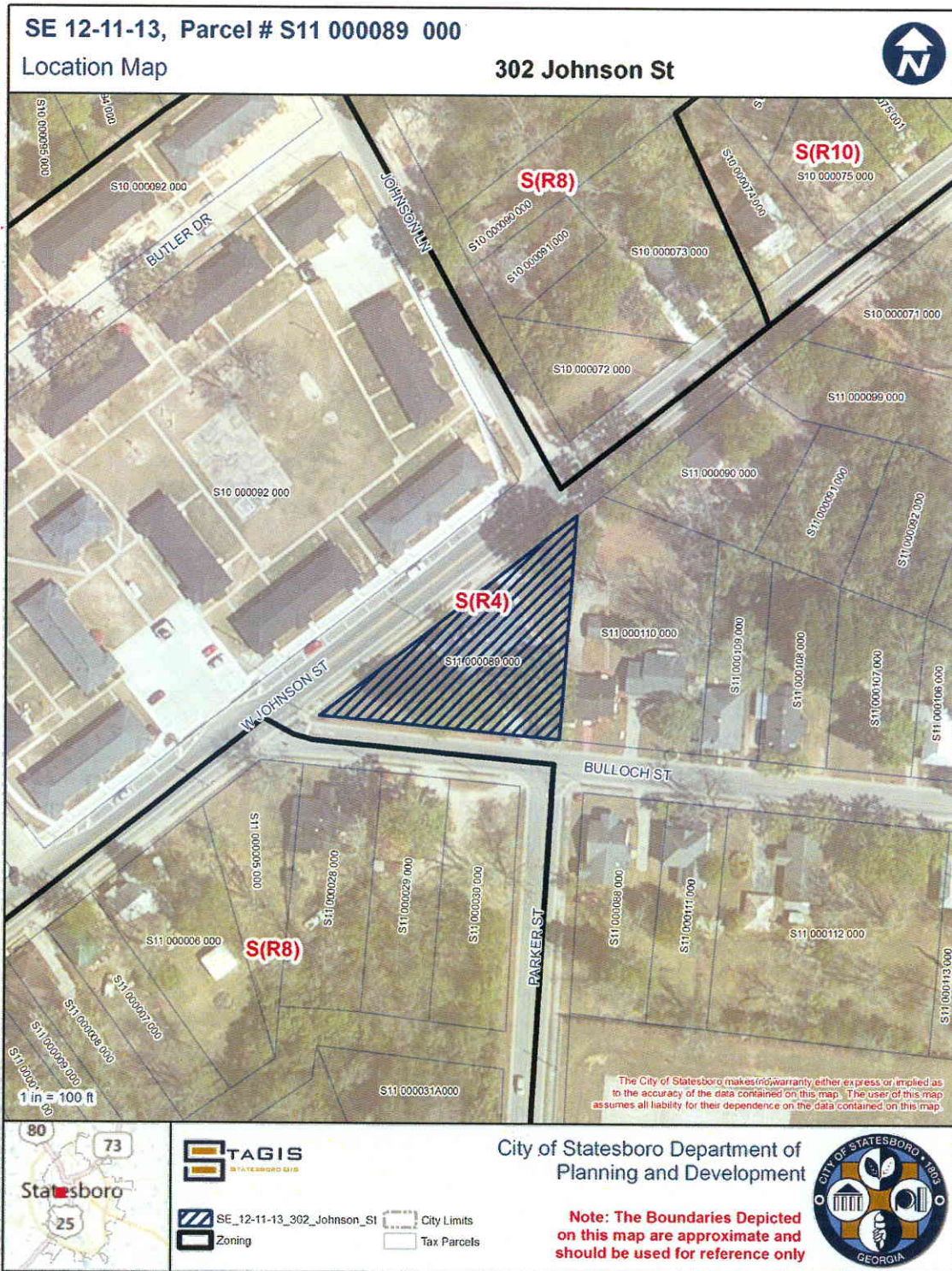


EXHIBIT B: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: The Subject Property from Johnson Street



Figure 2: Subject Site from Bulloch Street.

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



Figure 4: East Side of Building.



Figure 4: Statesboro Housing Authority across Johnson Street North of the Subject Site.

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



Figure 5: Properties to the East of the Subject Site.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

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**RZ 12-12-01
 ZONING MAP AMENDMENT
 701 GENTILLY ROAD**

LOCATION: 701 Gentilly Road
REQUEST: Rezone from R15 (Single Family Residential) to CR (Commercial Retail)
APPLICANT: TI – Gentilly Gardens, LLC
OWNER(S): New Covenant Church
LAND AREA: Approximately .14 acres
PARCEL TAX MAP #s: MS73000003000
COUNCIL DISTRICT: 4 (Riggs)



PROPOSAL:

The applicant is requesting rezoning of approximately .14 acres of an entire 9.86 acre lot located at 701 Gentilly Road from R15 (Single Family Residential) District to CR (Commercial Retail) in anticipation of subdividing the property for the sale and combination with the western adjacent property – Gentilly Gardens. (See **Exhibit A – Location Map & Exhibit B – Sketch Plan**)

BACKGROUND:

The subject area of this request is adjacent to property on Gentilly Road that was recently rezoned from R15 (Single Family Residential) to CR (Commercial Retail) to rid the applicant of the burden of a Special Exception and allow a permissible use that is consistent with the current and future use as an assisted living facility for future expansion in case RZ 12-03-01. The applicant of the aforementioned case wishes to combine a portion of New Covenant Church's property with that of Gentilly Gardens' for development purposes necessitating a zoning map amendment.

SURROUNDING LAND USES/ZONING:

ZONING:		LAND USE:
NORTH:	R15 (Single Family Residential), R3 (Medium Density Residential)	Vacant, Duplexes
SOUTH:	R15 (Single Family Residential)	Single Family Homes
EAST:	R15 (Single Family Residential)	Church and Single Family Homes
WEST:	CR (Commercial Retail)	Assisted Living Facility

The subject property is located in mixed use area with a church to the south east of the subject property, Gentilly Gardens to the west, undeveloped land and duplexes to the north, and single family to the south and extreme east. (See **Exhibit C**)

COMPREHENSIVE PLAN:

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.

Small to mid-size retail and commercial, offices, services, and multi-family residential are all appropriate land uses for properties within the Developing character area. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master planned to include mixed uses wherever appropriate.
- New developments should provide recreational facilities and open space to meet the needs of their residents.
- Promote walking and bicycling as an alternative means of transportation through the provision of safe, accessible and connected networks and bike storage facilities at destinations.
- There should be good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.
- Wherever possible, connect to the existing and proposed network of multiuse trails.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

As illustrated in the Comprehensive Plan, the use as an assisted living facility is appropriate for the subject area as it encourages mixed uses in the character area. The Plan also encourages vehicular connections to retail services. The City of Statesboro is currently preparing to construct a sidewalk along Gentilly Road which would connect pedestrians to the S&S Greenway Trail and Brannen Street, a commercial corridor. 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 9.86 acre site is currently zoned R15 (Single Family Residential) and contains New Covenant Church. The applicant's request to rezone a portion (approximately .14 acres) of the property from R15 (Single Family Residential) to CR (Commercial Retail) would allow for subdivision and combination with the adjacent lot to the west to be developed with the proposed expansion of Gentilly Gardens which was recently rezoned to CR (Commercial Retail).

Staff 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 submitted a subdivision/combination plat to be approved by the Mayor and Director of Planning and Development 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 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 commercial to 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 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.
- (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 Upon combination, the property will meet lot sizes and other regulating standards 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 The entire parcel is utilized as a church. The portion of the lot to be rezoned is vacant.
 - 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 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 12,650 trips both ways for the year 2011 which is a decrease of approximately 2,000 trips from 2010 but is not expected to increase significantly with the applicant's request.
 - 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, 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 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. The subdivided portion would be landlocked if combination is not successful.
 - 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.
 - o 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 the applicant has already submitted a subdivision/combination plat for approval and recording pending approval of this request. (See **Exhibit B**)

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 12-12-01.

(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

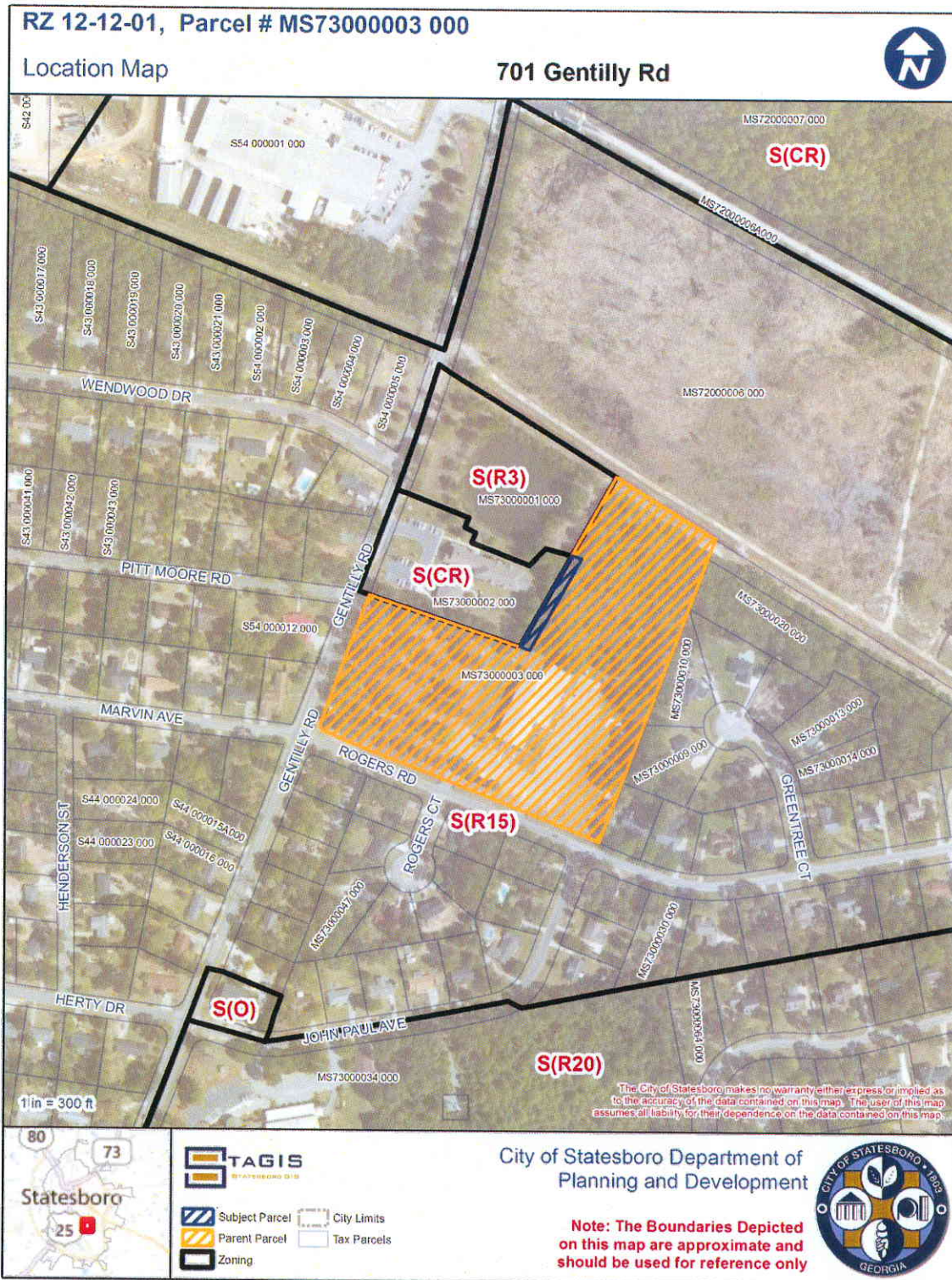


EXHIBIT B: PLAT

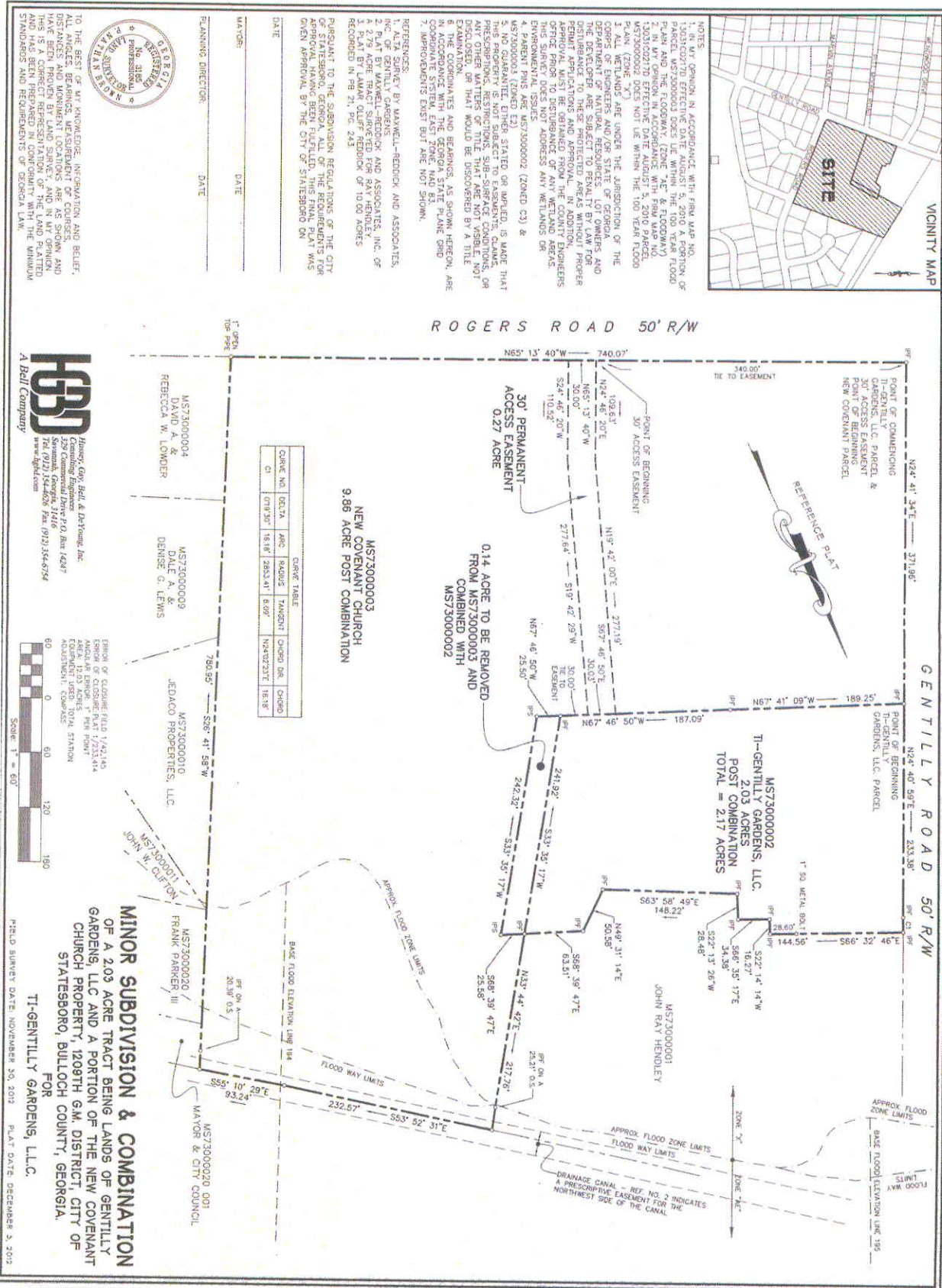


EXHIBIT C: PHOTOS OF THE SUBJECT PROPERTY AND GENERAL VICINITY.



Figure 1: The wooded area of the subject property.



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

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



Figure 4: New Covenant Church.



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**AN 12-12-02, AN 12-12-03, & AN12-12-05
VETERANS MEMORIAL PARKWAY, HIGHWAY 67, & LANGSTON CHAPEL
ANNEXATION REQUESTS**

LOCATION: Veterans Memorial Parkway, Highway 67, Langston Chapel Road

REQUEST: Annexation by the 100% method; and, zoning change to PUD (Planned Unit Development).

APPLICANT: City of Statesboro

OWNER(S): City of Statesboro

LAND AREA: 13.8 acres, 181.62 acres, & 92.65 acres

PARCEL TAX MAP #s: MS63000026015, MS75000021000, & 092000008001

COUNCIL DISTRICT: 3 (Britt) – (Projected)



PROPOSAL:

The City of Statesboro staff recommends the annexation and rezoning of the following three (3) parcels owned by the City of Statesboro with a PUD (Planned Unit Development) zoning designation:

1. Parcel MS63000026015 (Veterans Memorial Parkway) is approximately 13.8 acres and contains easements and lift station for waste water reuse purposes. (See **Exhibit A**)
2. Parcel MS75000021000 (Highway 67) is an approximately 181.62 acre tract commonly known as “Birds Pond” and extends to Langston Chapel Road with a water station and drainage basin for utility purposes. (See **Exhibit B**)
3. Parcel 09000008001 (Langston Chapel Road) is approximately 95.65 acres which serves as an extension to the storm water drainage basin originating at Birds Pond. (See **Exhibit C**)

COMPREHENSIVE PLAN:

Once annexed, all parcels are proposed to lie within the “Green Space” character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. Parcels included within the “Green Space” character areas are environmental, sensitive areas, such as wetlands and floodplains, and are intended to be zoned for conservation purposes and/or environmentally sensitive in design and development.

Open space and multi-purpose paths/trails are appropriate land uses for properties within the “Green Space” character areas. Some suggested development and implementation strategies for the area include the following:

- Protect areas of natural beauty and resources (such as wetlands) from development; consider the use of conservation easements for increased protection in perpetuity.
- New development should be master-planned and carefully linked to surrounding developed areas through a network of streets.
- Incorporate passive recreation, such as multi-purpose trails, in green space areas to increase access to natural areas and increase transportation alternatives.

The green space area is identified as being the only significant wetland area within the city limits and usually lies within a floodplain. Whenever possible, the natural terrain, drainage, and vegetation of the area should be preserved. Since all of the proposed parcels contain wetlands and lie within flood plains, applying a PUD (Planned Unit Development) designation to the subject properties will allow the City to preserve the City owned natural terrain while maintaining a character area similar to its current character area in Bulloch County – Natural Open Space.

ANALYSIS:

Staff recommends the annexation of the following three (3) contiguous City of Statesboro owned and maintained parcels located outside of the current municipal limits. Each parcel should be considered separately:

1. **Parcel MS63000026015** (Veterans Memorial Parkway) contains a lift station for waste water reuse purposes. The subject property is approximately 13.8 acres and is currently zoned HC (Highway Commercial – Bulloch County). (See **Exhibit A**)
2. **Parcel MS75000032000** (Highway 67) is commonly known as “Birds Pond” and contains a storm water detention pond and waste water aerator utilized by the City of Statesboro’s Waste Water Department. The subject property is approximately 181.62 acres and is currently zoned CP (Conservation Preservation – Bulloch County) and HC (Highway Commercial – Bulloch County). (See **Exhibit B**)
3. **Parcel 092000008001** (Langston Chapel Road) is an approximately 92.65 acre site that serves as an extension to “Bird’s Pond” and is zoned R80 (Single Family Residential – Bulloch County). According to O.C.G.A Section 36-36-20 of the Georgia Annexation Law, a parcel is considered contiguous if at least one-eighth (1/8) of the aggregate external boundary or fifty (50) feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary if it were not otherwise separated from the municipal boundary by any street or right of way, any creek or river, or any right of way of a railroad. This property is contiguous in that it abuts Langston Chapel Road at 200’, which abuts Birds Pond (AN 12-12-03), also being considered for annexation. (See **Exhibit C**)

Section 2207 of the *Statesboro Zoning Ordinance* states that new areas being annexed into the City shall be considered to be in the R40 (Single Family Residential) district unless otherwise classified; thus, the City is requesting to rezone the subject properties to PUD (Planned Unit Development). The proposed PUD (Planned Unit Development) zoning designation allows the City the authority to review and prescribe any future development of the subject properties while maintaining the natural green space for preservation.

The *Statesboro Zoning Ordinance* does not incorporate an article devoted to conservation preservation or green space areas; therefore staff recommends that the PUD (Planned Unit Development) zoning designation be used until such time as a more appropriate zoning designation can be adopted by City Council.

STAFF RECOMMENDATION:

Staff recommends **approval** of the annexations with a “Green Space” character area and PUD (Planned Unit Development) zoning designation requested by the following applications:

1. **AN 12-12-02 (Veterans Memorial Parkway)**
2. **AN 12-12-03 (Highway 67 – Birds Pond)**
3. **AN 12-12-05 (Langston Chapel Road)**

Assuming approval of these annexations, staff will prepare the necessary updates to the City of Statesboro Comprehensive Plan; future land use map; City boundary maps; as well as submit the annexation to the U.S. Department of Justice for pre-clearance pursuant to the Voting Rights Act. All of which will be brought for Council consideration at the next meeting.

EXHIBIT A: AN 12-12-02 - PARCEL MS63000026015 VETERANS MEMORIAL PARKWAY

AN 12-12-02, Parcel # MS63000026 015

Location Map

Veterans Memorial Parkway



<p>Statesboro</p>		City of Statesboro Department of Planning and Development		
	Subject Property	Zoning	<p>Note: The Boundaries Depicted on this map are approximate and should be used for reference only</p>	
	City Limits	Tax Parcels		

Figure 1: Location Map.

EXHIBIT A: AN 12-12-02 - PARCEL MS63000026015 VETERANS MEMORIAL PARKWAY CONTINUED.

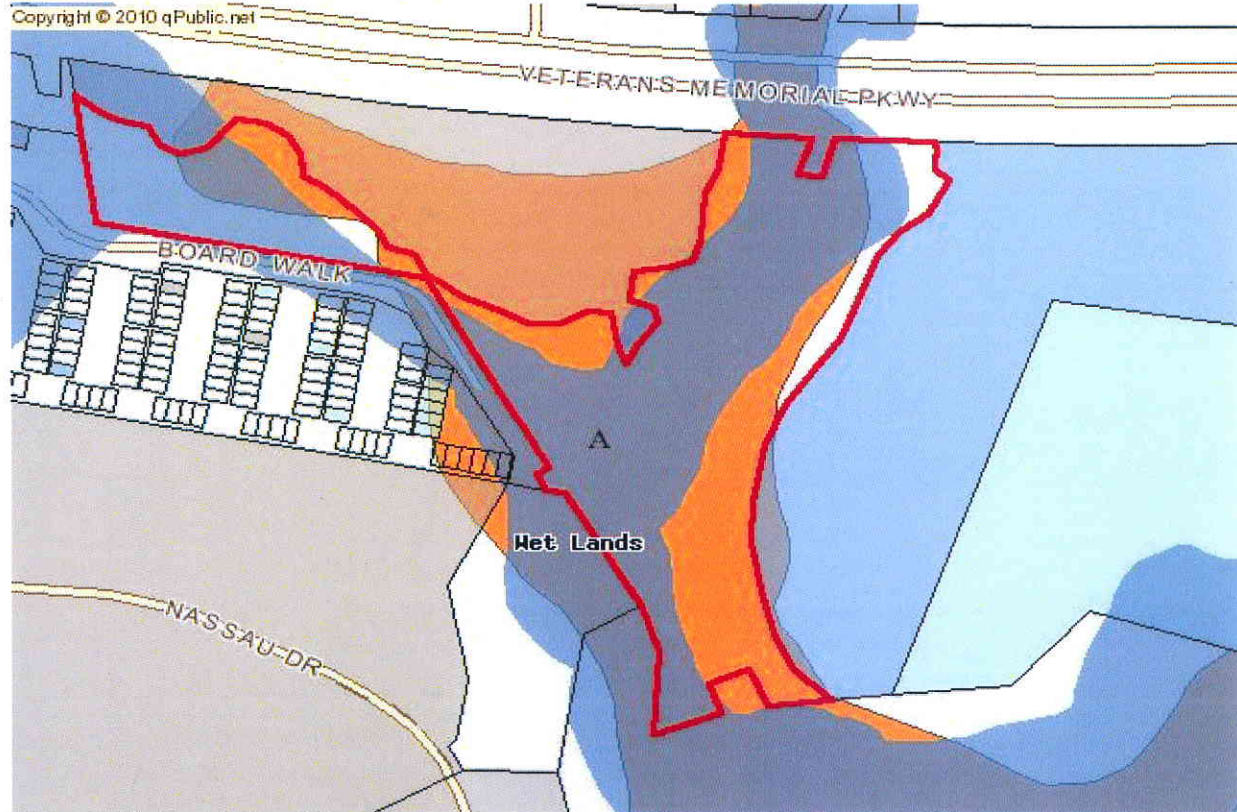


Figure 2: Wetland & Floodplain Map.



Figure 3: City of Statesboro Lift Station with Purple Pipes.

EXHIBIT A: AN 12-12-02 - PARCEL MS63000026015 VETERANS MEMORIAL PARKWAY CONTINUED.



Figure 4: City of Statesboro Lift Station.



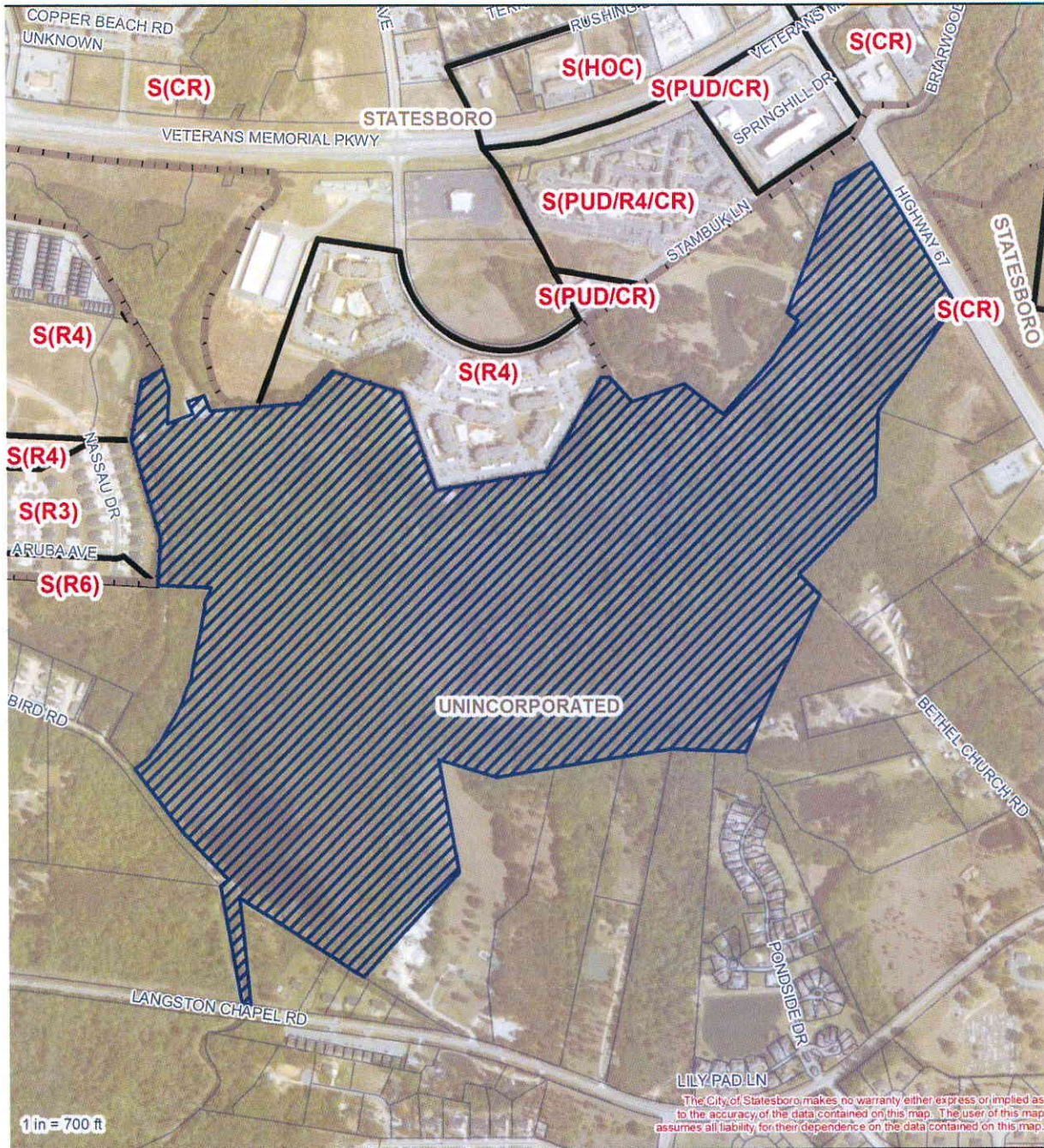
Figure 5: Subject Property – “The Islands” to the West.

EXHIBIT B: AN 12-12-03 - PARCEL MS75000021000 HIGHWAY 67 - "BIRDS POND"

AN 12-12-03, Parcel # MS75000021 000

Location Map

Highway 67 South



- TAGIS STATESBORO GIS
- Subject Property
- Zoning
- City Limits
- Tax Parcels

City of Statesboro Department of Planning and Development

Note: The Boundaries Depicted on this map are approximate and should be used for reference only



Figure 1: Location Map.

EXHIBIT B: AN 12-12-03 - PARCEL MS75000021000 HIGHWAY 67 - "BIRDS POND" CONTINUED.

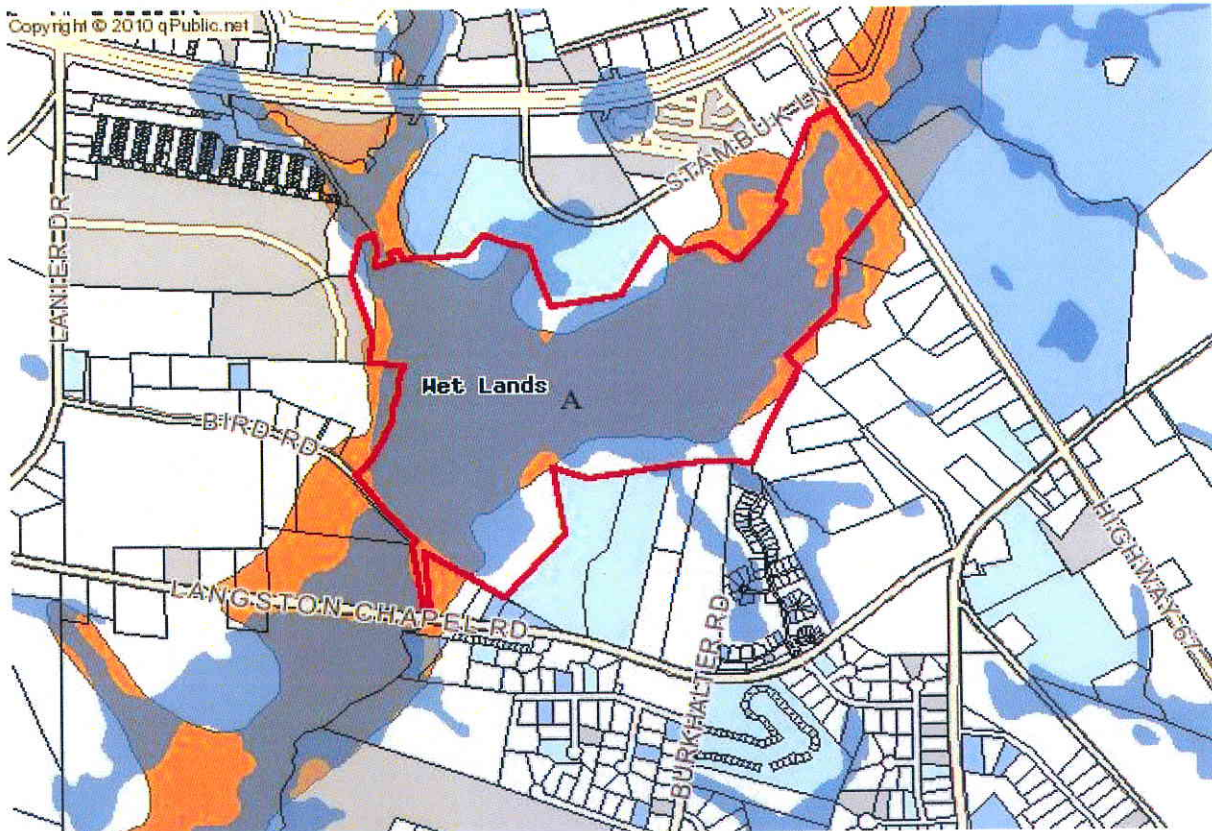


Figure 2: Wetland and Floodplain Map.



Figure 3: Entrance from Bird Road.

**EXHIBIT B: AN 12-12-03 - PARCEL MS75000021000 HIGHWAY 67 - "BIRDS POND"
CONTINUED.**



Figure 4: Storm Water Detention.



Figure 5: Waste Water Aerator.

**EXHIBIT B: AN 12-12-03 - PARCEL MS7500021000 HIGHWAY 67 - "BIRDS POND"
CONTINUED.**



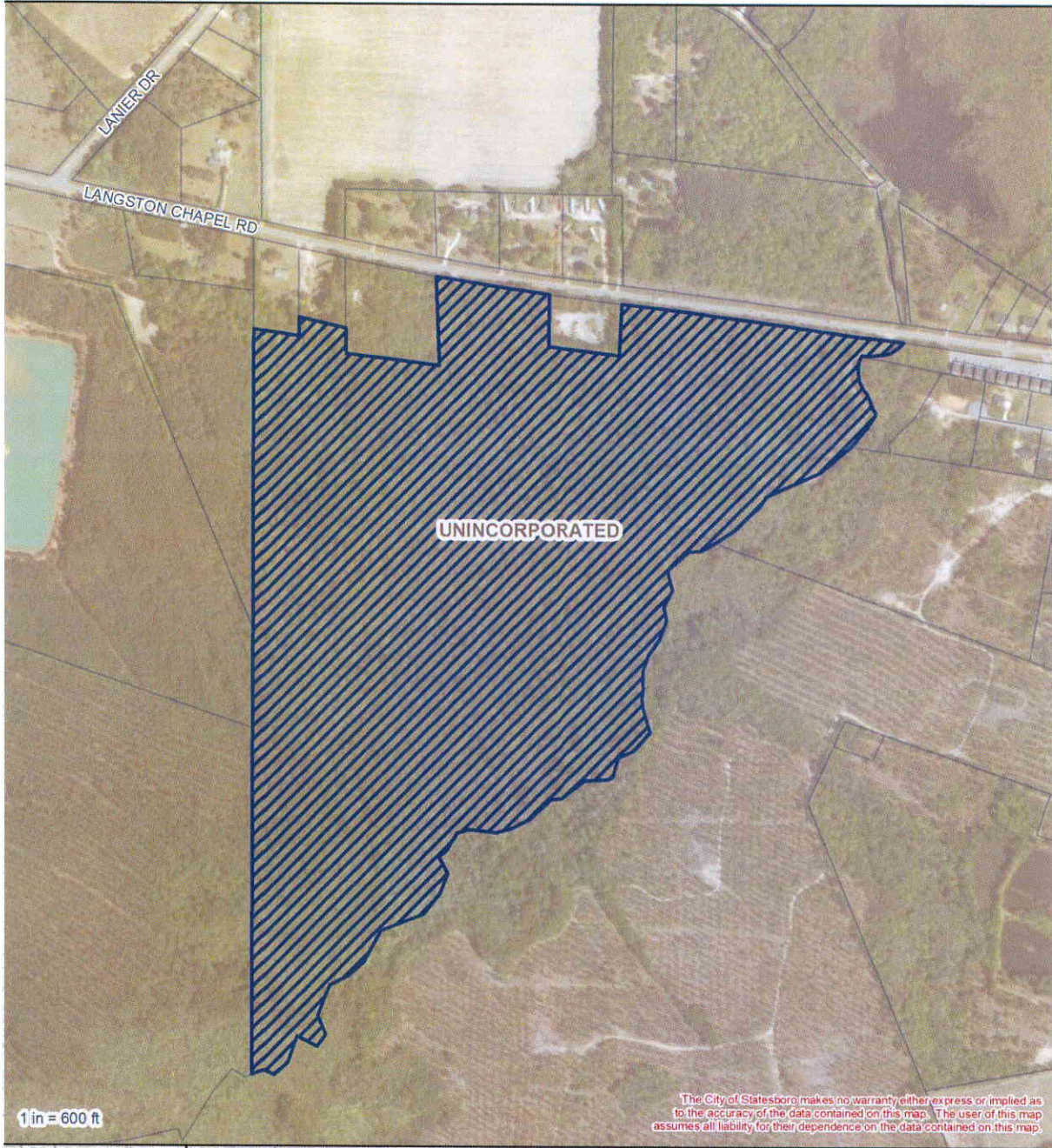
Figure 6: Storm Water Detention Pond.

EXHIBIT C: AN 12-12-05 PARCEL 092000008001 – LANGSTON CHAPEL ROAD

AN 12-12-05, Parcel # 092 000008 001

Location Map

Langston Chapel Rd



80 73
Statesboro
25

TAGIS
STATESBORO, GA

Subject Property Zoning
City Limits Tax Parcels

City of Statesboro Department of Planning and Development

Note: The Boundaries Depicted on this map are approximate and should be used for reference only

Figure 1: Location Map.

EXHIBIT C: AN 12-12-05 PARCEL 092000008001 – LANGSTON CHAPEL ROAD CONTINUED.

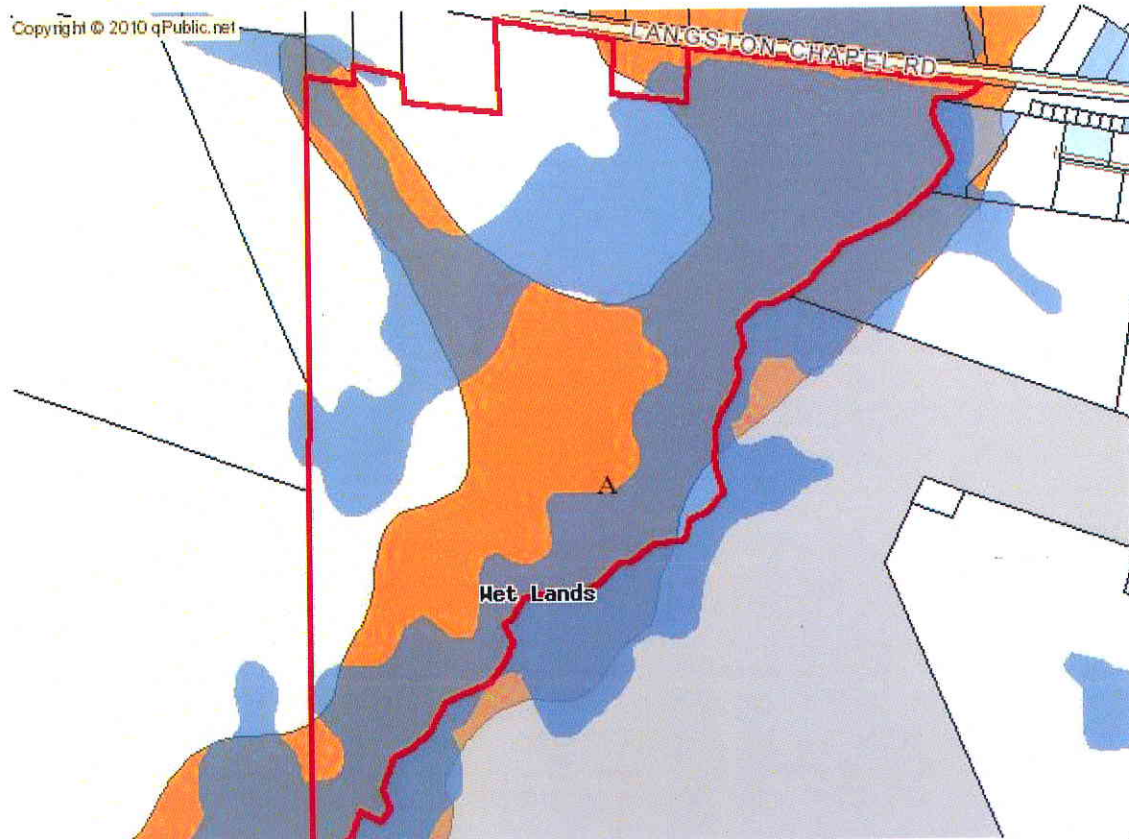


Figure 2: Wetland and Flood Plain Map.



Figure 3: Water Crossing under Langston Chapel from Birds Pond.

EXHIBIT C: AN 12-12-05 PARCEL 092000008001 – LANGSTON CHAPEL ROAD CONTINUED.



Figure 4: Storm Water Basin.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
 Statesboro, Georgia 30458

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

**AN 12-12-06
 ANNEXATION REQUEST
 6381 BURKHALTER ROAD**

LOCATION: 6831 Burkhalter Road

REQUEST: Annexation by the 100% method; and, zoning change from HC (Highway Commercial – Bulloch County) District to HOC (Highway Oriented Commercial) District.

APPLICANT: Drayton-Parker Companies, LLC

OWNER(S): Wendell and Miriam Hodges

LAND AREA: 0.9 acres

PARCEL TAX MAP #s: MS88000025000

COUNCIL DISTRICT: 5 (Chance) – (Projected)



PROPOSAL:

The applicant is requesting annexation and rezoning of the subject property from HC (Highway Commercial – Bulloch County) to HOC (Highway Oriented Commercial) district in the City of Statesboro. The subject property is a 0.9 acre site located at the corner of Highway 67 and Burkhalter Road just south of the Aspen Heights Development and contiguous to the existing municipal limits (See **Exhibit A – Location Map**). The subject property is proposed to be annexed and zoned HOC (Highway Oriented Commercial) for a proposed convenience store use.

BACKGROUND:

The subject site to be annexed and rezoned is an undeveloped lot containing a dilapidated church building located in the “Capital Cost Recovery Area” (CCR) identified in the Intergovernmental Agreement between the City of Statesboro and Bulloch County. The CCR allows the City of Statesboro to provide water and sewer infrastructure and indicates that Bulloch County will support future annexation subject to the Intergovernmental Agreement. The zoning proposed by the applicant as part of this annexation request reflects possible construction and utilization of the property as a convenience store.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	CR (Commercial Retail) R4 (High Density Residential)	Aspen Heights – Under Development
SOUTH:	HC (Highway Commercial – Bulloch County)	Convenience Store and Mobile Home Park
EAST:	R4 (High Density Residential)	Aspen Heights – Under Development
WEST:	HC (Highway Commercial – Bulloch County)	Single Family Homes and Undeveloped

The subject property's western, eastern, and southern property lines are surrounded by property that is zoned for commercial uses located in Bulloch County with actual uses ranging from single family homes to a convenience store. The abutting parcel to the north is split zoned for commercial and residential use and is currently under development by Aspen Heights as a high density residential development.

COMPREHENSIVE PLAN:

The subject site lies within the "Developing" character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. The "Developing" character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development.

Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master-planned to include mixed-uses wherever appropriate.
- Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
- There should be strong connectivity and continuity between each subdivision.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

The subject site also lies within the "Proposed Annexation" area as identified by the City of Statesboro Future Development Map. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

TRANSPORTATION:

The subject property currently takes access from Burkhalter Road which is considered a rural major collector which is defined as a roadway which provides service to any county seat not on an arterial route and to the larger towns not directly served by the higher systems according to the Georgia Department of Transportation. Because this property is a corner lot fronting Burkhalter and Highway 67, the applicant may choose to design access from either roadway. Access requirements will be discussed at the permitting stage. Highway 67 is classified as an urban minor arterial street which provides service to trips to lower levels of traffic. In 2011, actual traffic counts suggest a traffic volume on the Burkhalter Road at an average of 4,370 vehicle trips per day both ways and a traffic volume of 15,160 trips per day both ways for Highway 67 in the year 2011.

A review of the *Bulloch County/Statesboro 2035 Long Range Transportation Plan (LRTP)* suggests no expected capacity deficiencies on Burkhalter Road. The *LRTP* also does not recommend any priority roadway improvements for Burkhalter Road with the exception of possible turning lanes on Burkhalter Road at the Cawana Road intersection.

Finally, O.C.G.A 36-36-7(c) indicates that a municipality annexing land assumes ownership and control of a County road right-of-way only where it annexes on both sides of the road – unless agreed otherwise by both jurisdictions. Unless City Council is otherwise inclined to negotiate with County officials, the segment of Burkhalter Road fronting the subject property will remain in County jurisdiction.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

The subject property has access to City of Statesboro utilities. Other services such as sanitation and public safety services will be extended upon approval of this request.

ENVIRONMENTAL:

The subject property does not appear to be located within wetlands areas or special flood areas. Any potential issues will be addressed during standard permitting processes and reviews.

ANALYSIS:

The applicant is requesting to annex approximately a 0.9 acre site located on Burkhalter Road. Section 2207 of the *Statesboro Zoning Ordinance* states that new areas being annexed into the City shall be considered to be in the R40 (Single Family Residential) district unless otherwise classified; thus, the applicant is requesting to zone the subject property HOC (Highway Oriented Commercial). The applicant is currently proposing the construction and utilization of the property as a convenience store.

Ultimately, the request to annex the subject property as well as consideration of the proposed HOC (Highway Oriented Commercial) zoning designation should be considered in light of 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*. Both documents provide information that indicates that the applicant's

request to annex and zone the subject property at HOC (Highway Oriented Commercial) is consistent with the vision and land use policies adopted with the recognition that this area is a proposed annexation area located in the developing character area which encourages mixed uses.

The subject site is contiguous to the City of Statesboro and the proposed zoning district provides for commercial opportunities which complement developing uses adjacent to the subject property.

STAFF RECOMMENDATION:

Staff recommends **approval** of the requested annexation and zoning map amendment requested by AN 12-12-06 with the following recommended conditions:

- i. **Developer to install a purple pipe/reuse water irrigation system for connection to city reuse system (when available) to the specifications of the City of Statesboro Water/Wastewater**

EXHIBIT A: LOCATION MAP



EXHIBIT B: PHOTOS OF THE SUBJECT SITE.



Figure 1: Subject Site from Highway 67



Figure 2: Convenience Store adjacent to the Subject Site.



City of Statesboro – Department of Community Development
DEVELOPMENT SERVICES REPORT

P.O. Box 348
Statesboro, Georgia 30458

» (912) 764-0630
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**AN 12-09-01
ANNEXATION REQUEST
CAWANA ROAD**

LOCATION: Cawana Road

REQUEST: Annexation by the 100% method; and, zoning change of approx. 5 acres from HC (Highway Commercial – Bulloch County) District and approx. 60 acres from R40 (Single Family Residential – Bulloch County) District to R4 (High Density Residential) District.

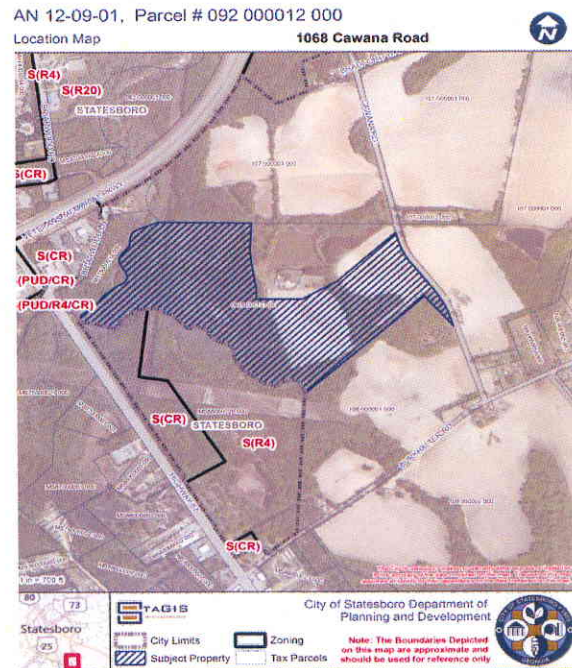
APPLICANT: Valnoc, LLC

OWNER(S): CEB Enterprises, LLC

LAND AREA: 64.93 acres

PARCEL TAX MAP #s: 092000012000

COUNCIL DISTRICT: 5 (Chance) – (Projected)



PROPOSAL:

The applicant is requesting annexation and rezoning of the subject property from R40 (Bulloch County – Single Family Residential) and HC (Bulloch County – Highway Commercial) to R4 (High Density Residential) district in the City of Statesboro. The subject property is a portion of an 82.94 acre site located between Highway 67 and Cawana Road just north of the proposed Aspen Heights Development and contiguous to the existing municipal limits (See **Exhibit A – Location Map**). Consistent with the survey prepared for the annexation request, approximately 64.93 acres is proposed to be annexed and zoned R4 (High Density Residential). The remaining 18 ± acres contain a single family home and are proposed to remain in Bulloch County zoned R40 (Bulloch County – Single Family Residential).

BACKGROUND:

The portion of the subject site to be annexed and rezoned is an undeveloped lot located in the “Capital Cost Recovery Area” (CCR) identified in the Intergovernmental Agreement between the City of Statesboro and Bulloch County. The CCR allows the City of Statesboro to provide water and sewer infrastructure and indicates that Bulloch County will support future annexation subject to the Intergovernmental Agreement. The zoning proposed by the applicant as part of this annexation request reflects no imminent development plans for the approximate 64.93 acres.

SURROUNDING LAND USES/ZONING:

	ZONING:	LAND USE:
NORTH:	R40 (Single Family Residential – Bulloch County) District CR (Commercial Retail) District	Undeveloped, Restaurant, Convenience Store, and Single Family Residential
SOUTH:	R4 (High Density Residential) District CR (Commercial Retail) District R40 (Single Family Residential – Bulloch County) District	Proposed Aspen Heights Residential Development and Undeveloped
EAST:	R40 (Single Family Residential – Bulloch County) District	Undeveloped
WEST	HC (Highway Commercial – Bulloch County) District CP (Conservation Preservation – Bulloch County) District	Commercial and Undeveloped

The subject property's northern, eastern, and southern property lines are surrounded by property that is mostly undeveloped and located in Bulloch County. The abutting parcel to the southwest is currently under development by Aspen Heights as a high density residential development. The properties just across Highway 67 to the west of the subject property range from undeveloped to residential and commercial uses.

COMPREHENSIVE PLAN:

The subject site lies within the "Developing" character area as identified by the City of Statesboro Future Development Map adopted by the *City of Statesboro Comprehensive Plan*. The "Developing" character areas are identified as being primarily residential, but are under pressure to grow in a suburban manner. Development patterns should be evaluated to maximize opportunities for appropriate blending of residential, office, and commercial development.

Small to mid-size retail and commercial, office, single family, and multifamily residential are all appropriate land uses for properties within the Developing character areas. Some suggested development and implementation strategies for the area include the following:

- Large new developments should be master-planned to include mixed-uses wherever appropriate.
- Promote street design that fosters traffic calming such as narrower residential streets, on-street parking, and addition of bicycle and pedestrian facilities.
- There should be strong connectivity and continuity between each subdivision.

Statesboro Comprehensive Plan, Community Agenda pages 16-17.

The subject site also lies within the "Proposed Annexation" area as identified by the City of Statesboro Future Development Map. Other recommendations of the *Comprehensive Plan* have been considered in the analysis of this request.

TRANSPORTATION:

The subject property's sole road frontage is Cawana Road. Cawana Road is considered an urban collector street which collects traffic from local streets and channels it into an arterial system according to the Georgia Department of Transportation. In 2011, actual traffic counts suggest a traffic volume on the adjacent Burkhalter Road just south of the subject property at an average of 4,370 vehicle trips per day both ways. A traffic count for Cawana Road was not recorded.

A review of the *Bulloch County/Statesboro 2035 Long Range Transportation Plan (LRTP)* suggests no expected capacity deficiencies on Cawana Road. The *LRTP* also does not recommend any priority roadway improvements for Cawana Road with the exception of possible turning lanes on the adjacent Burkhalter Road at the Cawana Road intersection.

The City of Statesboro Engineer recommends a condition of a road for public access and burden relief; therefore, staff recommends a condition of the dedication of an unimproved 80' wide strip of land running from the adjacent property line to the south (Aspen Heights) to Cawana Road as a right of way, to the City of Statesboro. The developer shall improve the 80' right of way upon development of each parcel or portion of each parcel and any improvements that might be required by the development of the property should be examined by the City of Statesboro upon submittal of development plans to City of Statesboro for permitting activity.

The applicant will develop a portion of the subject property to improve the unimproved portion of the road started by Aspen Heights to connect Highway 67 with Cawana Road. The proposed road will be dedicated to the City of Statesboro as a public road and will offer traffic calming solutions to the adjacent Burkhalter Road.

Finally, O.C.G.A 36-36-7(c) indicates that a municipality annexing land assumes ownership and control of a County road right-of-way only where it annexes on both sides of the road – unless agreed otherwise by both jurisdictions. Unless City Council is otherwise inclined to negotiate with County officials, the segment of Cawana Road fronting the subject property will remain in County jurisdiction.

COMMUNITY FACILITIES (EXCEPT TRANSPORTATION):

This site has access to City of Statesboro utilities. Other services such as sanitation and public safety will be extended upon approval of this request.

ENVIRONMENTAL:

Some acreage in the northwest portion of the subject property appears to be located within wetland areas and special flood area. The wetlands are expected to have little impact on the development potential of the subject property. Any potential issues will be addressed during standard permitting process and reviews.

ANALYSIS:

The applicant is requesting to annex approximately 64.93 acres of an 82.94 acre site located on Cawana Road. Section 2207 of the *Statesboro Zoning Ordinance* states that new areas being annexed into the City shall be default zoned R40 (Single Family Residential) district unless otherwise requested; thus, the applicant is requesting an R4 (High Density Residential) zoning which allows “apartment houses or group of apartment houses which constitute a single operating or proprietary unit” up to 12 dwelling units per acre; duplexes; and single family residential homes as uses by right within the district. This request is not being made subject to a defined development request but allows marketing of the property as a receipt of city services. The request also provides for the natural growth of the municipal boundary to reflect a service area already services by City of Statesboro utilities.

Ultimately, the request to annex the subject property as well as consideration of the proposed R4 (High Density Residential) zoning designation should be considered in light of 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*. Staff review of both documents indicate that the applicant’s request to annex and zone the subject property at R4 (High Density Residential) is consistent with the vision and land use policies adopted as this area is included within a proposed annexation area as well as the developing character area which encourages mixed use including high density residential.

Developmental parameters and suggested implementation strategies of the *Comprehensive Plan* are provided for. For example, the *Plan* states that “new development [within the Developing character area] should strive to increase connectivity within developments, to existing streets, and to adjacent undeveloped properties.” Therefore, staff suggests the conditions listed in the staff recommendation. This project proposes that by connecting this development with the adjacent property to the south onto Highway 67 and allowing residents access to the facilities and other amenities provided on the adjacent property while offering traffic calming solutions for the adjacent Burkhalter Road.

The subject site is contiguous to the City of Statesboro and the proposed zoning district provides for potential residential densities which complement developing uses adjacent to the subject property. Increased density also allows for a more efficient use in the future of City water and sewer infrastructure which have been available to the subject property.

STAFF RECOMMENDATION:

Staff recommends **approval** of the requested annexation and zoning map amendment requested by AN 12-09-01 with the following recommended conditions:

- i. Developer to install a purple pipe/reuse water irrigation system for connection to city reuse system (when available) to the specifications of the City of Statesboro Water/Wastewater Department.
- ii. The dedication of an unimproved 80’ wide strip of land running from the adjacent property line to the south (the property now or formerly being owned by Breckenridge Group – Aspen Heights) to Cawana Road as a right of way, to the City of Statesboro, for the express purpose of future right of way construction and improvements. All plats must show the dedicated right of way on the property. The routing and placement of said lane at the intersection of Cawana Road shall be subject to the approval of the City Engineer or his/her designee.
- iii. Developer shall improve the 80’ right of way upon development of each parcel or portion of each parcel to the point of service of each parcel. The right of way must be completed the entire depth of the property to City of Statesboro standards once 50% (as calculated by the City of Statesboro) or more of the property has been developed. Said improvements shall include, but

not be limited to, road, curb, gutter, bike lanes, and sidewalks (generally 5'wide), and shall be constructed by the developer to City of Statesboro standards.

EXHIBIT A: LOCATION MAP

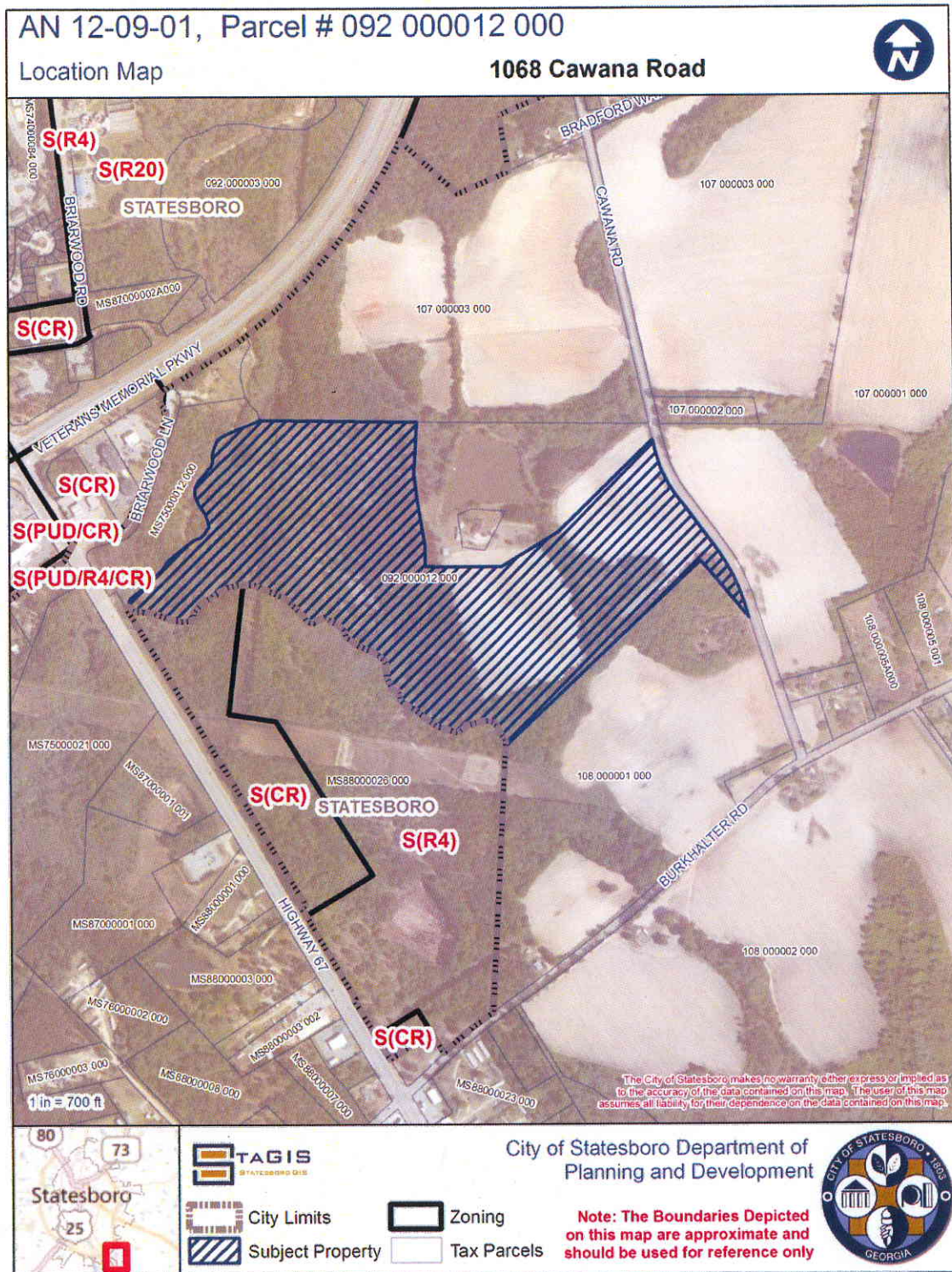


EXHIBIT B: PROPERTY SURVEY

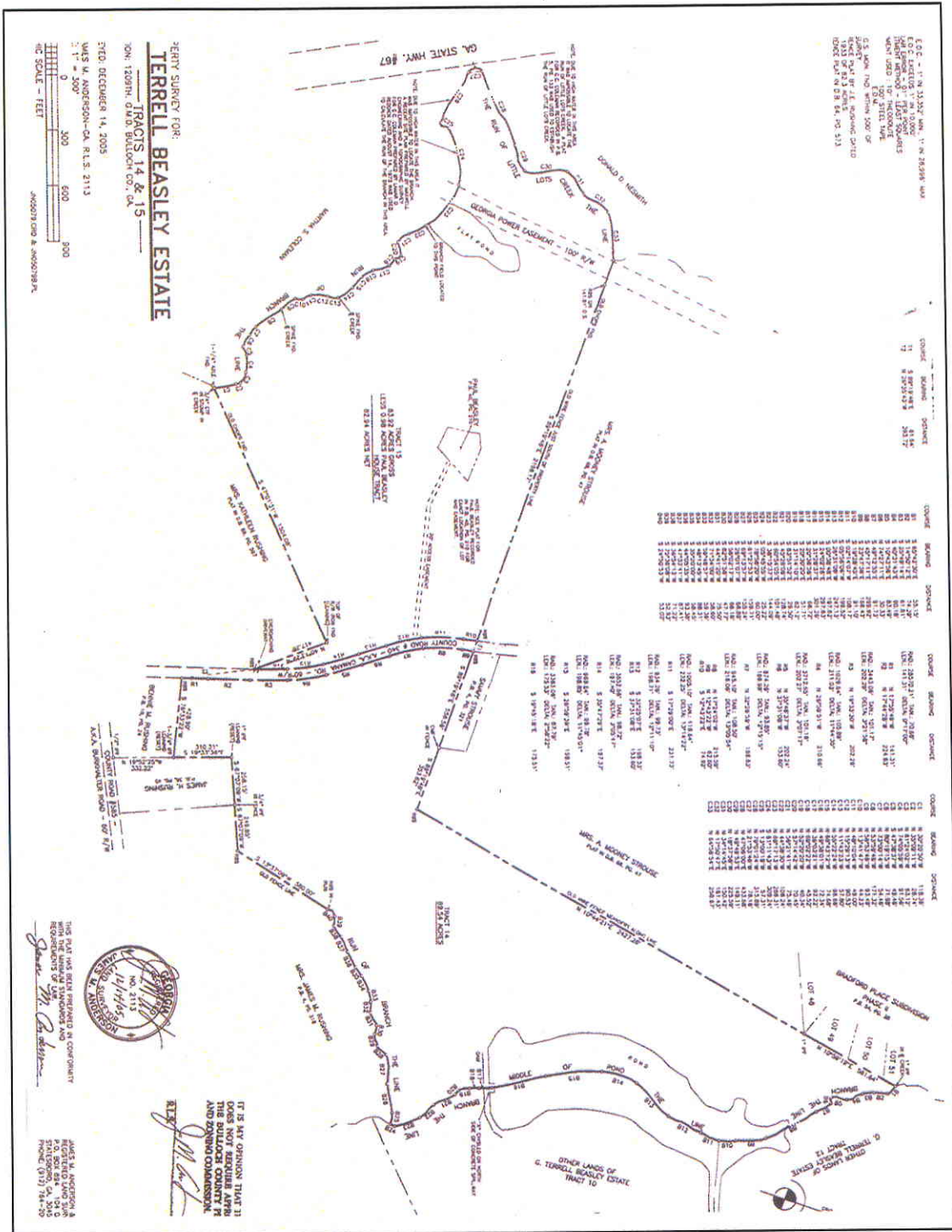


EXHIBIT C: PROPERTY SURVEY SHOWING THE 18.007 ACRE TRACT TO REMAIN IN COUNTY.

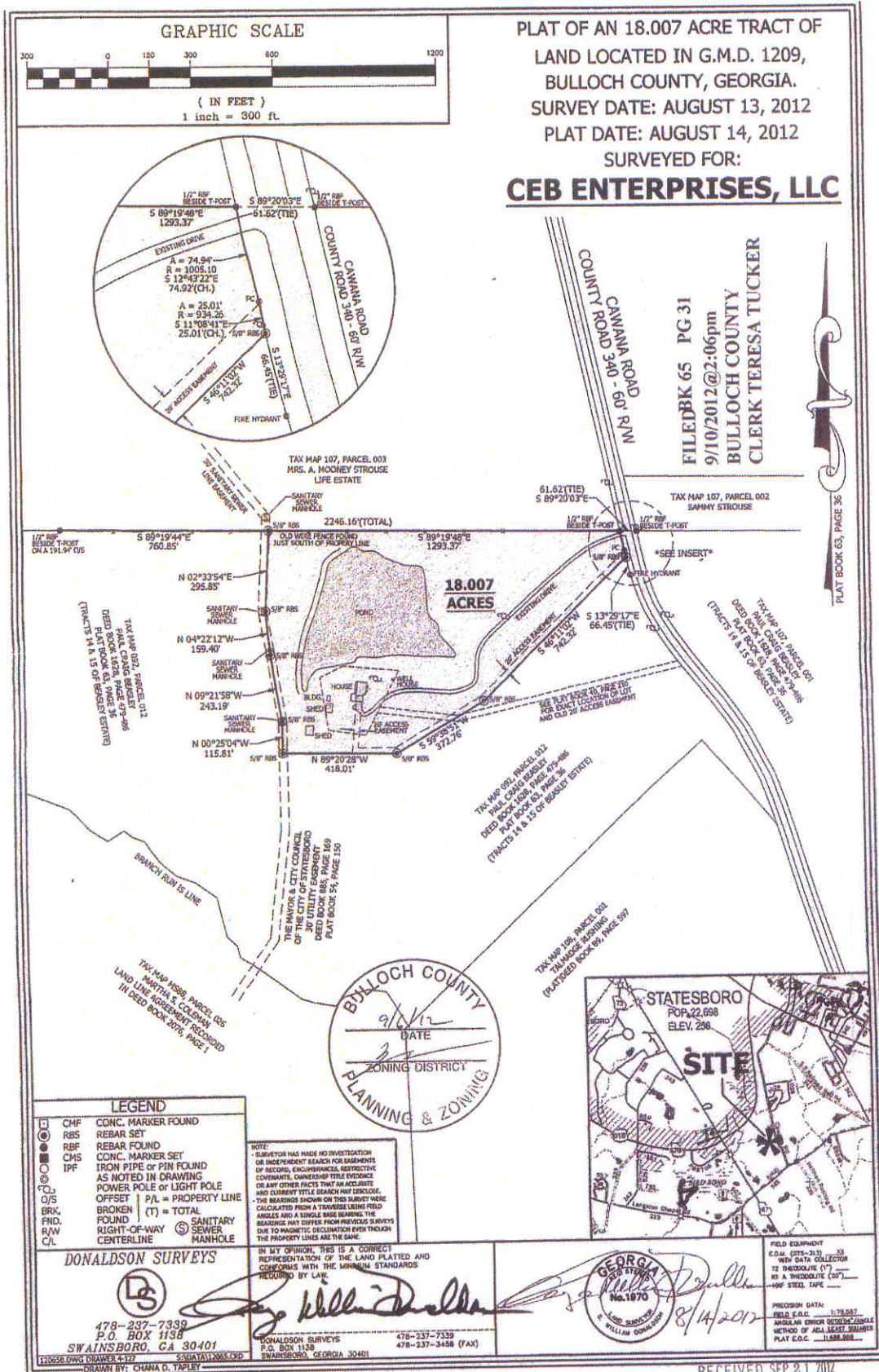


EXHIBIT D: AERIAL

