

INFORMATION SHEET FOR REZONING REQUESTS

Application # Z 20 - 15 DATE OF READING 8-18-20

REZONE FROM A-1 TO I-2

APPLICANT DWR, LLC

OWNER CO-ONAUULA FARMS, LLC P

LOCATION OF PROPERTY Trimble Hollow Rd

Adairsville, GA

DESCRIPTION OF PROPERTY

50.8 ACRES

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

1. Approval

STIPULATIONS:

REZONING APPLICATION #Z20-13 & #Z20-14, TERRY JOE & WHITNEY RAE-ANN RUSHING

Chairman Rule read rezoning application #Z20-13 and #Z20-14, Terry Joe and Whitney Rae-Ann Rushing, requesting to rezone a 24.40 acre tract from R-2 to A-1 and another adjoining 3 acre tract from R-2 to R-1 located on Tucker Hollow Road, Calhoun. Mr. Rushing represented the request explaining that the 24.40 acres adjoins his current property on Allen Loop and he would like to rezone this back to agricultural and put cattle on the property, and on the 3 acre tract he would like to be able to subdivide into 4 lots for future home sites. He added that his parents are going to build on one of the lots, but there are not any future plans for the other 3 lots. All adjoining property owners had been notified.

On rezoning application #Z20-13, Jerry Lovelace made the motion to approve the rezoning request from R-2 to A-1 for a 24.40 acre tract. Eddie Smith seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

On rezoning application #Z20-14, Nathan Serritt made the motion to approve the rezoning request from R-2 to R-1 for a 3 acre tract. Jerry Lovelace seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

VARIANCE APPLICATION #V20-09 & REZONING APPLICATION #Z20-15, OWR, LLC (appl) Con-onaula Farms L.L.L.P. (owner)

Chairman Rule read variance application #V20-09 and rezoning application #Z20-15, OWR, LLC, applicant and Con-onaula Farms L.L.L.P., owner on a combined 50.80 acre tract located at Trimble Hollow Road, Adairsville. Terry Brumlow, a local attorney, represented the request stating that the variance request is to reduce the buffer strip from 250 feet as follows: Tract 1, 20 feet on the North and East, 0 feet on the West, and 70 feet on the South. On Tract 2, 20 feet on the North, East, and West, 70 feet on the South. The existing buffer standard would cause a hardship as all adjoining properties lying North and West has been rezoned to I-2 and this is what this property is designated to be on the Future Land Use Map. The adjoining homeowners to the South were in agreement with the 70 feet for a buffer strip. Also the rezoning request is to rezone this property from A-1 to I-2. Governor Kemp has announced that CFL Flooring Solutions will be constructing a manufacturing and distribution center at this site that will create 300 jobs in Gordon County. All adjoining property owners had been notified.

On variance application #V20-09, Eddie Smith made the motion to approve the variance as requested to reduce the county buffer requirements from 250 feet as follows: Tract 1, 20 feet on the North and East, 0 feet on the West, and 70 feet on the South. On Tract 2, 20 feet on the North, East, and West, 70 feet on the South. Nathan Serritt seconded the motion. All voted aye. The variance was granted. The thirty-(30) day appeal period was explained.

On rezoning application #Z20-15, Jerry Lovelace made the motion to approve the rezoning request from A-1 to I-2. Eddie Smith 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: 220-15 Present Zoning: A-1 Proposed Zoning: I-2

Date of Planning Commission Meeting: August 10, 2020

Date of Board of Commissioners' Meeting: August 18, 2020

Applicant: OWR, LLC

Property Owner: (if different from applicant) Con-oncuk Farms, LLC

Property Address: Trimble Hollow Road, Adairsville, GA

Said Property having a frontage of Tr. 1: 183 feet feet and containing Tr. 1: 9.2 Tr. 2: 41.6 acres. 50.8

Future Development Map Classification: Industrial

Current Zoning Map Classification: A-1

Proposed Action: Rezone property to build industrial buildings for major development for local industry.

Reason for Proposed Action: Rezone property to build industrial buildings for major development for local industry.

Directions to Property: Proceed south on US Hwy 41 towards Adairsville, turn left on Trimble Hollow Road, property is situated north of Trimble Hollow Road and begins 1000 feet east of intersection of Trimble Hollow Road and US Hwy 41.

**Planning Staff Report
To the
Gordon County Planning Commission

Rezoning Proposal**

Date of Report: July 27, 2020

Application # Z20-15

Applicant/Property Owner: OWR, LLC (appl) Con-naula Farms LLLP (owner)

Location of Property: Trimble Hollow Rd., Adairsville, GA 30103

Property Frontage: 1485+/- Feet Tract Size: 50.80 Acres

Proposed Action: Rezone from A-1, Agricultural District to I-2, Heavy Industrial

Reasons for Proposed Action: Four adjacent parcels have been rezoned to I-2 over the past several years. The Future Development Plan of Gordon County has called for the area to be Industrial. We are rezoning to build industrial buildings for major developments for local industry.

Future Development Map Classification: Industrial

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 for EH. I'm sure all properties will be on city sewage?
- * *Building Inspection Department:* N/A
- * *Fire Department:* OK with Fire Department.
- * *Gordon County School System:* N/A
- * *Public Works Department:* Any crossing of county ROW for driveways/culverts will require a permit and approval from the Public Works Department.
- * *Georgia Dept. of Transportation:* No Comments.
- * *Water & Sewer (City of Calhoun):* This area is served by a 4" water line. No City sewer service currently to this 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.

The proposed zoning has Heavy Industrial zoning to the north and west of it and is in close proximity to the LG Chem Plant. The property is suitable for accommodating new industry with the rail service along the western edge, I-75 on the eastern boundary and the nearby Tom B. David Airport.

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

The proposed zoning will not adversely affect the existing use of usability of adjacent or 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/or 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 Industrial on the Gordon County Future Development Map. This classification supports land uses intended for Industrial (light and heavy), commercial of various intensities, civic uses and other vehicle driven uses.

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 important to the economic health of the County with attracting new industry also, within proximity to residential growth areas which is compliance with our Future Development Map, to provide opportunities for workforce housing.

Planning Staff's Recommendation

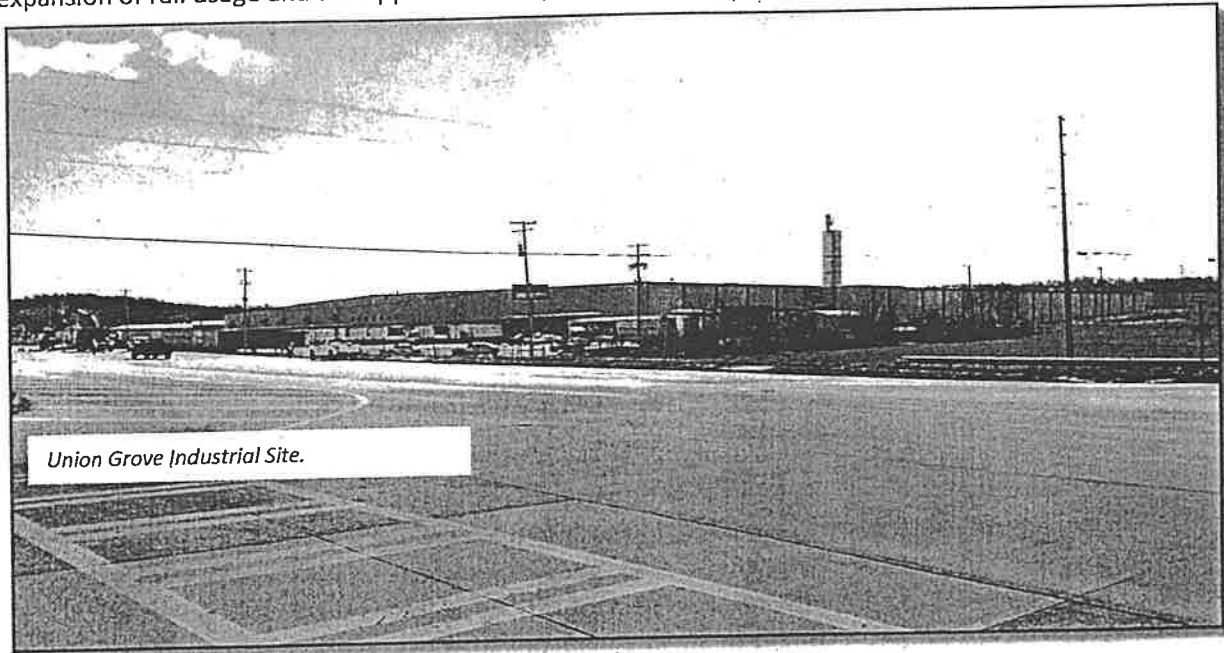
The Rezoning Application #Z20-15 is recommended for approval.

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

INDUSTRIAL

Description:

Gordon County has a significant amount of industrial/advanced manufacturing employers and that number is expected to rise in the future. Current development exists along Hwy 41 primarily south of Calhoun, with smaller developments appearing on the northern side of Calhoun and throughout the County. Attractors include access to Interstate 75, as well as Hwy 41, and to CSX and Norfolk Southern rail lines. Additional industrial and commercial development is anticipated along US 411 due to the expansion of rail usage and the Appalachian Regional Port in Murray County.



Development Strategies/Policies:

- ❖ Infrastructure: The County should continue infrastructure upgrades to allow for future growth, providing access to water, sewer, electricity, gas, fiber optic, interstates/highways, rail access.
- ❖ Property identification/acquisition: Identify sites for acquisition and development.
- ❖ Marketing/recruitment: The Chamber of Commerce and Development Authority are skilled and experienced at marketing these properties and preparing incentive packages for the recruitment of interested parties.
- ❖ Zoning/design guidelines: Industrial/advanced manufacturing developments can create noise, light, odors or traffic impacts. Zoning and development guidelines can be created to mitigate these issues through requiring buffers, stormwater controls and other measures.
- ❖ Recreation: Incoming industries can sometimes be convinced to develop trails across their large properties as part of marketing campaigns or employee wellness programs.
- ❖ Food/gas: Nearby dining opportunities and convenience stores should be allowed for the purpose of serving employees of these industries during their breaks.

Land Uses: Industrial (light and heavy), commercial of various intensities, civic uses and other vehicle-driven uses.

Recorded 11/12/2009 2:35
Doc: QCD RCP# 276854
TRANSFER TAX ID: 064001598
Brian Brannon, C.S.G.
GORDON County, Ga
DEED Bk: 1623 Pgs: 92-93

STATE OF GEORGIA

COUNTY OF Gordon

QUITCLAIM DEED

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

THIS INDENTURE is made this 22nd day of August, 2009, between GUS G. MOORE (herein referred to as "Grantor"), and CON-ONAULA FARMS, L.L.L.P., a Georgia limited liability limited partnership (herein 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 lying and being in Gordon County, Georgia, more particularly described as follows (the "Property").

ALL that tract or parcel of land lying and being in Land Lots 174 and 175, in the 15th District and 3rd Section of Gordon County, Georgia, being more particularly described as follows:

BEGINNING at the northeast corner of said Land Lot No. 174; running thence South 1° 25' West, along the eastern boundary line of said Land Lot No. 174, a distance of

2177 feet, to the point where the northern side of the Owen Road intersects the said eastern boundary line; running thence South 37° 35' West, along the north side of said Owen Road 150 feet; running thence South 74° 55' West, along the north side of the Owen Road 1145 feet; running thence South 89° 58' West, along the north side of the Owen Road 979 feet to the east side of U.S. Highway No. 41, also known as Georgia Highway No. 3; running thence North 9° 35' West, along the east side of said Highway No. 41, a distance of 1744 feet; running thence North 0° 35' East, along the east side of said Highway No. 41, a distance of 1148 feet; running thence North 6° 35' East along the east side of said Highway No. 41, a distance of 1262 feet; running thence South 76° 10' East 1200 feet; running thence South 19° 10' East 1265 feet; running thence South 88° 25' East 770 feet to the point of beginning.

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.

Signed, sealed and delivered
this 2nd day of August,
2009, in the presence of:

GRANTOR:

[Signature]
Witness

[Signature] (SEAL)
GUS G. MOORE

[Signature]
Notary Public (AFFIX SEAL)

My commission expires:



My Commission Expires:
July 2, 2010.

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # V20-09 220-15 OWR, LLC Variance
A-1 to I-2

Date: 7/27/2020

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

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

Nothing needed from EH.
I'm sure all properties will be on city sewer?

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # 120-09
220-15 OWR, LLC A-1 to I-2 variance

Date: 20JUL2020

Reviewed by: G. Hasty / R. Chance

FIRE DEPARTMENT

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

OK with Fire Department

Greg Hasty

DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT

Application # V20-09 220-15 OWR, LLC Variance A-1 to I-2

Date: 7-15-2020

Reviewed by: Steve Parris

PUBLIC WORKS DEPARTMENT

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

Any crossing of County ROW for driveways / culverts will require a permit and approval from the Public Works Department.

Steve

CITY OF CALHOUN
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z20-15
APPLICATION NAME OWR, LLC
TYPE OF ZONING: A-1 to I-2
DATE: 7/22/2020
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This property is served by a 4" water line.

SEWER COMMENTS:

No City sewer service currently to this property.

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.