

INFORMATION SHEET FOR REZONING REQUESTS

Application # 216-31 DATE OF READING 1-24-17
REZONE FROM A-1 TO I-2 heavy industrial

PROPERTY OWNER Ted King / Patrick Davis

LOCATION OF PROPERTY Union Grove & Belwood Rd

DESCRIPTION OF PROPERTY

15.28 + 34.64 ACRES

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

- Approval

STIPULATIONS:

Butch Layson made the motion to approve the variance application identified as #V16-18 with the condition that only one street is allowed the 25 feet from the ROW. Jerry Lovelace seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

REZONING APPLICATION #Z16-30, TON TRAN

Chairman Rule read rezoning application #Z16-30, Ton Tran, requesting to rezone a 1.82 acre tract located at 3274 Rome Road, Plainville from CG to A-1. Moon Tran represented the request explaining that this business had shut down in 2006 and that they would like to rezone back to agricultural and incorporate it to the 37.80 acre poultry farm. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-30 be approved.

Eddie Smith made the motion to approve the rezoning application identified as #Z16-30 from CG to A-1. Butch Layson seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

REZONING APPLICATION #Z16-31, TED KING

(Applicant: Patrick Davis)

Chairman Rule read rezoning application #Z16-31, Ted King (applicant: Patrick Davis), requesting to rezone a 15.28 acre tract and a 34.64 acre tract located on Union Grove Road and Belwood Road, Calhoun from A-1 to I-2. Mr. Davis, with 3D Development, LLC, represented the request explaining the need to rezone these 2 parcels to maximize the usable area of the property for development, to accommodate the development of a proposed travel stop, and to match the existing trend of adjacent property zonings to industrial. He also added that access to the travel plaza would be from Belwood Road. All adjoining property owners had been notified.

Ursula Desrosier, Zoning Administrator for Gordon County, recommended that the rezoning request identified as Application #Z16-31 be approved with an amendment to the Future Land Use map.

Jerry Lovelace made the motion to approve the rezoning application identified as #Z16-31 from A-1 to I-2 and an amendment is made to the Future Land Use Map. Nathan Serritt seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**Cover Sheet
Proposal for Land Use Action**

Application Number: 216-31 Present Zoning: Ag Proposed Zoning: I-2

Date of Planning Commission Meeting: January 9th, 2017

Date of Board of Commissioners' Meeting: January 24, 2017

Applicant: Patrick Davis, President and managing member 3D Development, LLC

Property Owner: *(if different from applicant)* Ted King

Property Address: Northern side of Union Grove & Belwood Road east and west parcels

Said Property having a frontage of see plat ** feet and containing 15.28+34.64 acres.

Future Development Map Classification: Emerging Suburban

Current Zoning Map Classification: Agricultural

Proposed Action: _____

Requesting the rezoning of these two parcels from Ag to I-2

Reason for Proposed Action: _____

This request for rezoning is to maximize the usable area of the property for development, to accommodate the development of a proposed travel stop, and to match the existing trend of adjacent property zonings to industrial.

Directions to Property: _____

Take Interstate 75, exit onto Union Grove Road east, turn left onto Belwood Road. The subject properties are on both sides of the road.

** Rezoning Plat shows road ROW meets and bounds frontages for each parcel and the frontages are approximated as follows:
Tract 1 - 1645'+/- Old Belwood Road, 760'+/- Union Grove Road, 1263'+/- Bellwood Road.
Tract 2 - 558'+/- Union Grove Road, 1874'+/- Bellwood Road

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: December 21, 2016

Application # Z16-31

Applicant and Property Owner: Ted King (owner), Patrick Davis 3-d Development (applicant)

Location of Property: Union Grove @ Belwood Road, Calhoun GA 30701

Property Frontage: see plat (corner lot) Feet **Tract Size:** 15.28 & 34.64 acres

Proposed Action: Rezone from A-1 (Agricultural District) to I-2 (Heavy Industrial).

Reason for Proposed Action: This request for rezoning is to maximize the usable area of the property for development of a proposed travel stop and to match the existing trend of adjacent property zonings to industrial.

Future Development Map Classification: Emerging Suburban

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 w/the rezoning from Environmental Health.
- * ***Building Department:*** N/A
- * ***Fire Department:*** OK
- * ***Gordon County School System:*** N/A
- * ***Road Department*** Driveway entrance permit must be obtained from the Gordon County Public Works Department.
Georgia Dept. of Transportation: No commercial/business signs shall be installed on GDOT right of way. Portion of Union Grove Road is proposed State Route 53 and is now temporary State Route 1208 and has Limited Access R/W. No driveway permit will be issued for this section of roadway. All access must be from the County Road.
- * ***Water & Sewer (City of Calhoun):*** This property is served by an 12" water line running along Union Grove Road and a 6" line running along the Old Belwood Road on the west side of this property. No city sewer in this area.
- * ***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 Pubic 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 some agricultural property but primarily Light Industrial and Commercial and is in close proximity to Interstate 75. It also borders the new South Calhoun Bypass which has currently started to be developed.

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.

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 may generate additional vehicular traffic and may impede 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 Suburban on the Gordon County Future Development Map. This classification supports land uses intended for single-family residential, passive and active recreation and civil/institutional. The proposed zoning is inconsistent with the Future Development Map but not the surrounding development pattern.

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 surrounding properties and is adjacent to Interstate Commercial on the Future Land Use Map. With the new development of the new South Calhoun Bypass this area is suitable to be amended.

Planning Staff's Recommendation:

The rezoning request identified as Application #Z16-31 is recommended for approval and the Future Land Use Map be amended.

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

6. Rural/Agricultural Reserve (con't.)

Development Pattern (con't).

- Reduce impervious cover
- Utilize natural features for stormwater management
- Accommodate low-intensity uses

Primary Land Uses

- Agricultural
- Low-intensity single-family residential
- Passive recreation

Quality Community Objectives

- Sense of Place
- Open Space Preservation
- Environmental Protection

Implementation Strategies

- Adopt a policy that discourages extension of public utilities into these areas
- Continue to follow BMPs for any land disturbance activities, including tree harvesting and utility construction
- Adopt a Conservation Subdivision Ordinance
- Adopt typical street cross-sections for these areas that identify appropriate width and configuration and that require paved roads to use drainage swales in lieu of curb and gutter
- Encourage the use of Stormwater Better Site Design Standards (part of the Georgia Stormwater Management Manual) to conserve natural areas, reduce impervious surfaces and better integrate stormwater treatment in site planning and design
- Increase buffer requirements between agricultural and non-agricultural uses
- Adopt policies that require setting aside land as part of subdivision development for a County-wide network of greenways/trails for use by non-motorized users
- Promote the use of conservation easements and conservation tax credits by landowners to help preserve viable farmland



An example of a conservation subdivision, which maximizes and protects existing green space/trees

Source: Georgia Stormwater Management Manual

7. Emerging Suburban

Suburban-type residential development (smaller-lot neighborhoods versus individual, large lots) has occurred to some extent east of Calhoun between State Highway 156 (Red Bud Road) and State Highway 53. These residential subdivisions have typically developed in a leap-frog fashion, and they lack connectivity when they do abut. Like much of the County, the homes utilize septic systems. Less dense residential development has occurred southwest of Calhoun. Together, these two areas have the potential to accommodate residential growth in the County. Development is not expected to be at the same intensity as what is encouraged in the Emerging Mixed Use – Community Node character areas, especially due to the presence of groundwater recharge areas, the lack of sewer infrastructure, and the existing development pattern that includes large-lot development. Conservation subdivisions, however, are a suitable use to help retain the open spaces and rural character that are prevalent throughout the area.

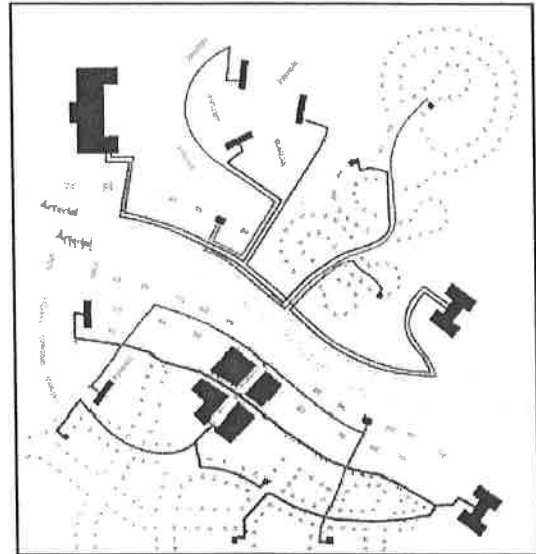


7. Emerging Suburban (con't.)

Development Pattern

The development pattern should seek to:

- Respect the rural character
- Provide adequate open space
- Provide connected system of streets within new subdivisions and connect to existing subdivisions
- Include a variety of housing choices
- Limit clearing and grading
- Provide sidewalks, street trees and decorative, pedestrian-scale lighting
- Provide safe facilities for pedestrians, schools buses, and bicyclists using the road right-of-way
- Connect to a network of greenways/trails, wherever possible
- Continue to follow the lot size requirements of the Groundwater Recharge Area Protection Ordinance
- Assure compatibility of infill development with surrounding neighborhoods
- Require residential subdivisions accessing a highway to be interconnected and to provide at least two entrances
- Allow higher density development if water/sewer infrastructure can be provided
- Encourage conservation subdivisions
- Provide active and passive recreation opportunities for area residents



The Emerging Suburban character area seeks to encourage the connectivity depicted on the bottom of the diagram and discourage conventional suburban sprawl shown in the top of the diagram.

Primary Land Uses

- Single-family residential
- Passive and active recreation
- Civic/institutional

Quality Community Objectives

- Housing Choices
- Open Space Preservation
- Transportation Alternatives
- Sense of Place

Implementation Strategies

- Adopt a Conservation Subdivision Ordinance
- Adopt a Landscape and Buffer Ordinance
- Continue to enforce the existing Groundwater Recharge Area Protection Ordinance
- Adopt a Tree Protection/Replacement Ordinance
- Adopt maximum lot coverage requirements



Recorded 04/01/2013 3:20
Doc# GCD Rec# 296163
TRANSFER TAX ID: 064000571
Grant Walraven, C.S.C.
GORDON County, Ga
GDED Bk: 1823 Pgs: 274-275

STATE OF GEORGIA
COUNTY OF GORDON

**QUITCLAIM
DEED**

A. Kel Long, III
A. KEL LONG, III, P.C.
3060 Peachtree Road
Suite 1725
Atlanta, Georgia 30305
TITLE NOT EXAMINED

THIS INDENTURE is made this 13 day of March 2013, between OOTHCALOOGA-RPTG-GK, L.L.C., a Georgia limited liability company (herein referred to as "Grantor"), and OOTHCALOOGA-RPTG-TK, L.L.C., a Georgia limited liability company (herein collectively referred to as "Grantee").

WITNESSETH:

That Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, cash in hand paid by Grantee to Grantor, the receipt of which is hereby acknowledged by Grantor, has bargained, sold and does by these presents bargain, sell, remise, release and forever quitclaim to Grantee, its successors and assigns, all the right, title, interest, claim or demand which Grantor has or may have had in and to ALL THAT TRACT or parcel of land more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Property").

Together with all rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

TO HAVE AND TO HOLD the property unto Grantee, its successors and assigns, so that neither Grantor nor its successors, nor any other person claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

IN WITNESS WHEREOF, Grantor has signed, sealed and delivered this quitclaim deed the day and year first above written.

OOTHCALOOGA-RPTG-GK, L.L.C.

Signed, sealed and delivered this 13 day of March 2013, in the presence of:

Witness: [Signature]
[Signature]
Notary Public (AFFIX SEAL)

By: [Signature]
VIRGINIA ALICE KING, Member/Manager



Bellwood Road/ Scoggins Farm
(Union Grove), Gordon County,
GA
D-11(a) and D-11(b)

Quitclaim Deed

EXHIBIT "A"

PARCEL ID NO: 058-060

TRACT ONE: All that tract or parcel of land lying, being and situated in Land Lots 208 and 209 in the 19th District and 3rd Section of Gordon County, Georgia, and being more particularly described as follows: BEGINNING at an iron pin set at the point where the North edge of the right of way of Union Grove Road (50 feet in width) intersects the Easterly edge of the right of way of Bellwood Road (50 feet in width); thence proceed along and with the Easterly edge of the Bellwood Road right of way North 22 degrees 05 minutes 52 seconds East 132.57 feet; thence North 25 degrees 38 seconds 46 minutes East 471.62 feet; thence continue along said right of way the following seven (7) bearings and distances: North 27 degrees 08 minutes 06 seconds East 101.47 feet; thence North 31 degrees 09 minutes 46 seconds East 90.82 feet; thence North 32 degrees 31 minutes 04 seconds East 98.42 feet; thence North 33 degrees 17 minutes 52 seconds East 666.09 feet; thence North 32 degrees 46 minutes 24 seconds East 120.52 feet; thence North 30 degrees 45 minutes 23 seconds East 101.85 feet; thence North 25 degrees 36 minutes 21 seconds East 71.37 feet; thence leaving said right of way proceed North 81 degrees 49 minutes 57 seconds East 49.10 feet; thence North 75 degrees 30 minutes 30 seconds East 88.36 feet; thence North 69 degrees 09 minutes 54 seconds East 67.23 feet; thence North 67 degrees 41 minutes 20 seconds East 79.59 feet; thence North 72 degrees 42 minutes 34 seconds East 46.46 feet; thence South 07 degrees 26 minutes 02 seconds East 71.92 feet; thence North 87 degrees 36 minutes 09 seconds East 75.71 feet; thence North 05 degrees 29 minutes 49 seconds East 103.78 feet; thence South 07 degrees 26 minutes 02 seconds East 28.72 feet; thence South 72 degrees 42 minutes 34 seconds West 50.81 feet; thence South 67 degrees 41 minutes 20 seconds West 80.61 feet; thence South 69 degrees 09 minutes 54 seconds West 65.92 feet; thence South 75 degrees 30 minutes 30 seconds West 85.15 feet; thence South 81 degrees 49 minutes 57 seconds West 34.82 feet to the Easterly edge of the Bellwood Road right of way (said fifteen (15) preceding bearings and distances constitute the driveway and cemetery area of the Morrow Cemetery); thence proceed along and with the Easterly right of way of Bellwood Road North 20 degrees 17 minutes 01 second East 110.58 feet; thence North 13 degrees 23 minutes 14 seconds East 102.57 feet; thence North 07 degrees 32 minutes 02 seconds East 104.35 feet; thence North 03 degrees 55 minutes 03 seconds East 74.27 feet to an iron pin set; thence leaving said right of way proceed South 81 degrees 04 minutes 23 seconds East 349.51 feet to an iron pin found; thence North 89 degrees 55 minutes 04 seconds East 290.63 feet to an iron pin found; thence South 89 degrees 16 minutes 54 seconds East 267.74 feet to an iron pin found; thence South 89 degrees 16 minutes 54 seconds East 29.02 feet to an iron pin set; thence South 02 degrees 45 minutes 59 seconds West 2047.32 feet to an iron pin set; thence North 86 degrees 32 minutes 15 seconds West 180.66 feet; thence North 87 degrees 18 minutes 10 seconds West 318.87 feet; thence North 87 degrees 28 minutes 04 seconds West 597.33 feet; thence North 86 degrees 51 minutes 25 seconds West 106.98 feet; thence North 87 degrees 15 minutes 48 seconds West 308.43 feet; thence North 87 degrees 43 minutes 56 seconds West 198.30 feet; thence North 85 degrees 36 minutes 54 seconds West 130.82 feet to an iron pin and the POINT OF BEGINNING.

Said lands conveyed being and consisting of 63.182 acres together with any land in said Land Lot 209 lying East of the Johnson Lake Road and South of the Union Grove Road all being the lands conveyed to J. E. Scoggins by deed from G. A. Hall recorded December 11, 1947 in Deed Book 22 Page 54, Deed Records of Gordon County, Georgia.

ALSO:

PARCEL ID NO.: 059-147

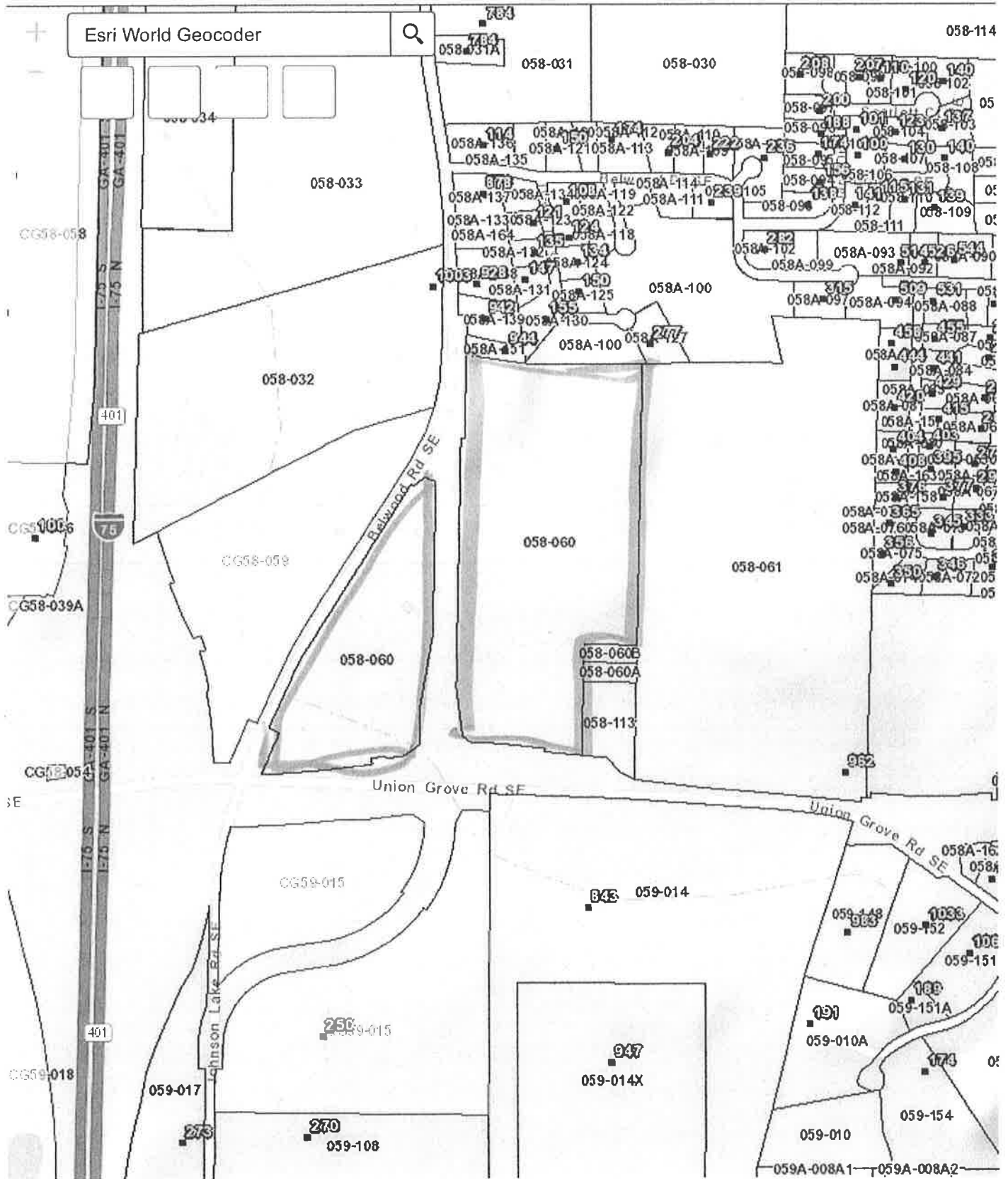
All that tract or parcel of land lying, being and situated in Land Lots 208 and 209 in the 19th District and 3rd Section of Gordon County, Georgia, and being more particularly described as follows: BEGINNING at an iron pin set at the point where the original West line of Land Lot 209 in said District, Section and County intersects the South edge of the existing right of way of the Union Grove road (50 feet in width); thence South 86 degrees 03 minutes 35 seconds East along and with the Southerly edge of said right of way 88.31 feet to an iron pin set at the point where the South edge of the Union Grove Road right of way intersects the Westerly edge of the Johnson Lake Road right of way (50 feet in width); thence along and with the Westerly edge of the Johnson Lake Road right of way South 19 degrees 36 minutes 39 seconds West 168.92 feet to a point; thence continue with said right of way South 16 degrees 48 minutes 30 seconds West 119.83 feet to a point; thence continue with said right of way South 11 degrees 26 minutes 15 seconds West 73.07 feet to a point; thence continue with said right of way South 06 degrees 51 minutes West 92.37 feet to an iron pin set; thence leaving the right of way of Johnson Lake Road proceed North 0 degrees 56 minutes 50 seconds East 443.79 feet to an iron pin set on the South edge of the Union Grove Road right of way, the POINT OF BEGINNING.

Said lands being and consisting of 6.4508 acres.

Bellwood Road/Scoggins Farm (Union Grove), Gordon County, Georgia
O-11(a) and O-11(b)



Parcel Map



600ft

34.445-84.913 Degrees

TPN: C058 059
 STEVE MOORE, BRUCE MOORE & LYNN SHARP
 DEED BOOK 963, PAGES 48
 PROPERTY IN CITY OF CALHOUN

OLD BELWOOD ROAD

BELWOOD ROAD

UNION GROVE ROAD

**TRACT 1
 ±15.28 ACRES**
 TPN: 058 060
 OOTHICALOOGA RPTG-TK, LLC
 DEED BOOK 1823, PAGES 274+
 DEED BOOK 1721, PAGES 41+
 CURRENT ZONING: A-1
 REQUESTED ZONING: I-2

**TRACT 2
 ±34.64 ACRES**
 TPN: 058 060
 OOTHICALOOGA RPTG-TK, LLC
 DEED BOOK 1823, PAGES 274+
 DEED BOOK 1721, PAGES 41+
 CURRENT ZONING: A-1
 REQUESTED ZONING: I-2

TRACT 2
 *** CALL TABLE ***

Course	Bearing	Distance
RW12	S88°18'35"E	20.00'
RW13	N01°44'25"E	38.17'
L1	N69°09'64"E	81.68'
L2	N67°41'20"E	75.89'
L3	N72°42'34"E	46.46'
L4	S07°28'02"E	71.92'
L5	N87°38'09"E	75.71'
L6	N05°29'49"E	103.78'
L7	S81°15'12"W	98.65'
L8	S72°42'34"W	50.81'
L9	S67°41'20"W	80.61'
L10	S69°09'54"W	53.12'

TRACT 2
 *** CALL TABLE ***

Course	Bearing	Distance
RW1	S85°20'45"W	92.63'
RW2	S82°54'15"W	88.11'
RW3	N07°05'45"W	10.00'
RW4	S82°54'15"W	68.00'
RW5	S87°05'45"E	30.00'
RW6	S80°54'15"W	78.30'
RW7	R = 5105.00' Chd: S86°28'06" W	A = 456.56' 456.81'
RW8	N35°29'35"E	33.93'
RW9	S57°47'23"E	14.30'
RW10	N53°51'34"E	71.51'
RW11	S60°46'44"E	54.99'

TPN: 058 060B
 TPN: 058 080A
 ZONED: I-1
 TPN: 058 113
 TRANSACTIONS, LLC
 DEED BOOK 1823, PAGES 89
 DEED BOOK 1721, PAGES 37+
 DEED BOOK 50, PAGE 142
 DEED BOOK 50, PAGE 165



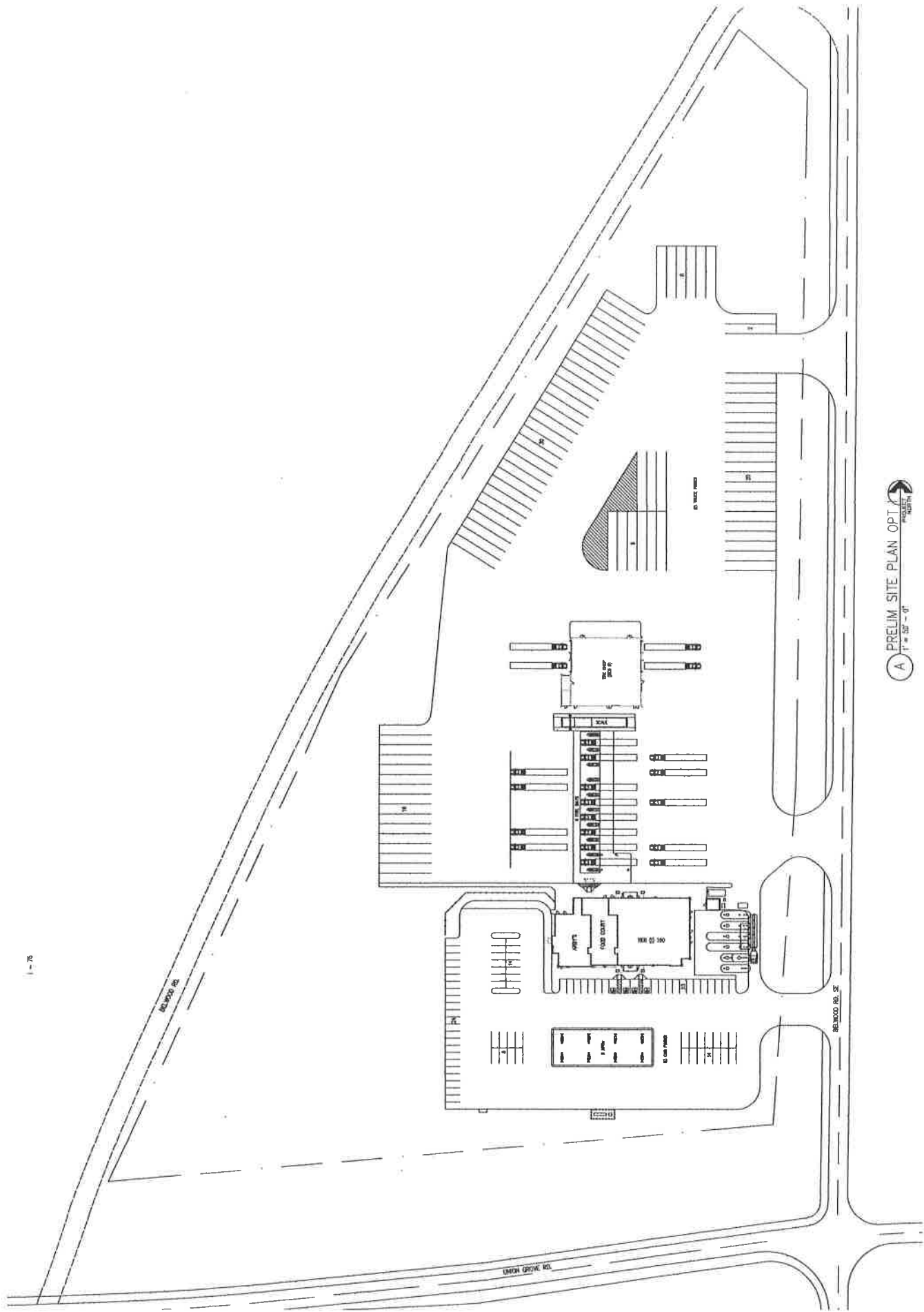
MASSEY SURVEYING INCORPORATED
 P.O. Box 2821
 Calhoun, Georgia 30703
 Phone: 706-629-0045
 LSP001004 email: gnm@masseysurveying@gmail.com
 PROFESSIONAL LAND SURVEYING SERVICES



**REZONING DRAWING FOR:
 3D DEVELOPMENT, LLC**
 LOCATED IN LAND LOT 209
 15th DISTRICT, 3rd SECTION
 GORDON COUNTY, GEORGIA
 DECEMBER 12, 2016

216-31

SP-1



A PRELIM SITE PLAN OPT
 1" = 30' - 0"

PS

DEPARTMENT REVIEW - ENVIRONMENTAL HEALTH

Application # Z 16-31 King A-1 to I-2

Date: 12/12/16

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/ the rezoning from EH.

I hope this will be on city sewer ???

DEPARTMENTAL REVIEW - FIRE DEPARTMENT

Application # Z16-31 King A-1 to I-2

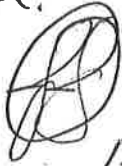
Date: 12/12/16

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.



12/15/16

DEPARTMENTAL REVIEW - ROAD DEPARTMENT

Application # Z16-31 King A-1 to I-2

Date: 12/12/16

Reviewed by: Blake Nicholson - Public Works

ROAD DEPARTMENT

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

Driveway Entrance Permit must be obtained from the Gordon County Public Works Department.

DEPARTMENT REVIEW – STATE DEPARTMENT OF
TRANSPORTATION

Application # Z16-31 King A-1 to I-2

Date: 12/12/16

Reviewed by: Stan McCarley

State Department of Transportation

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

No commercial/business signs shall be installed on GDOT right of way.

Portion of Union Groove Road is proposed State Route 53 and is now temporary State Route 1208 and has Limited Access R/W. No driveway permit will be issued for this section of roadway. All access must be from the County Road.

CITY OF CALHOUN

WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z16-31
APPLICATION NAME TED KING
TYPE OF ZONING: AG TO I-2
DATE: 12/13/2016
REVIEWED BY: MARK WILLIAMSON

WATER COMMENTS:

THIS AREA IS SERVED BY A 12" WATER LINE RUNNING ALONG UNION GROVE ROAD AND A 6" LINE RUNNING ALONG THE OLD BELWOOD ROAD ON THE WEST SIDE OF THIS PROPERTY.

SEWER COMMENTS:

NO CITY SEWER SERVICE IN THIS AREA.

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.