

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-19 DATE OF READING 10-18-16

REZONE FROM A-1 TO C-H Highway Commercial

PROPERTY OWNER PFW Properties

LOCATION OF PROPERTY Belwood Road

DESCRIPTION OF PROPERTY

29.75 ACRES

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

- Approval

STIPULATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**VARIANCE APPLICATION #V16-13, AARON SUTHERLAND**

Chairman Rule read variance application #V16-13, Aaron Sutherland, requesting to reduce the required setback to property line from 300 feet to 10 feet for a stack house on a 29.32 acre tract located at 1657 Boone Ford Road, Calhoun. Mr. Sutherland represented the request explaining that he had been approved by the state for construction of a stack house and he has certain guidelines that must be met by the state, such as dimensions of structure and spot on his property. If he did place it at the back of the chicken houses it would require a lot more grading because of the steep hill and he would still need a variance. The adjoining property belongs to Mr. Sutherland's grandfather and is used as a cattle farm. Buford Wilson, the grandfather and adjoining property owner, stated that this was the best place for the stack house. He added that he could deed some of his property to his grandson to satisfy the setback requirements but would rather not since his cattle farm was in a trust and one day would belong to his grandson. Edward Harbin, adjoining property, owner spoke in opposition due to placement of stack house. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the variance request identified as Application #V16-13 be denied.

Butch Layson made the motion to approve the Variance Application #V16-13 to reduce the required setback from 300 feet to 10 feet for a stack house. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

**REZONING APPLICATION #Z16-19, PFW PROPERTIES, INC.**

Chairman Rule read rezoning application #Z16-19, PFW Properties, Inc., requesting to rezone a 29.75 acre tract located on Belwood Road, Calhoun from A-1 to CH. Terry Brumlow, a local attorney, represented the request explaining that his client has a pending buyer and this property is designated for future land use as Highway-Commercial. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-19 be approved.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-19 from A-1 to CH. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATION #Z16-20, PFW PROPERTIES, INC.**

Chairman Rule read rezoning application #Z16-20, PFW Properties, Inc., requesting to rezone a 20.87 acre tract located on Henderson Bend Road, Calhoun from A-1 to I-1. Terry Brumlow, a local attorney, represented the request explaining that his client would like to conform this property to the future land use map. Noel Luna, whose parents own adjoining apartments, spoke with questions to what I-1 would include and Mr. Brumlow stated in would be a warehouse. All adjoining property owners had been notified.

**Cover Sheet  
Proposal for Land Use Action**

Application Number: 216-19 Present Zoning: A-1 Proposed Zoning: C-H

Date of Planning Commission Meeting: October 10, 2016

Date of Board of Commissioners' Meeting: October 18, 2016

Applicant: PFW Properties, Inc.

Property Owner: (if different from applicant) \_\_\_\_\_

Property Address: Belwood Road, Calhoun, GA

Said Property having a frontage of 405 feet and containing 29.75 acres.

Future Development Map Classification: ~~C-H~~ Interstate Commercial

Current Zoning Map Classification: A-1, Agricultural

Proposed Action: Change zoning from current A-1 to C-H, Highway Commercial to conform to future land use map.

Reason for Proposed Action: change zoning to conform potential property use to future land use map as approved by Gordon County.

Directions to Property: From the intersection of Outlet Center Drive and State Route 53 proceed due south past the Calhoun Premium Outlets complex, property is approximately 0.9 mile on left.

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

**Date of Report:** September 23, 2016

**Application #** Z16-19

**Applicant and Property Owner:** PFW Properties, Inc.

**Location of Property:** Belwood Road, Calhoun, GA 30701

**Property Frontage:** 405 Feet                      **Tract Size:** 29.75 acres

**Proposed Action:** Rezone from A-1 (Agricultural District) to C-H (Highway Commercial).

**Reason for Proposed Action:** To change the zoning to conform to the Future Land Use Map.

**Future Development Map Classification:** Interstate Commercial

**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:*** Nothing needed from Environmental Health.
- \* ***Building Department:*** N/A
- \* ***Fire Department:*** OK
- \* ***Gordon County School System:*** N/A
- \* ***Road Department or Georgia Dept. of Transportation:*** Rezoning of property does not affect the right of way along the property. A designed entrance will be required for review and approval by the Public Works Department prior to the start of any construction.
- \* ***Water & Sewer (City of Calhoun):*** This property is served by a 6" water line. This property has a 12" sewer line running through it on the north end of the property.
- \* ***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 has the Outlet Mall to the north of it, I-75 Interstate borders it to the west and agricultural and commercial to the east.

***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 or nearby properties due to the fact that the majority of the property runs along I-75 having the adjacent agricultural property buffering toward Belwood Rd.

***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.

***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 might impede on the 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 Interstate Commercial on the Gordon County Future Development Map. This classification supports land uses intended for Commercial, Office and Warehousing/Wholesaling. The proposed zoning is consistent with the Future Development Map.

***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 established development pattern with the Gordon County Future Land Use Plan and is within close proximity to the interstate and the new development of the new South Calhoun Bypass.

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

The rezoning request identified as Application #Z16-19 is recommended for approval.

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

- Limit signs and billboards
- Encourage interparcel access to maintain traffic flow in the area
- Accommodate campus-like, mixed-use development

#### **Primary Land Uses**

- Commercial (non "big-box")
- Office
- Smaller warehousing
- Multi-family
- Mixed-use

### **5.1.20 Interstate Commercial**

Interstate Commercial accommodates uses that benefit from good vehicular access, such as close proximity to the interstate, without necessarily having to be visible from the interstate. Curtis Parkway is an example, along which can be found a pool supply store, equipment rentals, store-alls, a carpet distribution center, and a portrait studio.

#### **Development Pattern**

The development pattern should seek to:

- Depict clear physical boundaries and transitions between Interstate Commercial uses and adjacent residential uses
- Minimize curb cuts and encourage interparcel access
- Limit signs and billboards
- Encourage site design that minimizes impervious surfaces, better integrates stormwater treatment, and screens parking and loading from the right-of-way

#### **Primary Land Uses**

- Commercial
- Office
- Warehousing/wholesaling

### **5.1.21 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 is appropriate for these areas and should be 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. 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, positions 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
- Connect to nearby networks of greenspace or multi-use trails



Recorded 09/14/2006 08:50  
Doc: MD Rcr#: 253464  
TRANSFER TAX: 400.00  
TRANSFER TAX ID: 0642006002730  
Brian Brannon, C.S.C.  
GORDON County, Ga  
DEED Bk: 1353 Pg: 113

Return Recorded Document to:  
Cox Byington, P.C.  
1287 Curtis Parkway  
Post Office Box 2500  
Calhoun, Georgia 30703  
File #086G0920

STATE OF GEORGIA  
COUNTY OF GORDON

**WARRANTY DEED**

This Indenture made this 12th day of September, 2006 between BETTY F. HOLBROOK, FKA BETTY FERGUSON, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and PFW PROPERTIES, INC., as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 181 and 210 of the 15th District and 3rd Section of Gordon County, Georgia; and being 29.75 acres as per plat entitled "Survey for PFW Properties, Inc." dated 09/12/2006, prepared by Freeman and Lambert Surveyors, PC, David A. Glass, G.R.L.S #2822 and being recorded in Plat Book 46, Page 77, Gordon County, Georgia Records, which plat by reference is incorporated herein and made a part hereof.

This Deed is given subject to all easements and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, 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 the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

*[Signature]*  
Witness

*[Signature]* (Seal)  
BETTY F. HOLBROOK, FKA BETTY FERGUSON

Notary Public



N.P. SEAL AFFIXED

FILED & RECORDED 9-14-06 BRANNON, CSC





216-19



DATE: SEPTEMBER 12, 2006

SAID PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT-OF-WAYS, AND RESTRICTIVE COVENANTS OF RECORD

NOTE: EXCEPT AS SHOWN HEREON, THERE WAS NO OBSERVED EVIDENCE OF ANY UN-RECORDED EASEMENTS OR RIGHTS OF OTHERS ON THESE PREMISES. THIS PLAT DOES NOT SHOW ANY:  
 A) JURISDICTIONAL WETLANDS  
 B) CELESTRIES  
 C) ANY OTHER ENCUMBRANCE, EXCEPT AS SHOWN OR NOTED HEREON.  
 A 25' UNDISTURBED BUFFER SHALL BE MAINTAINED ALONG ANY WATERS DESIGNATED STATE WATERS, AS MEASURED FROM TOP OF BANK ON BOTH SIDES OF STREAM. AUTHORITY O.C.G.A. 12-7-8 b.(15)

UTILITIES PROTECTION CENTER, INC.

CALL FREE THROUGHOUT GEORGIA  
 1-800-282-7411  
 OUT-OF-STATE CALL CENTER (404) 325-5000  
 THREE WORKING DAYS BEFORE YOU DIG  
 IT'S THE LAW

29.75 ACRES

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 17,574 FEET AND AN ANGULAR ERROR OF 0.03" PER ANGLE POINT AND WAS ADJUSTED BY THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FT. FIELD WORK WAS DONE USING A NIKON DTM 520 TOTAL STATION AND A HP 48, 10S DATA COLLECTOR.

CALL TABLE

Course	Bearing	Distance
L1	S 67°12'26" W	45.66'
L2	S 31°03'58" W	46.17'
L3	N 17°00'25" W	41.00'
L4	N 68°45'43" W	72.04'
L5	N 71°52'23" W	39.33'
L6	S 46°21'15" W	55.74'
L7	S 20°12'58" W	31.29'
L8	S 72°50'07" W	37.23'
L9	S 72°18'11" W	26.50'
L10	S 32°47'40" W	37.31'
L11	S 51°31'04" W	41.61'
L12	S 78°05'44" W	41.42'
L13	S 72°22'30" W	41.20'

THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY SKETCH DOES NOT CONSTITUTE A GUARANTEE THAT THE TITLE TO THE PREMISES SHOWN HEREON VESTS IN THE PERSON(S) OR ENTITY NAMED HEREON.

SURVEY FOR  
**PFW**  
**PROPERTIES**

Recorded 09/14/2006 09:50  
 Doc# PLAT RCP-18 253464  
 Brian Branson, C.S.C.,  
 GORDON County, Ga.  
 PLAT Bkt 46 Pg 77



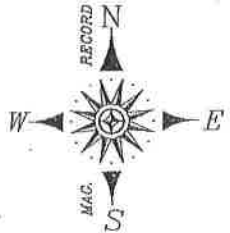
SEPT 12-06

DAVID A. GLASS, L.S. NO. 2822  
 MEMBER, AMERICAN CONGRESS ON SURVEYING AND MAPPING  
 NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS  
 SURVEYING & MAPPING SOCIETY OF GEORGIA

**FL & L** FREEMAN & LAMBERT SURVEYORS P.C.  
 LICENSED LAND SURVEYING FIRM, LICENSE #045000008  
 OFFICE ADDRESS: 304 NEW TOWN ROAD, CALHOUN, GA. 30701  
 MAILING ADDRESS: P.O. BOX 823, CALHOUN, GA. 30703

FILE NO. 08235  
 TELEPHONE: 706-629-2260  
 TELECOPIER: 706-629-0277

LOCATED IN LAND LOTS NOS. 181, & 210,  
 15TH. DISTRICT, 3RD. SECTION,  
 GORDON COUNTY, GEORGIA.



**DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH**

Application # 216-19 PFW Prop. A-1 to CH  
Date: 9/13/16  
Reviewed by: Christy Blair

**Environmental Health**


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

Nothing needed from EH.

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # 216-19 PFW Prop. A1 to CH

Date: 9/15/16

Reviewed by:  JOEY JORDAN

FIRE DEPARTMENT

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

O.K.  
*Joey Jordan*  
9/15/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # 216-19 PFW Prop. A-1 to C-H

Date: 9/13/16

Reviewed by: Barry Hice

ROAD DEPARTMENT

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

RE-ZONING OF PROPERTY DOES NOT AFFECT THE RIGHT OF WAY ALONG PROPERTY.

A DESIGNED ENTRANCE WILL BE REQUIRED FOR REVIEW AND APPROVAL BY THE PUBLIC WORKS DEPARTMENT PRIOR TO THE START OF ANY CONSTRUCTION.

BH

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-19  
APPLICATION NAME: PFW PROPERTIES  
TYPE OF ZONING: A-1 TO C-H  
DATE: 9/22/2016  
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS PROPERTY IS SERVED BY A 6" WATER LINE.

SEWER COMMENTS:

THIS PROPERTY HAS 12" SEWER LINE RUNNING THROUGH IT ON  
*The North end of property.*