

Statesboro Planning Commission
Minutes
March 11, 2008

The March 11, 2008 meeting of the Statesboro Planning Commission was called to order by Chair Sharon Tracy at 5:05 p.m. in the City Hall Council Chambers. Other Planning Commission members present were Ray Hendley, Wyatt Johnson, John Karrh, Jr., Lewis Stewart, and Norman Wells. City staff member present was Jim Shaw, Planning Director.

Mr. Stewart moved to approve the minutes of the February 12, 2008 meeting as presented. Mr. Johnson seconded the motion and it was approved unanimously.

The only item of old business was Application RZ 08-02-01; Mattie M. Lewis requests rezoning from R-4 (High Density Residential) to CR (Commercial Retail) and a special exception for a commercial storage facility for 204 Martin Luther King Drive.

Mr. Shaw provided the Commission a summary of the staff report. He stated the property is split by a zoning district line. The southern portion which contains an auto repair business is zoned CR. The undeveloped northern portion is zoned R-4. The applicant is requesting to rezone all of the property to CR to allow the construction of a self-storage facility. The storage use will require approval as a special exception. He stated staff objected to the requests at the previous meeting because the current zoning and its permitted uses would provide a transition between the commercial and industrial uses to the south and the residential uses to the north. At the last meeting the Commission postponed action on the requests to allow the applicant time to submit a site plan, which she has done. He stated there are some deficiencies with the plan related to insufficient setbacks, insufficient drive aisles for vehicles, and the lack of a buffer along the north property line. Meeting those requirements can be done but will result in the loss of some storage units. He stated staff continues to recommend denial of the rezoning and special exception.

Mattie Lewis, the applicant, presented information about her request. She stated she has tried to rent or lease the muffler shop since her husband's death four years ago, but has been unsuccessful in generating enough income to take care of her needs. This would be a business she can take care of herself. It should not cause any problems for the neighborhood.

Mr. Hendley asked if she would tear down the shop building. Ms. Lewis said she would not and may convert it to a storage use in the future.

Mr. Karrh asked if an attempt had been made to clean the property. Ms. Lewis said they are working on it each day. He asked how long she thought it would take to finish. She stated it would be about six months.

Dr. Wells asked if she had thought about the loss of some of the units that would be required by the site plan modifications and whether the project would still be profitable. She said she had not given it any thought but she is working with someone who is in this business elsewhere.

No one spoke against the request.

Mr. Hendley made a motion to approve the rezoning and special exception. Mr. Johnson seconded the motion and it carried by a vote of four to one with Mr. Karrh voting against.

The first item of new business was RZ 08-03-01; Pastor Gwendolyn Jones requests a zoning change from R-20 (Single-Family Residential) to CR (Commercial Retail) and a variance of the parking requirements to allow a restaurant on a 1.4 acre lot located at 205 Joyce Street.

Mr. Shaw stated the applicant had submitted a letter requesting that consideration of this item be postponed so she could talk with one of the neighbors who is in opposition. He stated staff recommends that it be placed on the agenda for the next regular meeting on April 8, 2008.

Dr. Wells made a motion to postpone consideration of the application until the April 8, 2008 meeting. Mr. Stewart seconded the motion and it carried unanimously.

The second item of new business was V 08-03-02: Edward Curl, Jr. requests variances to reduce the building setback requirement from 60 feet to 52 feet and to reduce the parking area setback requirement from 20 feet to 7 feet along the north property line for property located at 801 South Main Street.

Mr. Shaw provided the Commission a summary of the staff report. He stated a Yamaha dealership is currently under construction on this site. A site plan meeting the Zoning Ordinance requirements was approved prior to the issuance of a building permit. This request for the parking setback variance was submitted after construction began stating that the widening of Rucker Lane had limited the available space on the site. After comparing the site plan approved for the building permit and the site plan submitted with this request, staff found two changes were proposed. The first is widening of the parking area along the north property line by five feet. The second change is movement of the building eight feet to the north. The HOC district requires a setback of 60 feet in this instance and previously the building was shown on the setback line. According to the new drawing the building has been moved from the approved location. The net result of the changes is that the building needs a variance to reduce the required setback from 60 feet to 52 feet and the parking area needs a variance to reduce its required setback from 20 feet to seven feet.

Mr. Shaw stated there is no hardship created by the property itself or the road work undertaken on Rucker Lane. The two plans that have been submitted show the edge of the road pavement the same distance from the property line. Either it was accounted for in both designs or not in either of them. The hardship is self created due to moving the building from the approved location and the applicant's desire for additional pavement. If the submitted plan had been followed, these variances would not have been necessary. He stated staff recommends denial of the requested variances.

No one was present to represent the request.

No one spoke against the request.

Mr. Karrh made a motion to deny the variances. Mr. Stewart seconded the motion and it carried unanimously.

The third item of new business was SUB 08-03-03; Bird Lane, LLC requests preliminary plat approval of 32.2 acres into 90 lots for property located at 5 Lanier Drive and a parcel located on the east side of Bird Lane, approximately 900 feet north of Bird Road.

Mr. Shaw provided the Commission a summary of the staff report. He stated this property was annexed into the city and rezoned to R-10, with conditions, in May of 2007. The preliminary plat shows two entrances on Lanier, one of which will be shared with the multifamily development to the north. Both entrances will be gated which means the streets will be privately maintained. The plat indicates alleys at the rear of the interior lots and at the side of the perimeter lots. Sidewalks are shown on both sides of all streets and will connect with the development to the north. He stated two lots labeled as "Future Development" are shown adjacent to Lanier Drive. Staff has warned against leaving those lots out of the overall design. Leaving them separate does not guarantee rezoning of the property to a commercial or multifamily designation at a later date. He stated staff recommends approval of the preliminary plat conditioned upon approval by all reviewing departments and agencies.

Jared Mock with Maxwell-Reddick and Associates, the applicant, presented information about the request.

Mr. Stewart asked if he knew what the future development areas would include. Mr. Mock stated he did not know and that at this time they would remain green space.

Mr. Stewart asked for a description of the exteriors of the homes. Mr. Mock stated he did not know. Mr. Shaw stated he had been told that the developer would also be responsible for construction of all the homes and there would be a common theme among all of them, but he was not aware of the details.

Mr. Hendley asked if this subdivision would be participating in the incentive program. Mr. Shaw stated it did not qualify because of the R-10 zoning.

No one spoke against the request.

Mr. Johnson made a motion to approve the preliminary plat conditioned upon approval by all reviewing departments and agencies. Mr. Hendley seconded the motion and it carried unanimously.

The fourth item of new business was Application V 08-03-04; Statesboro Flea Market, LLC requests variances to eliminate the requirement to provide an asphalt or concrete surface for a parking lot, to reduce the required number of spaces from 250 to 225, and to eliminate the 20-foot parking area setback requirement for the property located at 51 Highway 301 North.

Mr. Shaw provided the Commission a summary of the staff report. He stated the front portion of the property is zoned HOC and the remainder is LI. A warehouse is located on the property and the applicant is currently converting it to a flea market. This change of use requires bringing the property into compliance with the zoning standards. The flea market will require 250 parking spaces and the parking must be paved. The applicant has provided a site plan that shows 265 spaces, but the drive aisles are shown 20 feet wide rather than 24, as required by the Zoning Ordinance. Widening the aisles will result in the loss of some spaces. In addition, a 20-foot setback is required along the front property line, which will result in the loss of more spaces. He stated that changes in the economy would favor granting some relief. Without some flexibility this property would likely sit vacant for years. The 24-foot drive aisle should be provided for ease of use and safety. The 20-foot setback along the front should be observed and dedicated to landscaping to clearly define the ingress/egress points and improve the appearance of this corridor. The parking area should be paved for safety, ease of use, and proper marking of spaces. The City Council has approved a few paving variances in recent years and has allowed in some cases additional time to complete the paving after the business opened. He stated staff recommends approval of a variance to reduce the number of required parking spaces from 250 to 225 and denial of all other variances.

Jerry Jennings, the applicant, presented information about the request. He stated this would be an indoor flea market that would operate Friday, Saturday, and Sunday. He has an arrangement with Jimmy Hendrix who owns the adjacent property for additional parking should the business be successful.

Mr. Hendley asked how he felt about staff's recommendation. Mr. Jennings stated he had no objection to providing the front setback and landscaping as well as increasing the drive aisles to 24 feet.

Mr. Karrh asked about the issue of paving the lot and whether additional time should be given for its completion. Mr. Jennings stated he wants to pave it, but would like additional time. Mr. Shaw stated he did not recall the Commission recommending additional time in the past, but the Mayor and City Council had approved a few extensions that ranged from six to eighteen months. Mr. Karrh asked if it would be possible to pave the front portion to clearly define the entrances and keep dirt and rock from being carried onto the highway. Mr. Jennings stated he would be willing to pave from the front of the building to the road if he could have eighteen months to complete the rest.

Mr. Hendley made a motion to approve the variance to reduce the required number of spaces to 225, allow eighteen months for completion of the paving except for the front portion, and deny all other variances. Mr. Stewart seconded the motion and it carried unanimously.

There being no other business for the Commission's consideration, Dr. Tracy adjourned the meeting at 5:35 p.m.