

Agenda

Spalding County Planning Commission

June 30, 2020

7:00 PM

Room 108, Spalding County Courthouse Annex

A. Call to Order

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Planning Commission. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. **Application #20-06Z:** Marksmen Real Estate, LLC, Owner - Howard Johnson, Agent - 2342 North Expressway (1.156 acres located in Land Lot 102 of the 3rd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.
2. **S/D #08-03:** Consider approval of revised preliminary plat for The Village at Heron Bay - Cole Tract Associates, LP, Owner - mixed use with 489 units.
3. **Amendment to UDO #A-20-06:** Article 23. Official Zoning Map - Section 2302:E - semi-annual adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

C. Approval of Minutes:

4. Consider approval of May 26, 2020 minutes.

D. Other Business:

E. Adjournment



SPALDING COUNTY PLANNING COMMISSION

Application #20-06Z

Requesting Agency

Office of Community Development

Requested Action

Application #20-06Z: Marksmen Real Estate, LLC, Owner - Howard Johnson, Agent - 2342 North Expressway (1.156 acres located in Land Lot 102 of the 3rd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Requirement for Board Action

Article 4. General Procedures - Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested to rezone approximately 1.56 acres from C-1 to C-1B. The property is developed with an existing building that has been used legally nonconforming (grandfathered) for various commercial uses for many years. The last commercial business license lapsed for a period that extended beyond 12 months and the grandfathering lapsed.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL.

ATTACHMENTS:

Description	Upload Date	Type
❏ Application #20-06Z	6/24/2020	Backup Material



REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 20-062

AGENT/DEVELOPER INFORMATION
(If not owner)

Name: HOWARD JOHNSON

Address: 2081 RESERVE PKWY

City: MCDONOUGH

State: GA Zip: 30253

Phone: 470-338-9489
225-573-7448

Contact Person: _____

PROPERTY OWNER INFORMATION

Name: MARKSMEN REAL ESTATE LLC

Address: 700 S. RIVER LANDING ROAD

City: EDGEWATER

State: MD Zip: 21037

Phone: 410 274 0995

Phone: _____

APPLICANT IS THE:

☒ Owner's Agent _____ Property Owner _____ Developer

Present Zoning District(s): C1

Requested Zoning District(s): C1B

Land District(s): 003

Land Lots(s): 102

Acreage: 1.56

Address of Property: 2342 NORTH EXPRESSWAY, GRIFFIN GA 30224

Proposed Development: AUTO REPAIR SHOP AND CAR STORAGE

OTHER REQUIRED INFORMATION**Checklist**

- ☒ Attach 1 copy of plat prepared by a registered land surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.
- ☒ Please attach a statement describing the proposed development.
- ☒ Please attach a deed, certified by the Clerk of Court, of the property proposed for rezoning.
- ☒ Please attach a copy of metes and bound description of the property for rezoning.
- ☐ Please attach 1 copy (24 x 36) and 1 copy (11 x 17) of the conceptual site plan, if applicable (see Page 7).
- ☐ If proposed property is within the S-2 Sensitive Land-Watershed Protection District, please submit a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property.
-

1 Is the property recorded as one (1) or multiple parcel(s)?

OFFICE USE ONLY

Date Received: 5-5-20

Amount of Fee: \$750⁰⁰

Received By: C. Tillman / C. McDaniel

Receipt Number: 043822

REZONING APPLICANT'S RESPONSE

Pursuant to Section 414 of the Zoning Ordinances, The Board of Commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether a proposed rezoning (or special use permit) will permit a use that is suitable in view of the use and zoning of adjacent and nearby property: PREVIOUS BUSINESS WAS AN AUTO REPAIR SHOP / CAR STORAGE AND WE INTEND TO DO LIKEWISE WITHIN THE BOUNDARIES OF THE ZONING PERMIT

(B) Whether the property is suitable for the proposed use: YES

(C) What is the length of time the property has been vacant?: 15 MONTHS

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?: NO THREAT TO THE COMMUNITY AS IT MET THE ZONING DEMANDS

(E) Whether and to what extent is the subject property value diminished under the present zoning?: UNDER PRESENT ZONING THE PROPERTY HAS BEEN VACANT FOR 15 MONTHS AND EXPECTED TO REMAIN SO CONSIDERING THE ECONOMIC CRISIS. ALSO RETROFIT EXPENSES WOULD BE PROHIBITIVE

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: HARDSHIP IS CURRENTLY \$3,000 PER MONTH. UNDER CURRENT ZONING TO CONVERT TO RETAIL WOULD BE PROHIBITIVELY EXPENSIVE WITH NO GUARANTEE OF RENTING. AT THE MOMENT SIGNS OF DRUG USE ON THE PREMISES IS APPARENT, THEREFORE FURTHER RISK OF CONTINUED VACANCY.
Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 5-5-20 Received By: C. Tillman / C. McDaniel

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certifies that the agent, if different from the owner, is authorized to file this application.

Fredman C. Currell
Print Name of Owner(s)

HOWARD JOHNSON
Print Name of Agent, If Not Same as Owner

[Signature] 5/4/2020
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

[Signature]
Signature of Agent

[Signature]
Signature of Notary Public

5/4/2020
Date

---Notary Seal---



Thomas M. Drake
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG151937
Expires 10/16/2021

OFFICE USE ONLY

Date Received: 5-5-20

Received By: C. Tillman / C. McDaniel

CONFLICT OF INTEREST CERTIFICATION FOR REZONING**A. APPLICANT'S DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

No (Yes/No)

If the answer is Yes, please complete the following section:

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

B. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS OF APPLICANT'S ATTORNEY OR REPRESENTATIVE

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?


No (Yes/No)

If the answer is Yes, please complete the following section:

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

	05/04/2020	HOWARD JOHNSON AGGT.
Signature of Applicant	Date	Type or Print Name and Title

Signature of Applicant's Attorney Or Representative	Date	Type or Print Name and Title
--	------	------------------------------

OFFICE USE ONLYDate Received 5-5-20Case # 20-062 Accepted By C. Tilman / C. McDaniel

SITE PLAN REQUIREMENTS FOR ZONING

Section 416: Site Plan Requirements for Rezoning. Any Applicant seeking rezoning of property to the following zoning districts of Spalding County, Georgia, C-1, C-1A, C-1B, C-1C, C-2, C-3, PDD, PRRRD, and O-I or seeking rezoning for any property subject to the requirements of the Spalding County Subdivision Ordinance, Zoning Ordinance of Spalding County, Appendix A for residential development within the following zoning districts of Spalding County, Georgia, AR-1, AR-2, R-1, R-2, R-2A, R-3, R-4, R-5 and R-6 shall submit a conceptual site plan depicting the proposed use of the property including: (#A-03-28, 10/06/03)

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals (USGS Quad Sheets may be used);
- K. Location and elevation of the 100-year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 300.00

Variance: \$ 300.00

Special Exception: \$ 500.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications: (#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

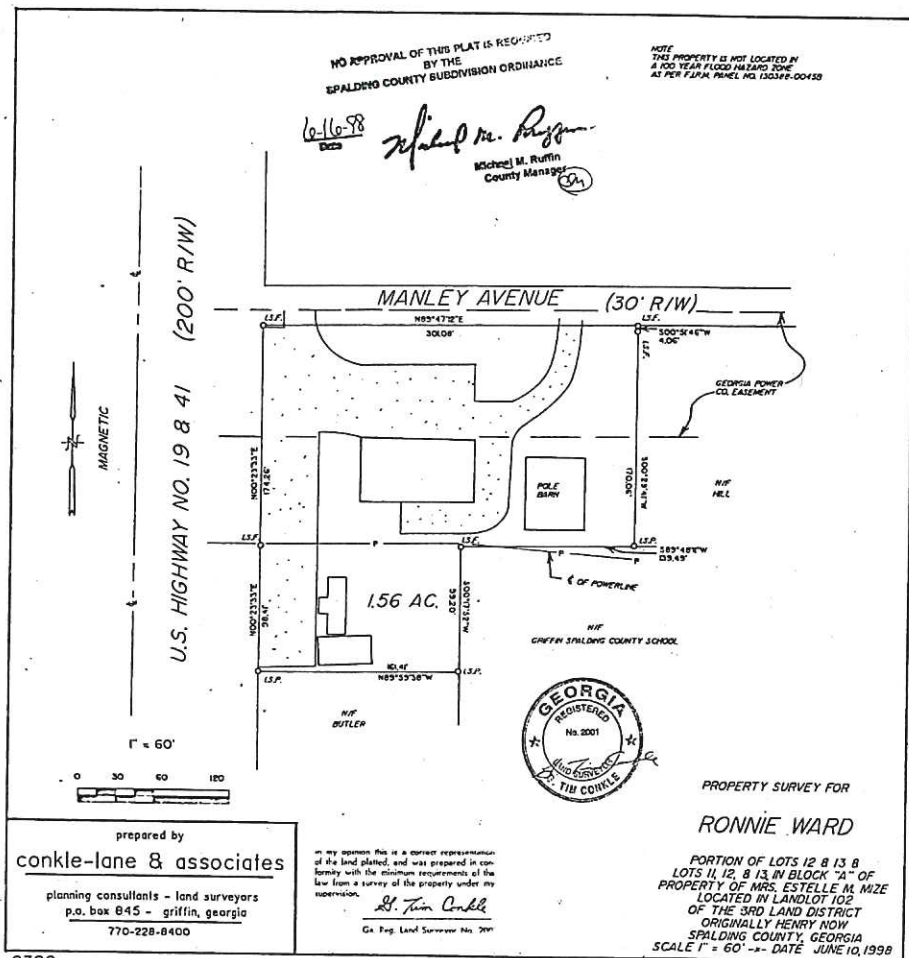
A. Parcel 1 - \$750.00

B. Parcel 2-5 - \$150.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$100.00 each, in addition to the fees stated in A and B.

600 300 23 3000

Property of Ronnie Ward



8399

Recorded June 16, 1998

Myrtle F. Peoples, Clerk

23/9

PROPOSED DEVELOPMENT.

IT IS OUR IMMEDIATE INTENTION TO OPERATE AN AUTO SERVICE REPAIR SHOP, WHICH ENTAILS ENGINE AND TRANSMISSION REPAIRS, MECHANICAL ELECTRICAL & ELECTRIC SERVICES.

PARKING FOR CUSTOMER CARS INCLUDING OVERNIGHT IF NECESSARY

WE INTEND AT THE EARLIEST CONVENIENCE TO HAVE CARS ON DISPLAY THAT HIGHLIGHTS OUR CAPABILITIES AS A BUSINESS INCLUDING VEHICLES FOR SALE

Signed HOWARD JOHNSON



05/04/2020

BOOK 4433 PAGE 22

Please return to:
Lawson & Beck, LLC
1125 Commerce Drive, Suite 300
Peachtree City, GA 30269
File # 19-LAW-1238

Real Estate Transfer Tax
Paid \$ 353.00
Date 7-8-19
PT - 61 126 - 2019-1817

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.
2019 JUL -8 A 9:40

STATE OF GEORGIA
COUNTY OF FAYETTE

Debbie L. Brooks
Clerk of Superior Court

BY WE
DEBBIE L. BROOKS, CLERK

LIMITED WARRANTY DEED

THIS INDENTURE made this 2nd day of July, 2019 between **Ronnie Ward Properties of Griffin L.L.C.**
as party or parties of the first part, hereinafter called Grantor, and **Marksmen Real Estate LLC**
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 DOLLARS and other good and valuable
consideration (\$10.00) 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, the following described property:

All that tract or parcel of land situate, lying and being in Land Lot 102 of the Third Land District of originally Henry, now
Spalding County, Georgia, being shown on Property Survey for Ronnie Ward, dated June 10, 1998, prepared by Conkle-Lane
& Associates, Registered Land Surveyor, a copy of which said plat of survey is recorded in Plat Book 23, Page 9, in the
Office of the Clerk of Superior Court of Spalding County, Georgia, and by reference, said plat of survey, together with the
metes, bounds, course and distances as shown thereon, is incorporated herein and made a part of this description.

Located on the above described property is a building known as 2352 North Expressway, Griffin, Georgia.

The above property is conveyed subject to easement(s) in favor of Central Georgia Electric Membership Corporation, and
easement in favor of Georgia Power Company, which traverse the above described property:

Subject to restrictive covenants and easements of record.

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 claiming by through or under Grantor.

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

Signed, Sealed and delivered in the presence of:

Ronnie Ward Properties of Griffin L.L.C.

Asheley Embury
Unofficial Witness
Notary Public



By: R W
Ronnie Ward as sole and last remaining Member

All that tract or parcel of land lying and being in Land Lot 102 of the 3rd District, originally Henry, now Spalding County, Georgia, and being more particularly described as follows:

BEGINNING at an iron stake found at the intersection of the easterly right-of-way of US Highway 19/41 aka North Expressway (200' R/W) and the southerly right-of-way of Manley Road (30' R/W); thence along the southerly right-of-way of Manley Road North 89°47'12" East, a distance of 301.08 feet to an iron stake found; thence leaving said right-of-way South 00°51'46" West, a distance of 4.06 feet to an iron stake found; thence South 00°29'41" West, a distance of 170.06 feet to a point; thence South 89°48'11" West, a distance of 139.49 feet to an iron stake found; thence South 00°17'52" West, a distance of 99.20 feet to a point; thence North 89°59'38" West, a distance of 161.41 feet to a point on the easterly right-of-way of US Highway 19/41; thence along said right-of-way North 00°23'33" East, a distance of 98.41 feet to an iron stake found; thence continuing along said right-of-way North 00°23'33" East, a distance of 174.26 feet to a point to an iron stake found, being the POINT OF BEGINNING.

Said tract contains 1.56 acres of land.

SPALDING COUNTY PLANNING COMMISSION

DATE: June 30, 2020

TO: Spalding County Planning Commission
Spalding County Board of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #20-06Z
Total acreage: 1.56±
C-1 to C-1B

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced rezoning application.

Identification of the Property

Size and Location:

The application requests rezoning on a total of 1.56 acres, more or less, located at 2342 North Expressway in Land Lot 102 of the 3rd Land District.

Current Owner(s):

The property is owned by Marksman Real Estate, LLC by virtue of Deed recorded July 8, 2019 in Deed Book 4433, Page 22, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Howard Johnson
2081 Reserve Parkway
McDonough, GA 30253

Overview of Development:

The applicant has requested to rezone approximately 1.56 acres from C-1 to C-1B. The property is developed with an existing building that has been used legally nonconforming (grandfathered) for various commercial uses for many years. The last commercial business license lapsed for a period that extended beyond 12 months and the grandfathering lapsed.

Current Area Development

Current Zoning/Authorized Development:

The property proposed to be rezoned is currently zoned C-1, Highway Commercial. Under the current zoning the property can be used for a variety of commercial purposes, but automobile and truck sales is not a permitted use in C-1. The applicant desires to conduct an auto and truck sales business on the site.

Existing Use:

The subject property is developed as a commercial use.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2017 update," the request is consistent with the plan and associated Future Land Use Map classification of Commercial Corridor.

Schools:

As the proposal is for a Commercial Use, there will be no negative impact to the schools in the form of additional students.

Compliance with Zoning Ordinance Development Standards:

C-1B Development Standards:

Minimum Heated Floor Area for Buildings: None.

Minimum lot area:

1. Unsewered Areas: As specified by the Spalding County Health Department.

2. Sewered Areas: None

Minimum lot width: 100 feet.

Minimum frontage width: 75 feet.

Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Setbacks:

front: 70 feet

side: 15 feet

rear: 25 feet

Utilities & Infrastructure:

Transportation:

The following average trip numbers represent the average number of trip experienced by this type of development based on case studies from Trip Generation, 7th Edition from the Institute of Transportation Engineers:

Based on 4560 square feet for Automobile Care Center use:

Weekday

A.M. Peak Hour: 19 trips

P.M. Peak Hour: 20 trips

Total Weekday not available

Water:

The site is accessible to County water.
(Source: Spalding County Water Authority)

Sewerage:

The site is not accessible to sanitary sewer service provided by the City of Griffin.

Wetlands/Watershed Area:

The property is located within a 100-year flood zone area, per FIRM map 13255C 0066 E, effective date June 7, 2017.

This site is located within an S-2 watershed area.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Criteria when considering a Rezoning Application

The following items are listed in the Spalding County Zoning Ordinance (a/k/a UDO) as criteria to consider for rezoning applications:

1. The existing uses and zoning of nearby properties.
The property is surrounded primarily by residential uses, but these are zoned C-1; the nearby intersection is primarily zoned commercial and used commercially. The current tract is surrounded by C-1 zoning.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2017 update," the plan indicates that this property should be used as "Commercial Corridor". The request as proposed is consistent with the Future Land Use Map for this property.
3. The length of time the property has been vacant.
The property is currently developed with a commercial building but has been vacant for more than a year.
4. The threat to the public health, safety, and welfare, if rezoned.
There will be minimal increase in threat to public health, safety, and welfare if rezoned.
5. The extent to which the value of the property is diminished by the present zoning.
Staff cannot determine if the value of the property is diminished by the present zoning.
6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.
While the property has numerous uses if it remains C-1, there is a benefit to the public if it is in active use rather than sitting vacant. An occupied property is statistically better for a neighborhood than a vacant property.

Photo(s)



View from US Hwy. 19-41.

Staff Recommendations:

Staff recommends **APPROVAL** of the request to amend the zoning of this property for the following reasons:

- a. The request is consistent with the Spalding County Comprehensive Plan and the associated Future Land Use Map.
- b. The request is consistent with existing zoning in the area.



SPALDING COUNTY PLANNING COMMISSION S/D #08-03

Requesting Agency

Office of Community Development

Requested Action

S/D #08-03: Consider approval of revised preliminary plat for The Village at Heron Bay - Cole Tract Associates, LP, Owner - mixed use with 489 units.

Requirement for Board Action

Appendix A. Subdivision Ordinance - Section 404:F

Is this Item Goal Related?

No

Summary and Background

The applicant proposes to develop a mixed-use village on 93.8 acres consisting of 494 residential units while providing 18.2 acres of open space (19.4%). The village will also provide 186,400 square feet of non-residential uses consisting of office, commercial and civic uses.

The plat dated June 17, 2020 is revision to the multi-family portion of the project. There is no changes to the density or the number of residential units per the previously approved plat. This plat provides a redesign of the multi-family configuration:

- a) Pod JJ Single Family - no change - 24 units.
- b) Detached Cottages - no change - 90 units.
- c) Townhome units increased from 123 to 145.
- d) Apartment units decreased from 252 to 230.
- e) Residential apartments in live-work units are eliminated.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> S/D #08-03	6/24/2020	Backup Material



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PRELIMINARY PLAT (NOT TO BE RECORDED)

FOR:

HERON BAY VILLAGE

LAND LOTS 146-147
2ND DISTRICT
SPALDING COUNTY, GEORGIA

PIN: 201 01001 & 201 01002

ZONED PDD-R2 & VILLAGE NODE (VN)
SEE CONDITIONS THIS SHEET

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APPLICANT:

COLE TRACT ASSOCIATES, LP

By: MINERVA PROPERTIES, LLP its general partner

2292 HENDERSON MILL ROAD

ATLANTA, GA 30345

PHONE 678.808.8000

24HR CONTACT:
BRIAN DAVISON - 678.808.8033

PRELIMINARY PLAT CERTIFICATE:

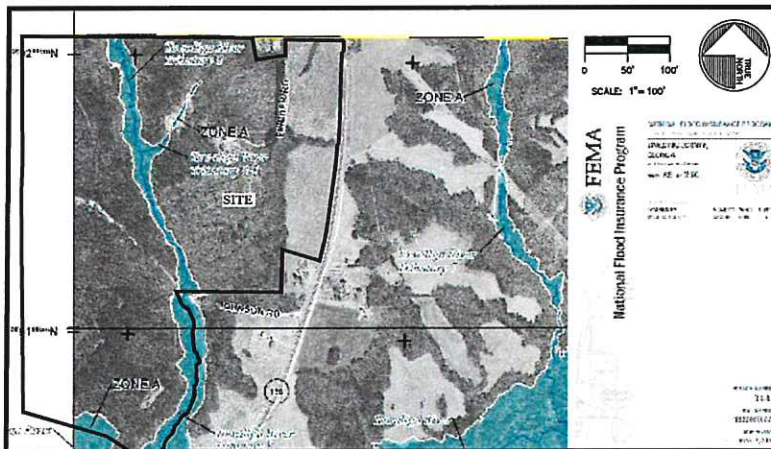
I HEREBY CERTIFY THAT THIS PRELIMINARY PLAT IS A TRUE REPRESENTATION OF THE RESULTS OF AN ACTUAL SURVEY BY ME, OR UNDER MY SUPERVISION, CONFORMING TO THE NORMAL STANDARDS OF CARE OF PROFESSIONAL SURVEYORS PRACTICING IN THE STATE OF GEORGIA AND THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED 'FUTURE' AND THAT SURVEYING REQUIREMENTS FOR PRELIMINARY PLATS OF THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

I HEREBY CERTIFY THAT THE ENGINEERING REQUIREMENTS FOR THIS PRELIMINARY LAT AS PRESCRIBED BY THE SUBDIVISION ORDINANCE OF SPALDING COUNTY HAVE BEEN FULFILLED.

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS APPROVED BY SPALDING COUNTY PLANNING COMMISSION ON _____

CHAIRMAN, SPALDING COUNTY PLANNING COMMISSION

DATE



VICINITY & FEMA MAP

SCALE 1"=1,000'

INDEX OF REVISIONS

06.17.2020 COUNTY COMMENTS

ORIGINAL ISSUE DATE: MAY 26, 2020

INDEX OF DRAWINGS

1	OF	4	PRELIMINARY PLAT (OVERALL PLAN)
2-3	OF	4	PRELIMINARY PLAT (VIEWS A & B)
4	OF	4	BOUNDARY SURVEY (BY GUNNIN LAND SURVEYING, INC.)

PLAN NOTES:

- BOUNDARY SURVEY INFORMATION TAKEN FROM BOUNDARY SURVEY BY GUNNIN LAND SURVEYING DATED 03.04.2020.
- THIS PRELIMINARY PLAT SHALL SERVE AS A REVISION TO THE PREVIOUSLY APPROVED PLAT. TOTAL RESIDENTIAL DENSITY HAS NOT BEEN INCREASED (REFER TO EXISTING/PROPOSED LAND USE SUMMARY & PROPOSED LAND USE SUMMARY TABLES). THE CURRENT PLAN IS SHOWN ON SHEET 1 OF THIS PLAN ALONG WITH THE PROPOSED LAYOUT.
- EXISTING ZONING: PDD-R2 (PDD J) & VILLAGE NODE (VN). SITE LIES WITHIN ZONING OVERLAY DISTRICT 'S2' - SENSITIVE LAND WATERSHED PROTECTION DIVISION.
- SUBJECT PROPERTY IS LOCATED IN LAND LOTS 146-147, 2ND DISTRICT, SPALDING COUNTY, GEORGIA.
- PRELIMINARY PLAT SITE AREA = 145 ACRES (SEE OVERALL PRELIMINARY PLAT). TOTAL OPEN SPACE PROVIDED = 75 ACRES (51.7%) INCLUDES STREAM BUFFERS/FLOODPLAIN, AMENITY AREAS & ALL COMMON AREAS (NOA OWNED).
- APPLICANT: COLE TRACT ASSOCIATES, LP BY: MINERVA PROPERTIES, LLP ITS GENERAL PARTNER 2292 HENDERSON MILL ROAD ATLANTA, GEORGIA 30345 CONTACT: MR. BRIAN DAVISON, MANAGING PARTNER 678.808.8000
- ENGINEER: CHRISTOPHER PLANNING & ENGINEERING, INC. 12460 CRABAPPLE ROAD, SUITE 202-612 ALPHARETTA, GEORGIA 30004 CONTACT: MR. SOTIR J. CHRISTOPHER 770.331.7303
- UPON EXAMINATION OF FEMA FLOOD INSURANCE RATE MAPS OF SPALDING COUNTY, GEORGIA, FROM PANEL MAP #13256C0008E, DATED JUNE 7, 2017, IT HAS BEEN DETERMINED THAT A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A FLOOD HAZARD AREA AS SHOWN ON THE PLAN (ZONE A WITH NO ESTABLISHED FLOOD ELEVATION).
- ALL JURISDICTIONAL BUFFERED STATE WATERS AND WETLANDS ON OR WITHIN 200' OF SUBJECT PROPERTY HAVE BEEN FIELD DELINEATED BY CORBELL ECOLOGY GROUP AND SURVEYED BY GUNNIN LAND SURVEYING AS SHOWN ON THE PLAN. NON-DEVELOPMENT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25' OR 50'-FOOT UNDEVELOPED STREAM BUFFERS AS MEASURED FROM THE POINT OF WRESTED VEGETATION OR WITHIN 25'-FEET OF THE COASTAL MARSHLAND BUFFER AS MEASURED FROM THE JURISDICTIONAL DETERMINATION LINE WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES AND PERMITS. NO DISTURBANCE TO JURISDICTIONAL WATERS IS PROPOSED WITH THESE PLANS.
- ALL MONUMENTS FROM SITE WILL BE PLACED THROUGH A SERIES OF ON-SITE EROSION CONTROL MEASURES TO CONTROL THE SEDIMENT AND VELOCITIES. POST-DEVELOPED FLOWS THE RECEIVING WATERS IS UNPAVED TRIBUTARY TO TOWALIGA RIVER. THE SITE DOES NOT LIE WITHIN 1 LINEAR MILE OF AN IMPAIRED STREAM PER WWW.GAS/CORR/AMPS/ AND LIST OF 2016 IMPAIRED STREAMS ON <http://epd.georgia.gov/georgia-3006-3036-let-documents>.
- WATER & GRAVITY SANITARY SEWER SERVICE TO BE PROVIDED BY SPALDING COUNTY.
- ALL ROADWAYS TO BE PUBLIC (DEDICATED TO SPALDING COUNTY) WITH THE EXCEPTION OF THE ROADWAYS/DRIVES WITHIN THE APARTMENT AND TOWNHOUSE PODS (TO BE PRIVATE). REFER TO ROADWAY SECTION DETAILS PROVIDED.
- ALL OPEN SPACE TO BE DEDICATED TO HOMEOWNERS' ASSOCIATION.
- TO THE APPLICANTS KNOWLEDGE, THERE ARE NO LOCATIONS OR PREVIOUS LOCATIONS OF ANY UNDERGROUND STORAGE TANKS, HAZARDOUS MATERIAL AND WASTE DISPOSAL AREAS.
- TO THE APPLICANTS KNOWLEDGE, NO CEMETERY/HISTORIC SITE/ARCHAEOLOGICAL SURVEY/BUFFER EXIST ON SITE.

EXISTING/PROPOSED LAND USE SUMMARY				
ZONING	POD/USE	UNIT TYPE		YIELD
PDD-R2	POD J	75' DETACHED LOTS (11,000 S.F. MIN.)		24 UNITS
VILLAGE NODE (VN)	TOWNHOMES	(TOWNHOMES + LIVE WORK)		123 UNITS
	COTTAGES	40' X 100' DETACHED LOTS	50 UNITS	
		50' X 100' DETACHED LOTS	40 UNITS	
		COTTAGES TOTAL		90 UNITS
	APARTMENTS	VILLAGE STYLE APARTMENTS	252 UNITS	
OVERALL TOTAL				489 UNITS

LAND USE SUMMARY				
ZONING	POD/USE	UNIT TYPE		YIELD
PDD-R2	POD J	75' DETACHED LOTS (11,000 S.F. MIN.)		24 UNITS
VILLAGE NODE (VN)	TOWNHOMES	22' X 40' + 10' PATIO FRONT ENTRY TOWNHOMES	145 UNITS	
	COTTAGES	50' X 100' DETACHED LOTS	90 UNITS	
	APARTMENTS	(A) 1 BEDROOM ECO-UNIT	114 UNITS	
		(B) 2 BEDROOM ECO-UNIT	116 UNITS	
OVERALL TOTAL		APT POD TOTAL	230 UNITS	
				489 UNITS

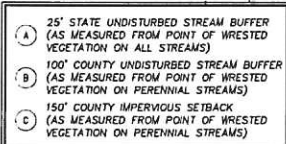
(REFER TO PROPOSED LOT CRITERIA TABLES ON THE SITE PLAN SHEETS)

CP&E
CHRISTOPHER PLANNING
& ENGINEERING

ENGINEER:
SOTIR J. CHRISTOPHER, P.E.
GSWCC LEVEL II CERTIFIED
DESIGN PROFESSIONAL #06744
(EXP. 02.17.2021)
12460 CRABAPPLE ROAD
SUITE 202-612
ALPHARETTA, GEORGIA 30004
PHONE 770.331.7303

2019125.10

CP&E PROJECT NUMBER



LOT CRITERIA				
	POD JJ	TOWNHOMES	COTTAGES	APARTMENTS
MIN. LOT WIDTH	75 FEET	22 FEET*	50 FEET	22 FEET*
MINIMUM LOT AREA	11,000 S.F.	N/A	N/A	N/A
MAX. SETBACKS FRONT	N/A	15 FEET	15 FEET	15 FEET
MIN. SETBACKS FRONT	25 FEET	5 FEET	5 FEET	5 FEET
CORNER SIDE	12 FEET	N/A	20 FEET	N/A
SIDE	8 FEET	20' BLDG SEP.	10' BLDG SEP.	15' BLDG SEP.
REAR	25 FEET	25 FEET	25 FEET	25 FEET
MAX. UNITS/BUILDING	N/A	10 UNITS	N/A	24 UNITS
MAX. BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET
MIN. HEATED S.F.	1,750 S.F.	1,000 S.F.	1,500 S.F.	N/A
MIN. OPEN SPACE	25%	750 S.F./UNIT	750 S.F./UNIT	750 S.F./UNIT
GARAGE ACCESS REQUIREMENT	N/A	FRONT ENTRY*	FRONT ENTRY	N/A
PARKING MIN. TOTAL REQ'D	2 SPACES	2 SPACES	2 SPACES	2 SPACES
MIN. DRIVEWAY + GUEST	N/A	1.5 SPACES	2 SPACES	1.5 SPACES

2 OF 3

75' MIN.

25' REAR SETBACK

11,000 S.F. MIN.

5' SIDE SETBACK (TYP)

25' FRONT SETBACK

MIN. DRIVEWAY LENGTH (CLEAR OF SIDEWALK)

PROPOSED PUBLIC ROADWAY

5' SIDEWALK (5' OFF BC)

5' SIDEWALK (TYPICAL BOTH SIDES)

PROPOSED PUBLIC R/W

POD JJ (PDD-R2)
TYPICAL LOT DETAIL

3

3

SCALE: 1" = 50'

Spalding County, C

TRACT 3 = 3.66 ± ACRES

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$$\Delta P(P_{\text{ref}}) = \frac{1}{2} \rho \int_{\text{ref}}^{\text{top}} \frac{1}{\rho} \frac{d\rho}{dz} \left(\frac{1}{2} \frac{d}{dz} \left(\frac{1}{\rho} \frac{d\rho}{dz} \right) + \frac{1}{\rho} \frac{d^2 \rho}{dz^2} \right) dz + \frac{1}{2} \rho \int_{\text{ref}}^{\text{top}} \frac{1}{\rho} \frac{d\rho}{dz} \left(\frac{1}{2} \frac{d}{dz} \left(\frac{1}{\rho} \frac{d\rho}{dz} \right) + \frac{1}{\rho} \frac{d^2 \rho}{dz^2} \right) dz + \frac{1}{2} \rho \int_{\text{ref}}^{\text{top}} \frac{1}{\rho} \frac{d\rho}{dz} \left(\frac{1}{2} \frac{d}{dz} \left(\frac{1}{\rho} \frac{d\rho}{dz} \right) + \frac{1}{\rho} \frac{d^2 \rho}{dz^2} \right) dz$$
[illegible]

7-200
CASE IN FILE

MINOR PLAT FOR:
COLE TRACT ASSOCIATES, L.P.
LOCATED IN LAND LOTS 146 & 147
2nd DISTRICT
SPALDING COUNTY, GEORGIA
MARCH 2, 2019

GUNNIN
LAND SURVEYING



DRAWN BY: ZRY
CHECKED BY: CAM

PROJECT NO. 19120

SHEET 1 OF 1

SHEET 4

SPALDING COUNTY PLANNING COMMISSION

DATE: June 24, 2008

REVISED: October 28, 2008
September 20, 2010
September 25, 2012
October 28, 2014
October 25, 2016
September 25, 2018
June 30, 2020

TO: Spalding County Planning Commission

FROM: Department of Community Development

**RE: Preliminary Plat Application
Heron Bay Village (S/D 08-03)
93.8± Acres—Zoned VN**

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced subdivision application.

Identification of the Property

Size and Location:

The application requests preliminary plat approval on 93.8 acres, more or less, located on Georgia Highway 155.

District and Land Lots:

The property is located in the 2nd Land District, in Land Lots 146 and 147.

Current Owner:

Cole Tract Associates, LLP
2292 Henderson Mill Road
Atlanta, Georgia 30345

Proposed Use:

The applicant proposes to develop a mixed-use village on 93.8 acres consisting of 494 residential units while providing 18.2 acres of open space (19.4%). The village will also provide 186,400 square feet of non-residential uses consisting of office, commercial and civic uses.

The plat dated June 17, 2020, is revision to the multi-family portion of the project. There are no changes to the density or the number of residential units per the previously approved plat. This plat provides a redesign of the multi-family configuration:

- a) Pod JJ Single Family – no change – 24 units.
- b) Detached Cottages – no change – 90 units.
- c) Townhome units increased from 123 to 145.
- d) Apartment units decreased from 252 to 230.
- e) Residential apartments in live-work units are eliminated.

Health, Safety, Utilities Assessment:

Water:

This site is proposed to be serviced by Spalding County.

Sewerage:

This site will be served by the Sun City sewer system.

Wetlands/Watershed Area:

Per the plat, a portion of this site is located within a 100-year floodplain. (Source: FEMA Map Community-Panel Number 130388-0075B)

Environmental Overlay Districts:

The site is located within the Towaliga River watershed district inside the seven-mile radius as indicated on the S-2 overlay map.

It is not included in a recharge area within the S-3 overlay map.

Preliminary Plat Review:

All county departments have reviewed the plat submitted (as revised during zoning process).

Environmental Health Department
N/A

Public Works
Approved

Water Authority

No approval needed.

Fire Department

Approved

County Engineer/Community Development

Approved

Per Appendix A, Section 404.F a preliminary plat is valid for a period of two (2) years. The applicant has been notified of the changes to the UDO regarding the preliminary plat approval process.

Staff Recommendations:

- Staff recommends **APPROVAL** for the revision of this preliminary plat.



SPALDING COUNTY PLANNING COMMISSION Amendment to UDO #A-20-06

Requesting Agency

Office of Community Development

Requested Action

Amendment to UDO #A-20-06: Article 23. Official Zoning Map - Section 2302:E - semi-annual adoption of official zoning map in revised Geographic Information Systems (GIS) platform as applicable to unincorporated Spalding County.

Requirement for Board Action

Article 4. General Procedures - Section 414.

Is this Item Goal Related?

No

Summary and Background

The adoption of this text amendment will update the UDO with respect to updates made to the Official Zoning Map.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Amendment to UDO #A-20-06	6/24/2020	Backup Material

IN RE:

Text Amendment #A-20-06

AMENDMENT TO THE ZONING ORDINANCE OF SPALDING COUNTY

**RESOLUTION AMENDING
THE ZONING ORDINANCE OF SPALDING COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Spalding County, Georgia under the Constitution and Laws of the State of Georgia is empowered by virtue of its police power to regulate the health, safety and welfare of the citizens of Spalding County to provide for and enact zoning and developmental regulations; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia enacted the current Zoning Ordinance of Spalding County, Georgia on January 4, 1994 and has amended said Ordinance subsequently; and

WHEREAS, the Zoning Administrator, in conjunction with the Planning Commission, has deemed it advisable to recommend amendment to a portion or portions of the Zoning Ordinance of Spalding County; and

WHEREAS, such proposed text amendment to the Zoning Ordinance of Spalding County was reviewed by the Spalding County Planning Commission, and a hearing on the text amendment was conducted by the Board of Commissioners of Spalding County, Georgia on _____, pursuant to O.C.G.A. § 33-66-1, et. seq. in the Spalding County Hearing Room, Room 108, Spalding County Courthouse Annex, 119 East Solomon Street, Griffin, Spalding County, Georgia; and

WHEREAS, the Board of Commissioners of Spalding County, Georgia considered the proposed amendment, any and all alternate proposals or amendments, the report of the Spalding County Planning Commission and all data and evidence taken at the public hearing; and

WHEREAS, it is deemed by the Board of Commissioners of Spalding County, Georgia that an amendment to the Zoning Ordinance of Spalding County, Georgia and an amendment to the Official Zoning Map of Spalding County, Georgia, is in conformance with the Spalding County Comprehensive Plan and sound comprehensive planning principles and of substantial benefit to the public and in the promotion of the best interests and general welfare of the people;

NOW THEREFORE, IT SHALL BE AND IS HEREBY RESOLVED by the Board of Commissioners of Spalding County, Georgia, that the Zoning Ordinance of Spalding County, Georgia shall be and is hereby amended as follows:

Section 1: A new paragraph shall be added to Section 2302(E) of “Official Zoning Map Spalding County, Georgia (Official Map)” of the Zoning Ordinance of Spalding County as follows:

A new Official Map was adopted on _____, which will replace the previous Official Map.

Section 2: The Chairman of the Board of Commissioners of Spalding County, Georgia is directed and authorized to execute such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia.

Section 3: The Zoning Administrator is authorized and directed to enter such notice of the amendment to the Zoning Ordinance of Spalding County, Georgia accordingly.

Section 4: The foregoing amendment of the Zoning Ordinance of Spalding County, Georgia shall become effective immediately upon adoption of this resolution.

Section 5: All Ordinances or resolutions in conflict herewith shall be and are hereby repealed.



SPALDING COUNTY PLANNING COMMISSION Approval of May 26, 2020 Minutes

Requesting Agency

Office of Community Development

Requested Action

Consider approval of May 26, 2020 minutes.


Requirement for Board Action

Is this Item Goal Related?

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION**ATTACHMENTS:**

Description	Upload Date	Type
 Minutes 05-26-20 PC	6/24/2020	Cover Memo

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
May 26, 2020

The Spalding County Planning Commission held its regular monthly meeting on May 26, 2020 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks and Frank Harris.

Also present were William P. Wilson, Jr., County Manager; Deborah Bell, Community Development Director; Newton Galloway, Zoning Attorney; and Teresa Watson to record the minutes.

Mr. Youmans called the meeting to order, introduced members of the Planning Commission and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

A. Call to Order:

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names/addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Planning Commission. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. **Amendment to UDO #A-20-04: Lift from the table** - Article 2. Definitions of Terms Used – Section 202:DD’ – add definition of Event Center, rural; Article 5. AR-1 – Section 503:B – add Event Center, rural as special exception and Section 503:D – add Event Center, rural as accessory use; Article 6A. A-T – Section 603A:C – add Event Center, rural as accessory use.

Motion/second by Messrs. Ballard/Cox to lift from the table: Amendment to UDO #A-20-04 carried by a vote of 4-0-1 with Mr. Eubanks abstaining as he was absent from the previous meeting.

Ms. Bell noted that adoption of this text amendment will add Event Center, rural to the AR-1 and A-T districts, as previously discussed and noted above. Ms. Bell responded to a question from Frank Harris regarding dark skies lighting with details of downcast light. She explained the lighting characteristics and advised that one could specify a full, cut-off fixture with property line shield or some combination if lighting is desired so as to not bother an adjacent property owner.

Motion/second by Messrs. Cox/Eubanks to approve Amendment to UDO #A-20-04 with the condition of requiring full, cut-off fixture with property line shield to protect adjacent properties from glare carried by a vote of 5-0.

2. **Amendment to UDO #A-20-05:** Article 5. AR-1 Agricultural and Residential - Section 504:Z & Article 6. AR-2 Rural Reserve - Section 604:Y - delete private driveways.

Ms. Bell noted that adoption of this text amendment will delete private driveways from AR-1 and AR-2 districts as noted above.

Motion/second by Messrs. Cox/Harris to approve Amendment to UDO #A-20-05 as presented carried by a vote of 5-0.

C. Approval of Minutes:

Consider approval of April 28, 2020 minutes.

Motion/second to approve minutes of the April 28, 2020 meeting as presented, by Messrs. Harris/Ballard, carried by a vote of 4-0-1 with Mr. Eubanks abstaining as he was absent from that April 28 meeting.

D. Other Business:

Mr. Harris noted there was an article in this evening's paper relative to the City's Environmental Council, a board on which he sits. Bandag is a sponsor of a section of the Adopt-A-Road program. He wondered if perhaps Spalding County could do the same thing. Mr. Wilson advised Spalding County already has this program and Sun City is a participant for Jordan Hill Road. He surmised that some encouragement could be made to further the program. Mr. Harris said that as the program progresses, he will give Spalding County feedback to encourage more effort.

E. Adjournment:

On motion/second by Messrs. Ballard/Cox, the meeting was adjourned by 5-0 vote at 7:11 p.m.

John Youmans – Chair

Teresa Watson – Recorder