

**Statesboro Planning Commission
Minutes
September 12, 2006**

The September 12, 2006 meeting of the Statesboro Planning Commission was called to order by Acting Chair Wyatt Johnson at 4:00 p.m. in the City Hall Council Chambers. Other Planning Commission members present were Will Grant, Maebell Moore, Lewis Stewart, and Norman Wells. City staff members present were Jim Shaw, Planning Director, and John Kinley, City Planner.

Mr. Stewart moved to approve the minutes of the July 11, 2006 meeting as presented. The motion was seconded by Dr. Wells and was approved unanimously.

The first item of new business was Application V 06-09-01, Bulloch Hospitality Services, LLC, requests a 13 foot variance of the 35 foot maximum building height for a 2.5 acre parcel located on the east side of Veterans Memorial Parkway, 500 feet south of Brannen Street.

Mr. Kinley provided the Commission a summary of the staff report. He stated the applicant wants to construct a four-story hotel on the property. The CR zoning district allows a height variance to a total height of 50 feet but requires an additional foot of setback for each additional foot of height over 35. He stated that no site plan was submitted with the request and a setback variance was not included on the application. It appears there is sufficient property for the setbacks to be provided. He stated staff recommends approval of the requested variance.

Dr. Wells moved to approve the requested variance. The motion was seconded by Dr. Grant and was approved unanimously.

The second item of new business was Application RZ 06-09-02, Lise Tillman Vranches requests rezoning from R-3 (Medium Density Multi Family Residential) to CR (Commercial Retail) for property located at 17 West Jones Avenue.

Mr. Shaw provided the Commission a summary of the staff report. He stated the subject property was part of a narrow band of residential zoning and uses between commercial zoning and uses that front South Main Street and South College Avenue. This area is becoming less desirable for residential use. The applicant is proposing to convert the existing house to an office or retail use. He stated that if the rezoning is approved, the parking shown on the submitted site plan will not meet the City's requirements. However, that is an issue to be addressed by staff and is not a determining factor for approving or denying the rezoning. He stated staff recommends approval of the requested rezoning.

Norman Riggs, owner of 16 West Jones Avenue, stated his property across the street is used as a residence. He was concerned about the possible uses of the property if rezoned to CR.

John Dotson, representing the applicant, presented information to the Commission regarding the request. He stated the applicant intends to put a florist shop or similar use on the property. The anticipated uses consist of those that operate during the day, not during the evening. He also stated the applicant would construct parking as required by the City and that the house could be demolished and a new building constructed in its place.

Mr. Stewart moved to approve the requested rezoning. The motion was seconded by Ms. Moore and was approved unanimously.

The third item of new business was Application RZ 06-09-03, Robert Larry Allen requests rezoning from R-10 (Single Family Residential) to R-8 (Single Family Residential) and a variance to allow the creation of lots that do not maintain the minimum lot width for the entire depth of the lots for a 0.375 acre parcel located on the southwest corner of West Main Street and Bay Street.

Mr. Kinley provided the Commission a summary of the staff report. He stated the applicant would like to divide the property and construct a house on each new lot. The smaller lots would be more affordable and require less upkeep. The zoning change is necessary to allow the lot to be split and meet the minimum size requirement. He stated the City is encouraging redevelopment in this area as evidenced by Statesboro Pointe on the north side of Proctor Street, north of this property. The variance for the lot width is necessary because the existing lot is widest at the front and narrows toward the rear. This is an existing condition that is not the result of actions taken by the applicant. He stated staff recommends approval of the requested rezoning and variance.

Ms. Moore moved to approve the requested rezoning and variance. The motion was seconded by Dr. Grant and was approved unanimously.

The fourth item of new business was Application RZ 06-09-04, 2195 Group, Inc, requests rezoning from CR (Commercial Retail) to PUD (Planned Unit Development) with a CR overlay to allow hotels, conference center and out-parcel for a 6.036 acre parcel located on the southwest corner of Veterans Memorial Parkway and Highway 67 (Fair Road).

Mr. Shaw provided the Commission a summary of the staff report. He stated the PUD zoning is necessary to allow individual lots that will not have public street frontage and to allow the two hotels a maximum height of 50 feet. The individual lots will utilize a shared private access as has been done on other commercial developments. The additional height request is similar to the first request on the agenda. He stated the increased setback variance should be required around the existing perimeter of the property, but is not necessary along the new interior lot lines that will be created. He

stated staff recommends approval of the requested rezoning with the following conditions:

- 1) Development will be in substantial conformance with the submitted site plan.
- 2) Maximum building height of 50 feet for hotel parcels provided that an additional foot is added to the setback requirements for each foot of building height in excess of 35 feet along the existing perimeter property lines.

Mr. Stewart moved to approve the rezoning with the conditions recommended by staff. The motion was seconded by Dr. Grant and was approved unanimously.

The fifth item of new business was Application RZ 06-09-05, Neville Family Farm c/o Lovett Bennett, Jr. requests rezoning from R-20 (Single Family Residential) to PUD (Planned Unit Development) for a 63.962 acre parcel located on the southeast corner of West Jones Avenue and Cypress Lake Road.

Mr. Kinley provided the Commission a summary of the staff report. He stated the request is for a mixed-use development that will consist of an assisted living facility, active adult villas, single-family residences, and a commercial area. Two concept plans were submitted with the application. The difference between the two is the way in which the single-family areas are to be developed. One option, shown on Sheet C1, has traditional lots and the other, shown on Sheet C2, allows ownership of the structures but not the surrounding land. The second alternative allows the provision of a buffer area between the homes and West Jones Avenue and Cypress Lake Road. Staff would encourage that alternative. Mr. Kinley pointed out the connector street that was shown on both sheets running through the property from the Cypress Lake and Country Club Road intersection to Highland Road. That road needs to be moved so it connects with Bruce Drive rather than Highland. The applicant's representative agrees with that change. He stated staff recommends approval of the requested rezoning with the following conditions:

- 1) The commercial area shall be limited to 20% of the total development.
- 2) The adult villa area shall be limited to 40% of the total development and a maximum density of 4.5 units per acre.
- 3) The assisted living facility, including required parking, shall be limited to 15% of the total development.
- 4) The single family residential areas shall be limited to an R-10 density.

Roland Parrando, owner of property in Cromartie Subdivision, stated his concerns about the development having only two access points, the through traffic resulting from the connector road, and the lack of a buffer along the full length of Shady Trail.

John Dotson, representative of the applicant, stated that the road location on the site plans was a mistake and the intent had always been to connect with Bruce Drive. With that change the buffer would be continued along Shady Trail to that intersection. He identified Bethany Homes as the option holder and developer if approval is granted and said it has experience constructing and managing other assisted living facilities in the area. He asked that the land use percentages in the conditions be changed to 30% maximum for the villas and 25% maximum for the assisted living. Dr. Grant asked if the staff had an objection to the requested modification. Mr. Shaw stated the staff had no objection.

Joe Mathews, whose family owns property across Cypress Lake Road, stated his concerns about the proposed commercial development.

Ann Platt, 200 Niver Road, stated she was concerned about the single-family residential area and the possibility of the houses become rental homes for college students.

Becky Livingston, President and CEO of Bethany Homes, provided information about Bethany Homes, its mission, history, and existing facilities. She stated Bethany would manage this development after construction and was not going to build and then sell it. For that reason, they will be very careful about what occurs on the property surrounding the assisted living facility.

Brenda Weathers, 5013 Country Club Road, stated she had not seen any of the plans and was concerned about what was planned for the property. She asked if she could obtain a copy of the drawings. Ms. Livingston provided her with a copy.

Mr. Stewart asked about the anticipated time frame for the development. Ms. Livingston stated the primary focus is on the assisted living facility and she could only address it at this time. She stated it would likely be at least two years before the building would be completed, including all necessary reviews and actual construction. A certificate of need would have to be obtained first and that can be a lengthy process.

Sarah Neville Bennett, one of the owners of the subject property, stated the family had turned down a number of proposals in the past because they were not the type of development they wanted to see on that property and in that area. She thought the proposed development would be an asset.

Mr. Stewart moved to approve the rezoning with the conditions recommended by staff except to change the limitation for the villa area to 30% and the assisted living area to 25%, and to strongly recommend the alternative shown on Sheet C2. The motion was seconded by Dr. Wells and was approved unanimously.

The sixth item of new business was Application V 06-09-06 Cleve Davis, Jr. requests a 14 foot variance of the 20 foot side yard setback for property located at 302 North Main Street.

Mr. Shaw provided the Commission a summary of the staff report. He stated the applicant wants to build an addition onto the existing garage for storage and a pool house. The addition would extend from the west end of the garage toward the house maintaining the existing six foot setback of the garage. This property is zoned HOC and, unlike residential districts, accessory structures must meet the same setback as a primary structure. He stated staff recommends approval of the requested variance.

Dr. Wells moved to approve the requested variance. The motion was seconded by Ms. Moore and was approved unanimously.

The seventh item of new business was Application T 06-09-07, An amendment of the Zoning Ordinance to remove the parking requirement for residential uses in the CBD (Central Business District) zoning district and to allow single family attached dwellings in the CBD zoning district.

Mr. Shaw provided the Commission a summary of the staff report. He stated the Downtown Statesboro Development Authority asked the City to consider removing the parking requirement for apartments in the CBD zoning district. The parking requirements for all other uses within that district are waived. The requirement is a deterrent to development of loft apartments downtown. It is expected that there will be few conflicts between the workers and visitors at downtown businesses during the day and the residents who would be there in the evening. He stated that this change presented an opportunity to make an additional change to add single-family attached dwellings as a permitted use. The zoning ordinance does not allow attached dwellings in any district and developers have had to rezone property to PUD to gain approval. He stated staff recommends approval of the ordinance amendment.

Mr. Stewart moved to approve the ordinance amendment. The motion was seconded by Ms. Moore and was approved unanimously.

Mr. Johnson asked if there was any other business that was to come before the Commission. Mr. Shaw stated that Dr. Tracy has a class this semester that conflicts with the Commission meeting. She said that she could attend the meeting if it were moved to 5:00 p.m., however if 4:00 p.m. was more convenient for the other members she would not ask for it to be changed just for her. The other members had no objection and agreed to change the meeting time for the October and November meetings to 5:00 p.m.

There being no other business for the Commission's consideration, Mr. Johnson adjourned the meeting at 5:15 p.m.