

INFORMATION SHEET FOR REZONING REQUESTS

Application # 217-17 DATE OF READING 11-21-17

REZONE FROM A-1 TO CG General Commercial

PROPERTY OWNER HibbyMo Properties Sonarville LLC

LOCATION OF PROPERTY 7194 Fairmont Hwy Calhoun

DESCRIPTION OF PROPERTY

2.55 ACRES

THIS REQUEST COMES TO THE BOARD OF COMMISSIONERS FROM THE PLANNING COMMISSION WITH THEIR RECOMMENDATIONS FOR:

1. Approval

STIPULATIONS:

- (1) All applicable state and local regulations shall be complied with including but not limited to Gordon County appearance standards for structure in commercial zoning districts, landscaping and buffer requirements and sign requirements (2) Property owner/developer will be required to comply with water and sewer standards.

REZONING APPLICATION #Z17-17, HIBBYMO PROPERTIES-SONORAVILLE, LLC  
(Owner: Shirley Ann Crump)

Chairman Rule read rezoning application #Z17-17, Hibbymo Properties-Sonoraville, LLC, requesting to rezone a 2.55 acre tract located at 7194 Fairmount Hwy., Calhoun from A-1 to C-G. Bobby Howard with Hibbymo Properties, represented the request explaining that they would like to purchase this 2.55 acres from Ms. Crump from an 80 acre parcel, if the rezoning is granted, in order to develop a 10,560 square foot Dollar General Store. This area needs a more modern and larger store in order to continue serving the existing market and there is not an existing commercial property that is adequate for this purpose. He added that the Level 3 soil study for the septic system will work great, that the Georgia D.O.T. has approved the entrance plans from Highway 53, and that an 8 foot privacy fence and trees would be in place for the buffer requirements. All adjoining property owners had been notified.

The Planning Staff for Gordon County recommends that the rezoning request identified as Application #Z17-17 be approved with the following conditions: 1- All applicable state and local regulations shall be complied with, including but not limited to, Gordon County appearance standards for structure in commercial zoning districts, landscaping and buffer requirements and sign requirements. 2- The property owner/developer will be required to comply with the Water and Sewer standards regarding the sewer system.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z17-17 from A-1 to C-G, with the conditions that are requested by the Planning Staff for Gordon County. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z17-18, CK5 INVESTMENTS, LLC

Chairman Rule read rezoning application #Z17-18, CK5 Investments, LLC, requesting to rezone a 3.391 acre tract located at 153 Will Allen Road, Calhoun from A-1 to I-1. Kevin Carpenter represented the request explaining that he had just purchased this property from Cres Dodd and would like to build a storage building for equipment for his commercial floor covering business and that this was an existing structure that was built in 1990 and housed originally a business called Modern Fibers. He added that he needs to bring the zoning district into compliance with the structure and business. All adjoining property owners had been notified.

The Planning Staff for Gordon County recommends that the rezoning request identified as Application #Z17-18 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z17-18 from A-1 to I-1. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**Planning Staff Report  
To the  
Gordon County Planning Commission**

**Rezoning Proposal**

**Date of Report:** October 27, 2017

**Application #** Z17-17

**Applicant and Property Owner:** Hibbymo Properties-Sonoraville, LLC (applicant) Shirley Ann Crump (owner)

**Location of Property:** 7194 Fairmount Hwy SE, Calhoun, GA 30701

**Property Frontage:** 298 Feet      **Tract Size:** 2.55 acres

**Proposed Action:** Rezone from A-1, Agricultural District to CG, General Commercial.

**Reason for Proposed Action:** Rezone 2.55 acres out of the entire 80 acre parcel in order to develop a 10,560 sq. ft. Dollar General Store, the attached plat and concept plan further illustrates the proposal. Dollar General needs a larger, more modern store in order to continue serving the existing market with a good product mix and low prices. There is not an existing commercial property that is adequate for this purpose.

**Future Development Map Classification:** Emerging Mixed Use Center-Community Node

**Departmental Reviews**

**It shall be understood that the following Departmental Review requirements, if any, shall be satisfied by the Applicant in addition to all standard County zoning, building, and development codes prior to the issuance of any land disturbance permit, building permit and/or certificate of occupancy, as deemed applicable by the County building official relating to the subject proposal if said proposal is approved by the Gordon County governing authority.**

- \* **Environmental Health Services:** No issues from EH on the zoning change.
- \* **Building Department:** N/A
- \* **Fire Department:** OK
- \* **Gordon County School System:** N/A
- \* **Road Department:** N/A
- \* **Georgia Dept. of Transportation:** The site will require a permit from GDOT for access. Our office is currently working with Hibbymo Properties for an access permit.
- \* **Water & Sewer (City of Calhoun):** This area is served by an 8" water line. City sewer service may be available through Somerville Middle School property. This would require property owner to obtain needed easements and pay for sewer line extensions as needed. This property is not within 200 ft. of a public sewer line

- \* **Zoning Division:** A Notice of Public Hearing has been properly advertised in the local newspaper, zoning application fees have been paid and Applicant has been advised to post a Notice of Public Hearing on the subject property.

### **Planning Staff Findings & Recommendations**

The following standards from Section 10.03.0212.6 of the Gordon County Unified Land Development Code (ULDC), in addition to the Departmental Reviews above, have been considered in the findings and recommendations of the planning staff:

***1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.***

Subject property is surrounded by agricultural and large amount of residential zoning, with some commercial, also the Gordon County Sonoraville school complex.

***2. Whether the proposed zoning will adversely affect the existing use of usability of adjacent of nearby property.***

The proposed zoning will not adversely affect the existing use of usability of adjacent of nearby property.

***3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.***

The subject property exceeds the minimum lot size requirements for A-1 zoning and has the potential to be developed accordingly. However, the proposed acreage cannot be used for A-1 zoning and cannot be used for commercial purposes.

***4. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.***

The proposed zoning will generate additional vehicular traffic and may impede on traffic flow.

***5. Whether the zoning proposal is in conformity with the policy and intent of the Future Development Map and Comprehensive Plan.***

The subject property is classified as Emerging Mixed Use Center-Community Node on the Gordon County Future Development Map. This classification supports land uses intended for Mixed Use (commercial, retail, residential), Civic/Institutional and Passive and active parks. The proposed zoning is consistent with neighborhood.

***6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal.***

The proposed zoning is consistent with the Future Land Development Map.

### **Planning Staff's Recommendation:**

The rezoning request identified as Application #Z17-17 is recommended for approval with the following condition:

1. All applicable state and local regulations shall be complied with, including but not limited to Gordon County appearance standards for structure in commercial zoning districts, landscaping and buffer requirements and sign requirements.

2. The property owner/developer will be required to comply with the Water & Sewer standards regarding the sewer system.

*This report is a part of the official record of the subject application*

## 8. Emerging Mixed Use Center – Community Node

The Emerging Mixed Use Center- Community Node character area represents locations at major crossroads primarily surrounded by the Emerging Suburban and Rural/Agricultural Reserve character areas. Specifically, the Emerging Town Center represents Sugar Valley, Red Bud and Sonoraville, which are recognized as small, non-incorporated communities. Not yet highly developed, these areas include some commercial uses and/or community facilities that serve local residents and have the potential to meet additional goods and service needs to reduce vehicular trips to more established commercial areas such as Calhoun. This character area is intended to support mixed-use development that provides additional housing choice at increased densities, community shopping opportunities, and space for civic and institutional uses such as public schools and recreational facilities. These uses are intended to be in close proximity to one another and easily accessible on foot and by car.

### Development Pattern

The development pattern should seek to:

- Concentrate commercial and mixed-use development at major roadway intersections (nodal development)
- Accommodate housing at higher densities than what is typically found in rural and suburban areas
- Provide a range in housing types, including opportunities for senior housing due to the close proximity of goods and services
- Provide a mix of uses that serve surrounding residential areas
- Incorporate traditional neighborhood design elements, including reduced building and yard setbacks to accommodate higher residential densities
- Create safe, convenient pedestrian or multi-use trail connections to residential areas
- Depict clear physical boundaries and transitions between the edge of the character area and the surrounding low-density, rural areas
- Discourage strip development
- Develop with a series of interconnected, pedestrian-scale mixed uses
- Limit driveway spacing along the highway frontage and align driveways wherever possible
- Require shared driveways and inter-parcel access
- Incorporate landscaping of commercial sites/parking lots
- Provide sidewalks between businesses



Example of small two-story mixed use neighborhood center that is appropriate for the Emerging Mixed Use Center – Community Node character area



Pedestrian-friendly design is encouraged throughout the character area



TND form: (1) Lower-density residential, (2) urban residential, (3) Mixed-Use center, (4) Open Space and Civic Site, (5) Linear Park



## 8. Emerging Mixed Use Center – Community Node (con't.)

### **Development Pattern (con't.)**

- Prohibit regional businesses or Big Box retailers
- Provide pedestrian connectivity between residences and major destinations such as recreation centers, libraries, schools, and shops
- Incorporate quality signs that are scaled and placed appropriately

### **Primary Land Uses**

- Mixed use (commercial, retail, residential)
- Civic/institutional
- Passive and active parks

### **Quality Community Objectives**

- Traditional Neighborhoods
- Infill Development
- Transportation Alternatives
- Housing Choices
- Sense of Place



*Single Family Street in the Village of Tannin TND,  
Orange Beach, Alabama*

### **Implementation Strategies**

- Adopt a Traditional Neighborhood Design (TND) ordinance
- Adopt tailored design guidelines/development standards for commercial development
- Adopt a Senior Housing Ordinance
- Adopt a Landscape and Buffer Ordinance

## 9. Emerging Mixed Use Center – Regional Activity

Emerging Mixed Use Center – Regional Activity represents areas that the potential to develop a regionally-marketed mixture of uses, including employment and housing opportunities, due to interstate access and proximity to other larger scale areas that are developed or have the potential to develop. "Big box" retail should be limited to these areas and designed to fit into mixed-use planned development with limited parking that is shared with surrounding uses. The Trimble Hollow/I-75 area is identified as Emerging Mixed Use Center – Regional Activity. It is located at the south end of the County, adjacent to the interstate, east of the Industrial character area, and just south of the City of Calhoun and the Prime Outlet Mall. The planned Calhoun Bypass includes an interchange at Union Grove Road, just north of the site. This interchange, and the potential for another at Trimble Hollow Road, position this area for growth.

### **Development Pattern**

The development pattern should seek to:

- Include a relatively high-density mix of commercial and retail centers, office, services, and employment to serve a regional market area
- Include a diverse mix of higher-density housing types (town homes, apartments, lofts, and condominiums) that can serve a broad range of incomes, including workforce and affordable housing
- Provide strong, walkable connections between different uses
- Provide wide curb lanes or bike lanes to permit bicycling
- Connect to nearby networks of greenspace or multi-use trails, available to pedestrians, bicyclists, and equestrians for both tourism and recreation purposes.



TIME: 3:30 P.M.

DATE: 4-15-91

WARRANTY DEED

BOOK 346 PAGE \_\_\_\_\_

LEWIS COUCH, C.S.C.  
GORDON COUNTY, GA.

STATE OF GEORGIA

COUNTY OF GORDON

THIS INDENTURE made this the 15<sup>th</sup> day of April,  
in the year of our Lord, One Thousand Nine Hundred and Ninety-One  
by and between BARBARA CRUMP GEE of the State of Georgia and the  
County of Gordon and J. C. CRUMP of the State of South Carolina  
and the County of Sumter, of the First Part, and BANKS CRUMP,  
of the State of Georgia and County of Gordon of the Second Part.

WITNESSETH, that the said parties of the first part, for  
and in consideration of the sum of Ten and No/100 ( \$10.00) and  
the exchange of property ----- DOLLARS  
in hand paid at and before the sealing and delivery of these pre-  
sents, the receipt whereof is hereby acknowledged, have granted,  
bargained, sold and conveyed and by these presents do grant, bar-  
gain, sell and convey unto the said party of the second part, his  
heirs and assigns:

*Taxed*

Gordon County, Georgia  
Real Estate Transfer Tax  
Paid \$ 0  
Date 4-15-91  
*Lewis Couch*  
Lewis Couch, Clerk of Superior Court

All that tract or parcel of land lying and being  
in the 6th District and 3rd Section of Gordon  
County, Georgia, and being a part of Land Lot  
No. 97 thereof, and described as Tract # 2  
containing 19.38 acres, as shown on a plat of  
survey entitled "Boundary Survey of Boyce J.  
Crump Estate" prepared by Samuel Arch Reed,  
GRLS # 794, dated February 29, 1991, said plat  
~~being recorded in the Office of the Clerk of  
the Superior Court of Gordon County, Georgia  
in Plat Book 24 at Page 119~~, to which  
said plat and the record thereof reference is  
hereby made for a more full and complete de-  
scription of the lands herein conveyed.

Grantors and Grantee herein are the children  
and sole surviving heirs of Boyce J. Crump,  
deceased, who died intestate.

TO HAVE AND TO HOLD the said bargained premises, to-  
gether with all and singular the rights, members and appurtenances  
thereof, to the same being, belonging or in anywise appertaining,  
to the only proper use, benefit and behoof of him the said party  
of the second part, his heirs and assigns, forever, IN FEE SIMPLE.

CONTINUED

*Being the same property conveyed  
to Banks Crump on about  
4/15/91 & filed in DB 346, page 1  
Gordon Co. GA rec'd. Plat book 346*



STANDARD WARRANTY DEED

STATE OF GEORGIA,

Gordon County



THIS INDENTURE, made this 3rd day of January in the year of our Lord one thousand nine hundred and Seventy-Two MRS. ETHEN B. HARPE

Georgia and County of Gordon of the first part and W. B. CRUMP Georgia and County of Gordon of the second part.

that the said part Y of the first part, for and in consideration of the sum of Twenty-Four Thousand and No/100 (\$24,000.00) DOLLARS

and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said part Y of the second part, his heirs and assigns, all that tract or parcel of land lying and being in the 6th District and 3rd Section of

Gordon County, Georgia, being sixty (60) acres, more or less, in Land Lot No. 128 thereof, being bounded now or formerly as follows: On the north by lands of Wylie Bryant; on the east by lands of Bill Campbell; on the south by Georgia State Route 53; and on the west by lands of W. B. Crump. Said tract being part of the land described in deed of F. K. Harpe recorded in the office of the Clerk of the Superior Court of Gordon County, Georgia in Deed Book No. 12, page 174.

Said tract being a part of the lands set aside to Mrs. Ethen B. Harpe and her support from the estate of F. K. Harpe by the Court of Ordinary of Gordon County, Georgia. Said year's support being recorded in Book "D", pages 477-478, office of the Ordinary of Gordon County, Georgia.

Tract? Buy same property conveyed to W. B. Crump o/a GC, GA records

Gordon County, Georgia Real Estate Transfer Tax Paid \$ 2400.00 Date 1-4-72 Clerk of Superior Court

DB 106/28 P.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof to the same being, belonging or in any wise appertaining, to the only proper use, benefit and enjoyment of him the said part Y of the second part, his heirs and assigns, forever, IN FEE SIMPLE. And the said part Y of the first part, for herself and her heirs, executors and administrators do warrant and forever defend the right and title to the above described property unto the said part Y of the second part, his heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set her hand and affixed her seal, the day and year above written.

Signed sealed and delivered in the presence of Margaret S. Talley T. L. Shanahan N.P. Georgia, State at Large.

Mrs. Ethen B. Harpe (Seal)



DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # 217-17 Crump A-1 to CG

Date: \_\_\_\_\_

Reviewed by: Christy Blair

Environmental Health

Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with Environmental Health:

*No issues w/ EH on the zoning change.*

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z17-17  
APPLICATION NAME Hibbymo Properties  
TYPE OF ZONING: A1 to CG  
DATE: 10/24/2017  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by an 8" water line.

SEWER COMMENTS:

City sewer service may be available through Sonoraville Middle School property. This would require property owner to obtain needed easements and pay for sewer line extensions as needed, This property is not within 200 ft. of a public sewer line.

THE INFORMATION IN THIS REPORT WAS OBTAINED USING MAPS AND RECORDS THAT MAY NOT BE ENTIRELY ACCURATE. THIS INFORMATION CANNOT BE CONSIDERED ACCURATE UNTIL A FEILD SURVEY HAS BEEN COMPLETED.

DEPARTMENT REVIEW - STATE DEPARTMENT OF  
TRANSPORTATION

Application # 217-17 Crump A-1 to CG

Date: 10/18/17

Reviewed by: Donovan Lusker

State Department of Transportation

Comments, recommendations, or any condition of approval to serve proposed rezoning or variance with State Department of Transportation:

The site will require a permit from GDOT for access. Our office is currently working with Hibbymo Properties for an access permit.

**DEPARTMENTAL REVIEW - FIRE DEPARTMENT**

Application # 217-17 Crump AI to CG

Date: 10/20/17

Reviewed by: JOEY JORDON

**FIRE DEPARTMENT**

Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Fire Department services:

O.K.



10/20/17