# Planning Commission Meeting 

## AGENDA

Tuesday, April 19, 2022
5:30 PM
215 N. Broad St.
I. CALL TO ORDER
II. ROLL CALL
III. MINUTES OF PREVIOUS MEETING

1. Minutes of Previous Meeting 3/15/2022
IV. REPORT FROM CODE ENFORCEMENT OFFICER
V. PUBLIC HEARINGS
2. Request for Variance - Parking Requirements - 730 Hwy 138
3. Request for Rezone - 0 Double Springs Ch Rd-R-1A to R-1A with modifications
VI. RECOMMENDATIONS ON REQUESTS
VII. OLD BUSINESS
VIII. NEW BUSINESS
4. Request for Preliminary Plat Review - 0 Double Springs Ch Rd
IX. ADJOURNMENT

MONROE PLANNING COMMISSION
MEETING MINUTES—March 15, 2022
DRAFT

Present: Mike Eckles, Randy Camp, Nate Treadaway, Chase Sisk, Rosalind Parks

Staff: Pat Kelley - Director of Code
Brad Callender - City Planner
Laura Wilson - Code Assistant

Visitors: Hamid Shekarbakht, Frank Heery, Noah Hitz, Whit Holder, Stephanie Goodwin, Callie Nawey, Alexandra Belo, Gabel Holder

Call to Order by Chairman Eckles at 5:30 pm.
Chairman Eckles asked for any changes, corrections or additions to the February 15, 2022 minutes.
Motion to approve minutes.
Motion Camp. Second Sisk.
Motion carried

Chairman Eckles asked for the Code Officer's Report: None

Public Hearing Opened at 5:31pm

The First Item of Business: is Certificate of Appropriateness Case \#609 at 600 S. Broad Street. The applicant is requesting approval of a COA application to allow for exterior improvements to an existing building. The improvements to the northwest façade include new loading dock with canopy, new concrete stairs to the loading dock, new exterior windows, new landscaping, limited restriping of existing parking lot, and removal of fire escape leading to unoccupied portions of the building. Staff recommends approval of the project as submitted without conditions. Whit Holder, one of the owners of the property spoke in favor of the project. The goal of the project is to improve appearance and accessibility.

Commissioner Sisk: This is not the street you access from Barrett St—correct? You access it from the front?
Whit Holder: Yes; most of these improvements will not be visible from Broad St

Commissioner Treadaway: The work on the fire escape will not impact safety, otherwise that would have been notated.
Kelley: Correct
Chairman Eckles asked for any opposition-none

Public Hearing closed at 5:34 pm

Chairman Eckles entertained a motion.
Motion to approve
Motion Sisk. Second Parks.
Motion Carried
Public Hearing opened at 5:34pm

The Second Item of Business: is Certificate of Appropriateness case \#704 at 2050 W. Spring St. to allow for building expansion, exterior modifications, signage modifications, and parking lot modifications. The building expansion will accommodate a larger "pick-up" staging area on the southwest corner of the building. The proposed signage is a like-for-like replacement of existing signs with the addition of two new signs. The total aggregate square footage of the signage still meets the requirements of their sign variance from some time ago. Staff recommends approval as submitted without conditions. Calle Nalley from BRR Architecture spoke in favor of the project.

Chairman Eckles asked for any opposition-none
Public Hearing closed at 5:38pm

Chairman Eckles entertained a motion. Motion to approve

> Motion Parks. Second Sisk. Motion Carried

Public Hearing opened at $5: 38 \mathrm{pm}$
The Third Item of Business: is Conditional Use Permit Case \#707 at 700 Breedlove Dr. to allow for the conversion of an existing office building into apartments. Staff recommends approval with the two conditions outlined in the staff report dated March 4, 2022. The applicant Hamid Shekarbakht spoke in favor of the project. The apartment building would have 6-2 bed/2 bath units aimed at an adult community of 55 and above. There will be gates on the entrance and exits. The back area will be converted into a garden for the residents with a possible option for covered parking and storage for the residents.

Chairman Eckles: You understand and agree to the conditions listed?
Shekarbakht: Yes, Mr. Kelley can you clarify the parking?
Kelley: Apartments require 1.5 spots per unit which gives you 9 . With a $20 \%$ administrative variance your maximum would be 11.

Commissioner Treadaway: Will the garden space be replacing some of that parking? Shekarbakht: Correct

Chairman Eckles asked for any opposition—none

Public Hearing closed at 5:43 pm

Motion to approve with conditions
Motion Camp. Second Parks
Motion Carried
Old Business: none

The First Item of New Business: is Preliminary Plat Case \#706 for the Piedmont Regional Industrial Park located at 0 Piedmont Parkway. The applicant is the Walton County Development authority. Staff recommends approval with 12 corrections as listed in the staff report dated $3 / 4 / 2022$. No one spoke in a favor of the request.

Motion to approve with conditions
Motion Treadaway. Second Sisk
Motion Carried

Chairman Eckles entertained a motion to adjourn.
Motion to adjourn
Motion Camp. Second Sisk
Meeting adjourned at 5:47pm

To:
City Council
From: Patrick Kelley
Department: Planning, Code and Development
Date: 04-11-2022


Subject: $\quad$ PRH 730 Monroe, LLC, East side of Hwy 138-730 Hwy 138

Budget Account/Project Name: N/A
Funding Source: N/A

Budget Allocation: N/A
Budget Available: N/A
Requested Expense: N/A Company of Record: N/A

Recommendation: Staff recommends denial of this variance request as submitted without conditions.

Description: Drive-Through Coffee Restaurant - Starbucks

Background: Redevelopment of existing site to remove the existing building and redevelop completely.

Attachment(s): Application, staff report and supporting documentation.

Planning
City of Monroe, Georgia
VARIANCE STAFF REPORT

## APPLICATION SUMMARY

VARIANCE CASE \#: 832
DATE: April 11, 2022
STAFF REPORT BY: Brad Callender, City Planner
APPLICANT NAME: PRH 730 Monroe, LLC
PROPERTY OWNER: PRH 730 Monroe, LLC
LOCATION: East side of Hwy 138-730 Hwy 138
ACREAGE: $\pm 1.26$
EXISTING ZONING: B-3 (Highway Business District)
EXISTING LAND USE: Developed site with unoccupied commercial building and associated parking
ACTION REQUESTED: The owner is requesting a variance for this property to allow more parking spaces than permitted by the Zoning Ordinance.

STAFF RECOMMENDATION: Staff recommends denial of this variance request.

## DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: April 19, 2022
CITY COUNCIL: May 10, 2022

## REQUEST SUMMARY

## VARIANCE REQUEST SUMMARY:

The applicant is requesting approval of a variance in order to construct more parking spaces than allowed under Section 520.3 of the Zoning Ordinance. Section 520.3 limits the maximum parking on a site to $120 \%$ of the minimum number of parking spaces required under Table 3 , unless a variance is approved to increase the number of parking spaces beyond $120 \%$. The applicant is requesting the variance in order to construct 26 parking spaces, which is $161 \%$ of the minimum number of required off-street parking spaces. The Zoning Ordinance would permit a maximum $120 \%$, or 20 parking spaces on the site based upon the proposed development plan. While the applicant is requesting 26 parking spaces in their request, only 24 parking spaces are illustrated on the submitted site development plan.

## PROPOSED PROJECT SUMMARY:

- Drive-Through Coffee Restaurant - Starbucks
- Total Building Floor Area - 2,500 Sf
- Proposed Number of Seats - 52
- Required Parking (Zoning Ordinance - Section 520.3)
- 1 space / 5 Seats +1 space / 600 Sf - 16 parking spaces (11/seats+5/floor area)
- $120 \%$ max parking allowed -20 parking spaces (19.2 spaces rounded up)
- Requested Parking
- Application - 26 parking spaces or $162 \%$ of required minimum number of parking spaces
- Site Development Plan - 24 parking spaces or $150 \%$ of required minimum number of parking spaces


## STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR VARIANCE APPLICATION DECISIONS" AS SET FORTH IN SECTION 1430.6 OF THE CITY OF MONROE ZONING ORDINANCE.
(1) Whether there are extraordinary and exceptional conditions pertaining to the subject property because of size, shape, or topography: The size, shape, and topography of the site are not the basis for this variance request.
(2) Whether the literal application of this Ordinance would create an unnecessary hardship: No undue hardship is created through a literal application of the Zoning Ordinance.
(3) Whether the variance would not cause substantial detriment to the public good or impair the purposes or intent of this Ordinance: If approved, this variance would impair the purposes and intent of the Zoning Ordinance by allowing parking greater than the maximum allowed. The purpose and intent of the imitating parking spaces is to avoid over parking new developments in the City.
(4) Whether a variance will no confer upon the property of the applicant any special privilege denied to other properties in the district: If approved, this variance will not confer upon the property any special privileges denied to other properties in the same zoning district. This variance request does not result in greater building area or density otherwise permitted by the Zoning Ordinance.
(5) Whether the special circumstances surrounding the request for the variance are not the result of acts by the applicant: Section 520.3 of the Zoning Ordinance contains a provision that allows for a variance to be considered in order to exceed $120 \%$ of the minimum number of required parking spaces. The applicant has not demonstrated any special circumstances to warrant exceeding the maximum number of parking spaces allowed. The applicant states on their application the existing conditions of the site contains 73 parking spaces for a 5,900 Sf building and that there will be a net reduction of impervious area with the new development. The existing site was developed prior to the amendment to the Zoning Ordinance to limit over parking new developments and actually provides a good example of over parking. Considering the development will be a drive-through coffee restaurant, it's difficult to support a request to increase parking beyond the maximum 120\% (20 parking spaces) allowed by the Zoning Ordinance.
(6) Whether the variance is not a request to permit a use of land, buildings, or structures which is not permitted by right or by conditional use in the district: The proposed use and structures in this request are permitted by right in the underlying B-3 zoning district.
(7)
(8) Whether the zoning proposal is consistent with the construction and design standards and design criteria adopted by the City of Monroe: Outside of having more parking than allowed, the remainder of the proposed development appears to be consistent with the construction and design standards and criteria adopted by the City.
(9) Whether the variance is the minimum variance that will make possible an economically viable use of the land, building, or structure: The requested variance is likely the minimum variance required to use the property in a manner desired by the applicant.

## STAFF RECOMMENDATION

Based upon the City Council's policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends denial of the requested variance to increase the minimum number of parking spaces greater than $120 \%$ allowed on the site. If the variance is approved, staff recommends the variance be approved as submitted without conditions to increase the minimum number of parking spaces greater than $120 \%$ allowed on the site.

City of Monroe
215 N. Broad Street
Monroe, GA 30655
(770) 207-4674

## VARIANCE REQUEST PERMIT

| PERMIT \#: 832 |  | DESCRIPTION: | VARIANCE REQUEST FROM MAX PARKING ALLOWED |  |
| :---: | :---: | :---: | :---: | :---: |
| JOB ADDRESS: PARCEL ID: SUBDIVISION: | $\begin{aligned} & 730 \text { HWY } 138 \\ & \text { M0010016 } \end{aligned}$ | LOT \#: BLK \#: ZONING: | B-3 |  |
|  |  |  |  |  |
|  |  |  |  |  |
| ISSUED TO: ADDRESS CITY, STATE ZIP: PHONE: | PRH 730 Monroe LLC 2350 Hopewell Plantation Dr Alpharetta GA 30004 404-429-0175 | CONTRACTOR: ADDRESS: CITY, STATE ZIP: PHONE: | PRH 730 Monroe LLC 2350 Hopewell Plantation Dr Alpharetta GA 30004 |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| PROP.USE VALUATION: SQ FT OCCP TYPE: CNST TYPE: | $\begin{aligned} & \text { COMMERCIAL } \\ & \$ 0.00 \\ & 0.00 \end{aligned}$ | DATE ISSUED: EXPIRATION: | $\begin{aligned} & \text { 4/01/2022 } \\ & 9 / 28 / 2022 \end{aligned}$ |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  | PERMIT STATUS: | 0 |  |
|  | $\begin{aligned} & \text { 770-207-4674 } \\ & \text { Iwilson@monroega.gov } \end{aligned}$ | \# OF BEDROOMS <br> \# OF BATHROOMS |  |  |
| INSPECTION REQUESTS: |  |  |  |  |
|  |  |  |  |  |
|  |  | \# OF OTHER ROO |  |  |
| FEE CODEPZ-10 | DESCRIPTION VARIANCE |  |  |  |
|  |  |  |  |  |
|  |  |  | FEE TOTAL | \$ 200.00 |
|  |  |  | PAYMENTS | \$-200.00 |
|  |  |  | BALANCE | \$ 0.00 |

NOTES:
This request for a variance to exceed the maximum number of allowed parking spaces required in the Zoning Ordinance for the City of Monroe in Section 520- Table 3 will be heard by the Planning Commission on April 19, 2022 at $5: 30 \mathrm{pm}$ and by the Mayor and Council on May $10^{\text {th }}$ at 6:00pm. Both meetings will take place in the Council Chambers at City Hall, 215 N Broad St Monroe, GA 30655.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

## I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.



## (A) qPublic_net ${ }^{\text {™ }}$ Walton County, GA



Date created: 4/1/2022
Last Data Uploaded: 4/1/2022 6:54:42 AM
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Receipt Number:

Cashier Name:
Terminal Number:
Receipt Date: 4/1/2022 3:25:32 PM

## Transaction Code: BP - Building Projects Payment

Payment Method: Check Payn Reference: 10754

| Name: PRH 73 | Monroe LLC | \$200.00 |
| :---: | :---: | :---: |
|  | Total Balance Due: | \$200.00 |
| Amount: | \$200.00 |  |
|  | Total Payment Received: | \$200.00 |
|  | Change: | \$0.00 |

## NOTICE TO THE PUBLIC CITY OF MONROE

A petition has been filed with the City of Monroe requesting a variance to exceed $120 \%$ of the minimum number of offstreet parking spaces required in Section 520 - Table 3 on property located at 730 Hwy 138 (Parcel \#MO0100016).
A public hearing will be held before the City of Monroe Planning Commission to review and consider a recommendation to the Monroe City Council at the City Hall Auditorium at 215 N. Broad Street on April 19, 2022 at 5:30 P.M. The Monroe City Council will hold a public hearing and a decision will be made at the City Hall Auditorium at 215 N. Broad Street on May 10, 2022 at 6:00 P.M. All those having an interest should be present to voice their interest.

## PLEASE RUN ON THE FOLLOWING DATE:

April 3, 2022

## Variance/Conditional Use Application

Application must be submitted to the Code Department 30 days prior to the Planning \& Zoning Meeting of: $\qquad$
Your representative must be present at the meeting

| Street address 730 HIGHWAY 138 | Council District 3 ___ Map and Parcel \# M0010016 |  |
| :---: | :---: | :---: |
| Zoning B-3 $\qquad$ Acreage 1.26 HIGHWAY 138 (street or streets) | Proposed Use RESTAURANT Road Frontage 475 | ft. / on |
| Applicant <br> Name PRH 730 MONROE, LLC | Owner |  |
| Address ATLANTA, GA | Address ATLANTA, GA |  |
| Phone \#404.429.0175 | Phone \#404.429.0175 |  |

Request Type: (check one) Variance © Conditional Use $\bigcirc$

Nature of proposed use, including without limitation the type of activity proposed, manner of operation, number of occupants and/or employees, hours of operation, number of vehicle trips, water and sewer use, and similar matters: THE PROPOSED USE IS A STARBUCKS COFFEE SHOP, COMMERCIAL RESTAURANT, THE USE WILL CONSIST OF 52 SEATS FOR PATRONS WITH APPROXIMATELY 8 EMPLOYEES ON THE LARGEST SHIFT. THE BUILDING IS 2,500 SQUARE FEET.
State relationship of structure and/or use to existing structures and uses on adjacent lots;
THE PROPOSED USE IS THE SAME AS THE ADJACENT USES WHICH CONSIST OF COMMERCIAL RESTAURANTS AND MULTI-TENANT RETAIL SPACE.
State reason for request and how it complies with the Zoning Ordinance section 1425.5(1)-(10) \& 1430.6(1)-(8):
REQUESTING A VARIACNE FROM THE 120\% MAX PARKING ALLOWED. CODE WOULD ONLY ALLOW FOR 18 TOTAL PARKING SPACES, AND STARBUCKS IS SEEKING A TOTAL OF 26 PARKING SPACES.

State area, dimensions and details of the proposed structure(s) or use(s), including without limitation, existing and proposed parking, landscaped areas, height and setbacks of any proposed buildings, and location and number of proposed parking/loading spaces and access ways:
THE PROPOSED USE IS A 2500 S.F. RESTAURANT WITH 26 PARKING SPACES, 1 LOADING AREA. THE EXISTING SITE CONSIST OF A 5,900 S.F. BUILDING WITH 73 PARKING SPACES. THERE WILL BE A NET REDUCTION OF IMPERVOUS AREA IN THE PROPOSED CONDITION.
State the particular hardship that would result from strict application of this Ordinance:
THE HARDSHIP WOULD RESULT IN AN INADEQUATE NUMBER OF PARKING SPACES AS DETERMINED BY THE OCCUPANT

Check all that apply: Public Water: $\triangle$ Well: $\triangle$ Public Sewer: $\boxed{\checkmark}$ Septic: $\square$ Electrical: $\sqrt{\square}$ Gas: $\sqrt{\checkmark}$
For any application for an overlay district, a Certificate of Appropriateness or a letter of support from the Historic Preservation Commission or the Corridor Design Commission for the district is required.

Documents to be submitted with request:

| $\checkmark$ | Recorded deed |
| :---: | :---: |
| $\checkmark$ | Survey plat |
| $\checkmark$ | Site plan to scale |
| $\checkmark$ | Proof of current tax status |

Application Fees:
$\square \$ 100$ Single Family
$\square$
$\square \$ 300$ Multi Family
$\square$
$\square$

Each applicant has the duty of filing a disclosure report with the City if a contribution or gift totaling two hundred and fifty dollars (\$250.00) or more has been given to an official of the City of Monroe within the last two (2) years.

The above statements and accompanying materials are complete and accurate. Applicant hereby authorizes Code department personnel to enter upon and inspect the property for all purposes allowed and required by the zoning ordinance and the development regulations.

Signature
Date: $02 / 24 / 22$

## PUBLIC NOTICE WILL BE PLACED AND REMOVED BY THE CODE DEPARTMENT SIGN WILL NOT BE REMOVED UNTIL AFTER THE COUNCIL MEETING.

*Property owners signature if not the applicant
Signature $\qquad$ Date: $\qquad$
Notary Public
Commission Expires:

I hereby withdraw the above application: Signature
Date $\qquad$

Documents to be submitted with request:
$\frac{X}{\frac{X}{X}}$
Recorded deed
Survey plat
Site plan to scale
Proof of current tax status

| Application Fees: |
| :--- |
| $\quad \$ 100$ Single Family |
|  |
| $\times 300$ Multi Family |

Each applicant has the duty of filing a disclosure report with the City if a contribution or gift totaling two hundred and fifty dollars ( $\$ 250.00$ ) or more has been given to an official of the City of Monroe within the last two (2) years.

The above statements and accompanying materials are complete and accurate. Applicant hereby authorizes Code department personnel to enter upon and inspect the property for all purposes allowed and required by the zoning ordinance and the development regulations.

Signature
 Date: $02 / 22 / 22$

PUBLIC NOTICE WILL BE PLACED AND REMOVED BY THE CODE DEPARTMENT


Filed and Recorded
Feb-07-2020 01:21 PM
DOC\# 2020-001651
Real Estate Transfer Tax
Paid: \$850.00
1472020000439
KAREN P. DAVID
CLERK OF SUPERIOR COURT
WALTON COUNTY, GA
Participant ID: 5729084891

## Return to:

Sumeet Shah, Esq.
Srah Legal Group, LLC
11138 State Bridge Road, Suite 125
Johms Creek, Georgia 30022
File \# 2019-12
Tax ID \# M001000000016000

## LIMITED WARRANTY DEED

State of Georgia
County of Fulton
This Indenture made this 7 dh day of February, in the year 2020, between
BALROD, LLC,
a Georgia limited liability company
as party or parties of the first part, hereinafter called Grantor, and

## PRH 730 MONROE, LLC, a Georgia limited liability company

of the County of Fulton, and State of Georgia, 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 ( $\$ 10.00$ ) and other good and valuable consideration, 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, transferred and confirmed, and by these presents does grant, bargain, sell, alien, convey transfer and confirm unto the said Grantee:

All that tract or parcel of land lying more particularly described on Exhibit "A" attached hereto and made a part hereof.

This conveyance is made subject to all matters shown on Exhibit " $\mathbf{B}$ " attached hereto and made a part hereof.

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 owing, holding or claiming by, through, or under the said Grantor.

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

Signed, sealed and delivered in the presencefof:


BALROD, LLC, a Georgia limited liability company


## EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 29 of the 3rd Land District, Walton County, Georgia, consisting of 1.258 acres, more or less, and being more particularly shown and delineated on a plat survey of October 9th, 1997, prepared by Matthew V. Ingram, Registered Land Surveyor, which plat is by reference incorporated herein and made a part hereof, and being more particularly described as follows:

To locate the true point or place of beginning, begin at an iron pin at the intersection of the centerline of State Route Number 138 with the centerline of State Route Number 10; thence proceed along a bearing of North 39 degrees 13 minutes 22 seconds East for 438.54 feet to an iron pin, which is the true point of place of beginning; thence along said night-of-way of State Route Number 138 North 30 degrees 50 minutes 46 seconds East for 286.25 feet to a right-of-way marker; thence North 59 degrees 13 minutes 17 seconds West for 15.04 feet to a right-of-way marker, thence North 30 degrees 31 minutes 17 seconds East for 190.88 feet to an iron pin; thence departing said right-of-way South 30 degrees 34 minutes 00 seconds East for 270.85 feet to an iron pin; thence South 63 degrees 23 minutes 00 seconds West for 412.20 feet to an iron pin and the true point of beginning; said property being the same property described in that survey for Harvie Ewing, dated October 9, 1997, prepared by M.V. Ingram Enterprises, Inc., Land Surveying and Plaming, which plat is by reference incorporated herein and made a part hereof.

## EXHIBIT "B"

1. All taxes and assessments for the year 2020 and subsequent years, not due and payable, and any additional taxes which may be assessed for current or prior years due to revised appraisal, re-assessment of taxes or an appeal.
2. Rights of tenants in possession under unrecorded leases and the terms and conditions of any unrecorded leases.
3. Matters appearing on Plat recorded in Plat Book 13, Page 203, Watton County, Georgia
4. Easement for Right of Way in favor of Georgia Power Company, recorded in Book 109, Page 277, aforesaid records.
5. Easement and Maintenance Agreement by and between Balrod, LLC and Paradise Shoppes of Monroe, L.P. recorded in Book 2605, Page 208, aforesaid records.
6. Grant of Slope Easement in favor of Larry Balkin, recorded in Book 1983, Page 416, aforesaid records.
7. Boundary Line Agreement by and between Edward P. Grayson, C. Nathan Little, Sidney B. Cooper, as Trustees and Troop Committee of Monroe Boy Scouts, Troop No. 81 of Boy Scouts of America, CPS Partners Unlimited LLC, and Larry Balkin recorded in Book 1976, Page 434; rerecorded in Book 1983, Page 405, aforesaid records.
8. Grant of Sewer Easement and Slope Easement in favor of Larry Balkin, recorded in Book 1976, Page 444, aforesaid records.
9. Affidavit of Paradise Shoppes of Monroe, L.P. recorded in Book 2605, Page 249, aforesaid records.
10. All matters affecting the subject property as depicted on that certain Survey for Balrod, LLC, prepared by Ben Mcleroy \& Associates, Inc., bearing the seal of Ben Mcleroy, GRLS No. 1184, dated June 23, 2017.

## 레 qPublic.net ${ }^{\text {m" }}$ Walton County, GA

## Summary

Parcel Number Location Address Legal Description

Class

Zoning
Tax District
Millage Rate
Acres
Neighborhood Homestead Exemption Landlot/District

M0010016
730 HWY 138
1.26AC
(Note: Not to be used on legal documents)
C3-Commercial
(Note: This is for tax purposes only. Not to be used for zoning.) B3
Monroe (District 01)
39.382
1.26

09682 - STORE RETAIL (09682)
No (SO)
293/

View Map

## Owner

PRH 730 MONROELLC
2350 HOEPWELL PLANTATION DR
ALPHARETTA, GA 30004
Land

| Type | Description | Calculation Method | Square Footage | Frontage | Depth | Acres | Lots |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| Commercial | 09040-SF-MONROE BUSINESS | Square Feet | 54,798 | 0 | 0 | 1.26 | 1 |

## Commercial Improvement Information

| Description | Store Retail |
| :--- | :--- |
| Value | $\$ 298,600$ |
| Actual Year Built | 2005 |
| Effective Year Built | 2005 |
| Square Feet | 5794 |
| Wall Height | 12 |
| Wall Frames | Steel |
| Exterior Wall | Stucco / Frame |
| Roof Cover | Other |
| Interior Walls | Sheetrock |
| Floor Construction | Concrete on Ground |
| Floor Finish | Other |
| Ceiling Finish | 11\% Carpet/Tile |
| Acoustical Tile |  |
| Lighting | Recessed |
| Heating | CH A/C |
| Number of Buildings | 1 |

## Accessory Information

| Description | Year Built | Dimensions/Units | Identical Units | Value |
| :--- | :--- | :--- | :--- | :--- |
| Paving-Conc $(0)$ | $4^{\prime \prime}>10000$ | 2005 | $0 \times 0 / 29000$ | 1 |

## Sales

| Sale Date | Deed Book / Page | Plat Book/Page | Sale Price | Reason | Grantor | Grantee |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 2/7/2020 | 4532499 | NPR | \$850,000 | Fair Market - Improved | BALRODLLC | PRH 730 MONROE LLC |
| 9/2/2006 | 2549162 | NPR | \$0 | Unqualified - Vacant | BALRODLLC | BALROD LLC |
| 2/11/2005 | 2142192 | 098189 | \$0 | Unqualified Sale |  | WB\&TINVESTORS LLC |
| 5/30/2004 | 1976457 | NPR | \$0 | Unqualified - Vacant | BALKIN LARRY | BALROD LLC |
| 8/1/2002 | 1508398 | NPR | \$165,000 | Land Market-Vacant | R | BALKIN LARRY |

## Valuation

|  | 2021 | 2020 | 2019 | 2018 |
| :--- | ---: | ---: | ---: | ---: | ---: |
| Previous Value | $\$ 804,900$ | $\$ 804,900$ | $\$ 804,900$ | $\$ 804,900$ |
| Land Value | $\$ 461,100$ | $\$ 461,100$ | $\$ 461,100$ | $\$ 461,100$ |
| + Improvement Value | $\$ 298,600$ | $\$ 298,600$ | $\$ 298,600$ |  |
| + Accessory Value | $\$ 45,200$ | $\$ 45,200$ | $\$ 45,200$ |  |
| Current Value | $\$ 804,900$ | $\$ 804,900$ | $\$ 804,900$ |  |

## Photos



## Sketches



No data available for the following modules: Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes.

The Walton County Assessor makes every effort to produce the most accurate information possible. No warranties. expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.
User Privacy Policy
GDPR Privacy Notice
Last Data Upload: $2 / 24 / 2022,9: 24: 42$ AM



## To:

City Council
From: Patrick Kelley
Department: Planning, Code and Development
Date:
04-11-2022
Subject: Parkland Communities Inc, Rowell Family Partnership \& Still Family Realty LLC, rezone case \#833 To modify a condition of the previous rezone conditions.

## Budget Account/Project Name: N/A

Funding Source: N/A

Budget Allocation: N/A
Budget Available: N/A
Requested Expense: N/A Company of Record: N/A

Recommendation: Staff recommends approval of this rezone request subject to the revised conditions.

Description: The owners are petitioning for a condition modification to a previously approved rezone of this property in order to allow for a detached single-family residential development.

Background: The applicant is requesting approval of a condition modification to Rezone \#256 ( $\mathrm{R}-1$ to $\mathrm{R}-1 \mathrm{~A}$ ) approved by the City Council on January 11, 2022. The applicant is requesting to modify the wording in Condition \#7 to allow for submittal of a preliminary plat while the development agreement is completed between the developer and the City. This condition does not impact the current moratorium in place until June $30^{\text {th }}$ which prohibits the submittal of a preliminary plat for a single-family residential development located outside of the core of the City.

Attachment(s): Application, staff report and supporting documentation.

Planning
City of Monroe, Georgia
REZONE STAFF REPORT

## APPLICATION SUMMARY

REZONE CASE \#: 833
DATE: April 11, 2022
STAFF REPORT BY: Brad Callender, City Planner
APPLICANT NAME: Parkland Communities Inc
PROPERTY OWNER: Rowell Family Partnership \& Still Family Realty LLC
LOCATION: Southeast corner of the intersection with Double Springs Church Road and Cedar Ridge Road
ACREAGE: $\pm 83.072$
EXISTING ZONING: R-1A (Medium Lot Residential District)
EXISTING LAND USE: Undeveloped
ACTION REQUESTED: Rezone R-1A to R-1A With Modifications
REQUEST SUMMARY: The owners are petitioning for a condition modification to a previously approved rezone of this property in order to allow for a detached single-family residential development.

STAFF RECOMMENDATION: Staff recommends approval of this rezone request subject to the revised conditions.

## DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: April 19, 2022
CITY COUNCIL: May 10, 2022

## REQUEST SUMMARY

## REZONE REQUEST SUMMARY:

The applicant is requesting approval of a condition modification to Rezone \#256 ( $\mathrm{R}-1$ to $\mathrm{R}-1 \mathrm{~A}$ ) approved by the City Council on January 11, 2022. The applicant is requesting to modify the wording in Condition \#7 to allow for submittal of a preliminary plat while the development agreement is completed between the developer and the City. This condition does not impact the current moratorium in place until June $30^{\text {th }}$ which prohibits the submittal of a preliminary plat for a single-family residential development located outside of the core of the City.

Condition \#7 is worded as follows:
7. Prior to Preliminary Plat submittal, the developer shall enter into a fully executed development agreement with the City of Monroe.

The applicant is requesting Condition \#7 be modified to allow for submittal of a preliminary plat while the development agreement is completed between the developer and the City. The applicant proposes to essentially modify one word from "submittal" to "approval" in Condition \#7 as follows:
7. Prior to Preliminary Plat approval, the developer shall enter into a fully executed development agreement with the City of Monroe.

Staff believes the original intent of Condition \#7 is maintained with the requested modification. The modified condition is included below in the list of conditions previously approved by City Council for Rezone \#256.

## PROPOSED PROJECT SUMMARY:

- Single-Family Detached Residential Development with open space, landscape buffers, and an active amenity area
- Development Area - 83.072 Acres
- Total Lots Proposed - 141
- Min. Lot Size - 10,000 Sf
- Min. Dwelling Size $-1,500$ Sf
- Development Density - 1.69 DUs per acre
- Open Space - 29.1 Acres (35\%; min. 15\% required)


## STAFF RECOMMENDATION

Based upon the City Council's policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends approval of the requested rezone modification for a residential development with the following modified conditions:

1. The minimum dwelling size allowed shall be $1,500 \mathrm{Sf}$.
2. The developer shall provide a minimum of six (6) building designs for the single-family detached residences for each neighborhood illustrated on the concept plan (The Meadows and Creekside).
3. All dwellings shall be constructed on crawlspace, basement, or raised slab foundations. Each side of every dwelling façade shall be constructed with brick, stone, or other masonry type product. Cement based siding such as hardiplank or other similar material is permitted. EFIS siding shall be prohibited. A variety of the required façade materials shall be used on each dwelling throughout the development. Wood, vinyl or aluminum siding may be utilized on a limited basis in the soffit and eave trim areas only.
4. All garage doors shall be side or rear facing on each dwelling. No garage doors shall be extended beyond the front entry of each dwelling, i.e. courtyard garage entries.
5. The developer shall provide a minimum of three (3) of the following amenities for recreation: pool, playground, pavilion, clubhouse/fitness center, play courts such as but not limited to tennis, volleyball, or basketball.
6. Prior to Preliminary Plat submittal, the developer shall submit a completed traffic study for review and comment.
7. Prior to Preliminary Plat approval, the developer shall enter into a fully executed development agreement with the City of Monroe.
8. At the time of Preliminary Plat submittal, the developer shall provide a draft of the HOA covenants for review by the City.
9. The development shall contain a maximum of 141 single-family lots.
10. The development shall not contain more than $20 \%$ rentals.
11. The development shall contain not less than $35 \%$ open space.

City of Monroe
215 N. Broad Street
Monroe, GA 30655
(770) 207-4674

## PLANNING COMMISSION MTG PERMIT



NOTES:
This request for a Rezone from R-1A to R-1A with modifications on Parcel \#MO050045 (southeast corner of Double Springs Ch Rd and Cedar Ridge Rd) will be heard by the Planning Commission on April 19, 2022 at $5: 30 \mathrm{pm}$ and by the Mayor and Council on May 10, 2022 at $6: 00 \mathrm{pm}$. Both meetings will be held in Council Chambers at City Hall at 215 N. Broad St Monroe, GA 30655.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


## A qPublic.net ${ }^{\text {™ }}$ Walton County, GA



## 응 qPublic_net ${ }^{\text {T" }}$ Walton County, GA



215 North Broad Street
Monroe, GA 30655
Tel (770) 267-3429
Fax (770) 267-3698
Cashier Name:
LAURA WILSON
Terminal Number: 34
Receipt Date: 4/1/2022 3:32:18 PM

Name: Parkland Communities Inc $\$ 300.00$
Total Balance Due: $\quad \$ 300.00$
Amount:
\$300.00
Total Payment Received: $\$ \mathbf{3 0 0 . 0 0}$
Change: $\quad \$ 0.00$

## NOTICE TO THE PUBLIC CITY OF MONROE

A petition has been filed with the City of Monroe requesting the property located at the southeast corner of the intersection of Double Springs Church Rd and Cedar Ridge Rd (Parcel \#MO050045) be rezoned from R1A to R1A with modifications.
A public hearing will be held before the City of Monroe Planning Commission to review and consider a recommendation to the Monroe City Council at the City Hall Auditorium at 215 N. Broad Street on April 19, 2022 at 5:30 P.M. The Monroe City Council will hold a public hearing and a decision will be made at the City Hall Auditorium at 215 N. Broad Street on May 10, 2022 at 6:00 P.M. All those having an interest should be present to voice their interest.

## PLEASE RUN ON THE FOLLOWING DATE:

April 3, 2022

## REZONE APPLICATION FORM

PERMIT NUMBER $\qquad$
I. LOCATION 0 Double Springs Church

COUNCIL DISTRICT1
MAPNUMBERM0050045
PARCEL NUMBER M0050045
II. PRESENT ZONINGR-1A REQUESTED ZONING R-1A with condition modification
III. ACREAGE82.36 PROPOSED USE Single-Family Subdivision
IV. OWNER OF RECORD ROWELL FAMILY PARTNERSHIP \& STILL FAMILY REALTY LLC ADDRESS _ P O BOX 1936, MONROE, GA 30655

PHONE NUMBER 770-225-4730 ext. 81 EmailTylerl@allianceco.com
The following information must be supplied by the applicant. (attach additional pages if needed)
V. ANALYSIS:

1. A description of all existing uses and zoning of nearby property

Please see attached
2. Description of the extent to which the property value of the subject property is diminished by the existing zoning district classification

- Please see_attached

3. The existing value of the property contained in the petition for rezoning under the existing zoning classification $\qquad$
Please see attached
4. The value of the property contained in the application for rezoning under the proposed zoning Classification
Please see attached
5. A description of the suitability of the subject property under the existing zoning classification Please see attached
6. A description of the suitability of the subject property under the proposed zoning classification of the property

## Please see attached

Rezoning Application
Page Two (2)
7. A description of any existing use of property including a description of all structures presently occupying the property
Please see attached
8. The length of time the property has been vacant or unused as currently zoned $\qquad$
Please see attached
9. A detailed description of all efforts taken by the property owner(s) to use the property or sell the property under the existing zoning classification $\qquad$ Please see attached

Applications found to be incomplete or incorrect will be rejected. See the attached calendar for deadline dates. It is the responsibility of the applicant and not the staff to ensure that a complete and accurate application is submitted.

## LEGAL DESCRIPTION OF PROPERTY

Please see attached

## Rezoning Application <br> Page Three (3)

Wherefore, applicant prays that the procedures incident to the presentation of this petition be taken, and the property be rezoned accordingly.

Owner of property (signature) $\qquad$
Address P. O. BOX 1936, mons06, GA 3065s
Phone Number (770) 318.6153

Attorney/Agent (signature) Tyler Laser - Applicant's Representative
Address 299 South Main Street, Alpharetta, GA 30009
Phone Number 770-225-4730 ext. 819
Personally appeared before me the above applicant named Parkland Communities Inc. who on oath says that he/she is the Applicant $\qquad$ for the foregoing, and that all the above statements are true to the best of his/her knowledge.

(Notary Public)
March 17,2022(Date)
My Commission Expires (1-26-2022


Rezoning Application

## Page Four (4)

What method of sewage disposal is planned for the subject property?
$\qquad$ Sanitary Sewer
$\ldots$ Septic Tank

The following information must be included in the application material requesting an annexation or zoning change from R-1A to R-1A located at M0050045 , containing 83.072 acre(s), property owner being $\qquad$ filed on $\qquad$ -

## CHECK LIST - APPLICATION MATERIAL

$\qquad$ Application Fee ( $\$ 100.00$ Application Fee Single Family Rezoning)
(\$300.00 Application Fee Multi Family Rezoning)
(\$200.00 Application Fee Commercial Rezoning)
(Application fee For Annexation is the same as a Rezone)
x The completed application form (one original with original signatures)
$x$ _ Special Conditions made part of the rezoning/annexation request
$\underline{x}$ Legal Description
$x$ Survey plat of property showing bearings and distances and:
$x \quad$ abutting property owners
$x$ the zoning of abutting property
$x \quad$ the current zoning of the subject property
$\begin{array}{lll}x & \text { Development Plan } \\ x & \text { Site plan of the property at an appropriate scale }\end{array}$
Site plan of the property
$x \quad$ the proposed use
internal circulation and parking (proposed number of parking spaces)
$\frac{x}{x} \quad$ internal circulation and parking landscaping minimum square footage of landscaped area
grading
lighting
drainage (storm water retention structures)
amenities (location of amenities)
buildings (maximum gross square footage and height of structures)
buffers
Additional information that may be required by the Code Enforcement Officer:

Application Material-Section 1421.4 of the Zoning Ordinance outlines the specific items to be included on the site plan:

## Page five (5)

For any application for P, B-1, B-2, B-3 or M-1 districts the site plan shall identify: (circle the appropriate district applied for)

```
the maximum gross square footage of building area
the maximum lot coverage of building area
the minimum square footage of landscaped area
the maximum height of any structure
the minimum square footage of parking and drive areas
the proposed number of parking spaces
```

For any application for the R-1, R-1A, R-2 or MH districts the site plan shall additionally identify: (circle the appropriate district applied for)
$\frac{\mathrm{x}}{\frac{x}{x}}$ the maximum number of residential dwelling units
the minimum square footage of heated floor area for any residential dwelling unit
the maximum height of any structure
$\frac{x}{x}$

$\frac{x}{x} \quad$| the minimum square footage of landscaped area |
| :--- |
| the maximum lot coverage of building area |
| the proposed number of parking spaces |
| on all rezoning applications a revised site plan to be approved at a later date by the Mayor and City |
| Council may be required |

- yes_no Applicant site plan indicates a variance requested
for any application for multi-family residential uses, the site plan shall also identify the
maximum height of any structure, location of amenities, and buffer areas: and,
any other information as may be reasonably required by the Code Enforcement Officer.

Any applicant requesting consideration of a variance to any provision of the zoning ordinance as shown on the required site plan shall identify the variance(s) and identify for each variance shown the following information which shall confirm that the following condition(s) exist:
$\qquad$ 1. Any information which identifies that there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
2. Any information whereby a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.
3. Any information supporting that granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.
4. Information clearly showing that the requested variance will be in harmony with the purpose and intent of this Ordinance and will not be injurious to the neighborhood or to the general welfare.
5. Information that the special circumstances are not the result of the actions of the applicant.
6. A description of how the variance requested is the minimum variance that will make possible the legal use of the land, building, or structure in the use district proposed.
_ 7. Information indicating the variance is not a request to permit a use of land, buildings, or structures, which are not permitted by right in the district involved.
Rezoning Application

Page six (6)

COMMENTS
$\qquad$
$\qquad$
$\qquad$
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$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$
$\qquad$

Disclosure of Campaign Contributions and/or gifts:
Each applicant has the duty of filing a disclosure report with the City if a contribution or gift totaling two hundred and fifty dollars (\$250.00) or more has been given to an official of the City of Monroe within the last two (2) years. The filing shall be within ten (10) days after the application is made, and in the case of a supporter or opponent, filing shall be at least five (5) days before the first public hearing.

I hereby withdraw the above application: Signature: $\qquad$ Date: $\qquad$

## Letter of Intent

Springfield Subdivision
Amendment to Conditions of Zoning

The applicant, Parkland Communities Inc., requests an amendment to the approved conditions from Rezone Case \#256, which was approved by Monroe City Council in January 2022. The approved request was a rezoning of an approximately 83.072 -acre lot from $\mathrm{R}-1$ to $\mathrm{R}-1 \mathrm{~A}$ for the purpose of constructing a single-family residential community.

As approved by City Council, the community will include up to 141 single-family dwellings ( 1.69 $u / a)$, an amenity area, and abundant open space. Access to the site will be provided via Cedar Ridge Road, and Double Springs Church Road. In part due to Mountain Creek spanning the entirety of the eastern and southern property lines, and a perennial stream that bisects the southern corner property, $35 \%$ of the site, or 29.1 acres, is dedicated to open space. Further open space will be located along the western property line, where adjacent to the neighboring single-family subdivision, and an additional 25 -foot landscape strip along the Double Springs Church Road and Cedar Ridge Road frontage, creating year-round screening. Located near the entrance of the site, the community's luxury amenity area will feature a pool, cabana, and outdoor furniture, in addition to a playground and open play field. A parking area will be located adjacent to the amenity area, supplying plenty of spaces for residents and guests. Though parking will be provided, the amenity area and Double Springs Church Road will be easily accessible for pedestrians, as sidewalks will be provided on both sides of the internal street for safe and sufficient walkability. The community will consist of two different sections with varying architectural styles and sizes throughout. The Meadows at Springfield will include 34 ranch-style homes that are a minimum of 1,800 square feet with minimum 10,000 square feet lots. The remainder of the site will include 107 two-story homes that are a minimum of 2,400 square feet in size with minimum 10,350 square feet lots. All dwellings will include a minimum two-car garage, and will be constructed using a mixture of materials, comprising of brick, stacked stone and fiber cement siding.

Approval of the original zoning request included condition 7, which states "Prior to Preliminary Plat submittal, the developer shall enter into a fully executed development agreement with the City of Monroe". The applicant requests to amend the condition to state the following:

## 7. Prior to Preliminary Plat approval, the developer shall enter into a fully executed development agreement with the City of Monroe.

The applicant requests the condition change to allow the applicant to submit plans and begin the plan review process while the city-wide moratorium for preliminary plat approval remains in effect. The moratorium, approved in December 2021, is in effect through June 2022. The applicant will enter into a development agreement prior to the approval of the plat after the expiration of the moratorium, and the community will be constructed in conformance will all other approved zoning conditions.

## Rezoning Application Analysis

## A DESCRPTION OF ALL EXISTING USES AND ZONING OF NEARBY PROPERTY

East - currently vacant parcels zoned B-3; South - single-family subdivision (unincorporated Walton County); West - currently vacant parcel zoned R-1; North - R-1 zoned single-family subdivision.

## DESCRIPTION OF THE EXTENT TO WHICH THE PROPERTY VALUE OF THE SUBJECT PROPERTY IS DIMINISHED BY THE EXISTING ZONING DISTRICT CLASSIFICATION.

The subject site was approved to its current zoning district, R1-A, in January 2022. The applicant requests only to amend a condition of approval and retain its current zoning district.

## THE EXISTING VALUE OF THE PROPERTY CONTAINED IN THE PETITION FOR REZONING UNDER THE EXISTING ZONING CLASSIFICATION

The existing zoning is the most valuable zoning district possible at the subject site.

## the value of the property contained in the application for rezoing under the proposed ZONING CLASSIFICATION

The applicant submits the current zoning allows for a use that is most compatible with the surrounding area and is the most economically feasible.

A DESCRIPTION OF THE SUITABILITY OF THE SUBJECT PROPERTY UNDER THE EXISTING ZONING CLASSIFICATION

The current zoning district allows for a use and density that is suitable with the surrounding area.
A description of the suitability of the subject property under the proposed zoning CLASSIFCATION OF THE PROPERTY

Under the current zoning district, which will remain R1-A, the use will remain consistent with the Monroe Future Land Use Map from the Walton County Comprehensive Plan, as residential uses are encouraged for this area. It is also consistent with the surrounding uses including subdivisions to the south and north of the subject site.

## A DESCRIPTION OF ANY EXISTING USE OF PROPERTY INCLUDING A DESCRIPTION OF ALL STRUCTURES PRESENTLY OCCUPYING THE PROPERTY

The subject site is currently vacant with no existing structures.

## THE LENGTH OF TIME THE PROPERTY HAS BEEN VACANT OR UNUSED AS CURRENTLY ZONED

The subject property has not yet been developed as currently zoned.

A DETAILED DESCRIPTION OF ALL EFFORTS TAKEN BY THE PROPERTY OWNER TO USE THE PROPERTY OR SELL THE PROPERTY UNDER THE EXISTING ZONING CLASSIFICATION

Please refer to above responses.

Based upon the above reasons, the applicant feels that this is a reasonable request and that action contradictory to the zoning request will constitute a taking of property in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process of the Fourteenth Amendment to the Constitution of the United States, and Article P, Section 1, Paragraph 1, and Article 1, Section 3, Paragraph 1 of the Constitution of Georgia, denying the owner viable use of its land.

Post Office Box 1249 • Monroe, Georgia 30655
Telephone 770-267-7536 • Fax 770-267-2319

September 14, 2021

Elizabeth Kim
Parkland Communities, Inc.
299 South Main St, Ste A
Alpharetta, GA 30009
RE: Parcel \#M0050045- Double Springs Church Rd /Cedar Ridge Rd

Dear Ms. Kim:

The City of Monroe will be able to serve a potential development located at parcel number M0290008, which lies within the incorporated boundaries of the city, with the following:

- Sanitary sewer services pending developer provided infrastructure improvements and extensions including but not limited to pump station(s), other connecting pump station upgrades, force main installation and/or gravity line(s), and connection to the City's sanitary sewer system via any existing and future appropriate easements within City of Monroe incorporated boundaries. All connections and systems must be installed according to City specifications and in accordance with approvals of the City Wastewater Department. Any additional necessary sanitary sewer infrastructure upgrades shall be the responsibility of the developer in order to operationally connect to the City system and to ensure satisfactory system delivery.
- Water service is available pending developer provided infrastructure improvements to ensure adequate pressurization for residential use and for adequate fire flow pressures. This tract is in an area that has been deemed a low-pressure zone and for further development would require system improvements to be approved by the City Water Department. Any additional necessary water infrastructure upgrades shall be the responsibility of the developer in order to operationally connect to the City system and to ensure satisfactory system delivery.
- Natural Gas service is available.
- Telecommunications services are available.


## Logan Propes



City Administrator
City of Monroe


## $\square$

SUve foes comens on exili



 Aitt of wper and leer max




























## An Appox Mat












































## SURVEY LEGAL DESCRIPTION

A parcel of land lying in Land Lots 27, 41, and 42 of the 3rd District of Walton County, Georgia,
and being part of Tract 1 of the Breedlove Property and being more particularly described as follows:

Begin at a found 1.5 " rod at the common corner of Land Lots $27,28,41$, and 42; thence run South 60 Degrees 40 Minutes 48 Seconds West along the common line of Land Lots 27 and 28
for a distance of 771.29 feet to found $1 / 2^{\text {" }}$ open top pipe laying on the easterly right-of-way of

Cedar Ridge Road (70' right-of-way); thence leaving said Land Lot Line, run North 10 Degrees 28
Minutes 25 Seconds East along said right-of-way for a distance of $1,244.62$ feet to a set 5/8 "
capped rebar (L.S.F. \#1322) at the intersection of the easterly right-of-way of Cedar Ridge Road
and the southerly right-of-way of Double Springs Church Road (80' right-of-way); thence leaving
said right-of-way of Cedar Ridge Road, run South 71 Degrees 34 Minutes 13 Seconds East along
said right-of-way of Double Springs Church Road for a distance of 165.36 feet to a point, said
point laying on a non-tangent curve to the left and having a radius of 1,957.00 feet, a central angle of 18 Degrees 48 Minutes 47 Seconds, a chord bearing of South 80 Degrees 58

Minutes
37 Seconds East, and a chord distance of 639.69 feet; thence run along the arc of said curve and said right-of-way for a distance of 642.58 feet to a point; thence run North 89 Degrees 37

Minutes 00 Seconds East along said right-of-way for a distance of 333.18 feet to a point; thence
run North 88 Degrees 50 Minutes 52 Seconds East along said right-of-way for a distance of 485.45 feet to a point; thence run North 88 Degrees 33 Minutes 31 Seconds East along said right-of-way for a distance of 192.38 feet to a point at the intersection of said right-of-way and
the centerline of a creek; thence leaving said right-of-way, run along the centerline of said creek
the following courses and distances:
South 28 Degrees 49 Minutes 17 Seconds East for a distance of 39.36 feet to a point; South 22 Degrees 53 Minutes 45 Seconds East for a distance of 127.57 feet to a point; South 01 Degrees 30 Minutes 45 Seconds West for a distance of 64.01 feet to a point; South 02 Degrees 20 Minutes 10 Seconds East for a distance of 45.58 feet to a point; South 06 Degrees 56 Minutes 45 Seconds West for a distance of 110.07 feet to a point; South 12 Degrees 12 Minutes 21 Seconds East for a distance of 65.64 feet to a point; South 03 Degrees 00 Minutes 09 Seconds West for a distance of 128.29 feet to a point; South 06 Degrees 42 Minutes 23 Seconds West for a distance of 44.68 feet to a point; South 25 Degrees 10 Minutes 22 Seconds West for a distance of 88.77 feet to a point; South 06 Degrees 53 Minutes 27 Seconds East for a distance of 38.01 feet to a point; South 13 Degrees 06 Minutes 35 Seconds West for a distance of 62.24 feet to a point; South 00 Degrees 37 Minutes 40 Seconds West for a distance of 50.76 feet to a point; South 44 Degrees 04 Minutes 33 Seconds East for a distance of 60.51 feet to a point; South 11 Degrees 10 Minutes 25 Seconds East for a distance of 128.33 feet to a point; South 12 Degrees 40 Minutes 29 Seconds East for a distance of 148.04 feet to a point; South 24 Degrees 01 Minutes 00 Seconds East for a distance of 145.12 feet to a point; South 04 Degrees 41 Minutes 37 Seconds East for a distance of 77.11 feet to a point; South 21 Degrees 09 Minutes 16 Seconds East for a distance of 116.65 feet to a point; South 19 Degrees 52 Minutes 27 Seconds West for a distance of 57.03 feet to a point; South 27 Degrees 52 Minutes 31 Seconds East for a distance of 147.75 feet to a point; South 11 Degrees 58 Minutes 10 Seconds East for a distance of 133.37 feet to a point; South 21 Degrees 49 Minutes 27 Seconds East for a distance of 69.52 feet to a point; South 58 Degrees 10 Minutes 16 Seconds East for a distance of 80.24 feet to a point; South 39 Degrees 54 Minutes 38 Seconds East for a distance of 27.38 feet to a point; South 17 Degrees 47 Minutes 58 Seconds East for a distance of 67.06 feet to a point; South 20 Degrees 04 Minutes 13 Seconds East for a distance of 97.17 feet to a point; South 75 Degrees 13 Minutes 14 Seconds West for a distance of 60.84 feet to a point; South 06 Degrees 43 Minutes 14 Seconds East for a distance of 88.88 feet to a point; South 04 Degrees 23 Minutes 42 Seconds East for a distance of 113.27 feet to a point; South 03 Degrees 08 Minutes 07 Seconds East for a distance of 133.38 feet to a point; South 00 Degrees 52 Minutes 18 Seconds East for a distance of 127.73 feet to a point; South 17 Degrees 37 Minutes 37 Seconds East for a distance of 50.28 feet to a point;

South 04 Degrees 17 Minutes 44 Seconds West for a distance of 34.72 feet to a point; South 50 Degrees 41 Minutes 57 Seconds West for a distance of 56.25 feet to a point; South 08 Degrees 54 Minutes 56 Seconds West for a distance of 73.01 feet to a point; South 15 Degrees 48 Minutes 24 Seconds West for a distance of 74.02 feet to a point; South 41 Degrees 29 Minutes 18 Seconds West for a distance of 114.17 feet to a point; South 11 Degrees 43 Minutes 30 Seconds West for a distance of 64.06 feet to a point; South 35 Degrees 29 Minutes 31 Seconds West for a distance of 45.26 feet to a point; South 24 Degrees 23 Minutes 06 Seconds West for a distance of 52.69 feet to a point; South 04 Degrees 02 Minutes 43 Seconds West for a distance of 57.79 feet to a point; South 33 Degrees 35 Minutes 05 Seconds West for a distance of 55.88 feet to a point; South 25 Degrees 01 Minutes 16 Seconds West for a distance of 26.87 feet to a point at the intersection of said creek and the common line of Land Lots 28 and 41; thence leaving the centerline of said creek, run North 32 Degrees 03 Minutes 00 Seconds West along said Land Lot
Line for a distance of $1,245.87$ feet to a found crimped top pipe; thence run North 32

## Degrees

02 Minutes 17 Seconds West along said Land Lot Line for a distance of 370.43 feet to a found

1/2" rebar; thence run North 32 Degrees 02 Minutes 25 Seconds West along said Land Lot Line
for a distance of 370.40 feet to a found 1/2" open top pipe; thence run North 31 Degrees 58 Minutes 14 Seconds West along said Land Lot Line for a distance of 911.16 feet to the POINT

OF BEGINNING.
Said parcel being $3,618,597$ square feet or 83.072 acres.



To:
City Council
From: Patrick Kelley
Department: Planning, Code and Development
Date:
04-11-2022


Subject: Rowell Family Partnership, Still Family Realty, LLC, and the Landing at Monroe, LLC, $\pm 201.415 \mathrm{ac}$. Preliminary plat to subdivide undeveloped land.

## Budget Account/Project Name: N/A

Funding Source: N/A

Budget Allocation: N/A
Budget Available: N/A
Requested Expense: N/A Company of Record: N/A

Recommendation: Staff recommends approval of this Preliminary Plat subject to the corrections listed below.

Description: South side of Double Springs Church Road, west side of Double Springs Church Road Connector and Charlotte Rowell Blvd, and east side of Cedar Ridge Road.

1. Show existing street locations in the rights-of-way abutting the site. (7.2.4(i))
2. On Sheet 1 of 5 , increase the size of the lot labels to be legible. (7.2.4(j))
3. Portions of the floodplain appear to be missing on the east side of Mountain Creek on lots 5 and 6 . Revise accordingly. (7.2.4(m))
4. Please increase the size of the signature approval blocks and signature lines. For the Owner's Authorization, provide additional signature blocks for the additional owners on the site. (7.2.4(x-aa))

Background: Undeveloped. Property division into undeveloped parcels for future development.

Attachment(s): Application, preliminary plat and supporting documents

Planning
City of Monroe, Georgia
PRELIMINARY PLAT REVIEW

## APPLICATION SUMMARY

PRELIMINARY PLAT CASE \#: 834
DATE: April 11, 2022
STAFF REPORT BY: Brad Callender, City Planner
DEVELOPER: Lee Rowell
PROPERTY OWNER: Rowell Family Partnership, Still Family Realty, LLC, and the Landing at Monroe, LLC
DESIGN CONSULTANT: Georgia Civil
LOCATION: South side of Double Springs Church Road, west side of Double Springs Church Road Connector and Charlotte Rowell Blvd, and east side of Cedar Ridge Road

ACREAGE: $\pm 201.415$
EXISTING ZONING: B-3 (Highway Commercial District) \& R-1A (Medium Lot Residential District)
EXISTING LAND USE: Undeveloped
ACTION REQUESTED: The owner is requesting Preliminary Plat approval to subdivide the property for future residential and commercial projects.

STAFF RECOMMENDATION: Staff recommends approval of this Preliminary Plat subject to the corrections listed below.

## DATE OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: April 19, 2022
CITY COUNCIL: May 10, 2022

## PRELIMINARY PLAT REVIEW SUMMARY

The submitted Preliminary Plat requires the following corrections prior to signing the plat for approval. Due to the number and type of comments identified, additional corrections may be required upon submission of the revised Preliminary Plat.

1. Show existing street locations in the right-of-ways abutting the site. (7.2.4(i))
2. On Sheet 1 of 5 , increase the size of the lot labels to be legible. (7.2.4(j))
3. Portions of the floodplain appear to be missing on the east side of Mountain Creek on lots 5 and 6. Revise accordingly. (7.2.4(m))
4. Please increase the size of the signature approval blocks and signature lines. For the Owner's Authorization, provide additional signature blocks for the additional owners on the site. (7.2.4(xaa))

215 N. Broad Street
Monroe, GA 30655
(770) 207-4674

## PRELIMINARY PLAT PERMIT



NOTES:
This request for Preliminary Plat approval will be heard by the Monroe Planning Commission on April 19, 2022 at $5: 30 \mathrm{pm}$ and by the Mayor and City Council on May 10, 2022 at $6: 00 \mathrm{pm}$. Both meeting will take place in the Council Chambers at City Hall, 215 N. Broad St. Monroe, GA 30655.

NOTICE
THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

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215 North Broad Street
Monroe, GA 30655
Tel (770) 267-3429
Fax (770) 267-3698

LAURA WILSON

## Cashier Name:

Terminal Number:
Receipt Date: 4/1/2022 4:13:16 PM

Name: Rowell, Lee

Total Balance Due: $\quad$| $\mathbf{\$ 1 8 0 . 0 0}$ |
| :--- |
| $\mathbf{\$ 1 8 0 . 0 0}$ |

\$180.00

Amount:
\$180.00
Total Payment Received:
\$180.00
Change:
$\$ 0.00$

## CITY OF MONROE

## PRELIMINARY PLAT APPLICATION

| Project Name: Rowell Family Partnership \& Still Family Realty, LLC |  |
| :---: | :---: |
| Project Location: Double Springs Church Road |  |
| Development Type: Preliminary Subdivision Plat |  |
| $\qquad$ Acreage: | Total Lots or Units: 6 |
| Applicant: Lee Rowell | Phone \#: 706 -318-6153 |
| Address: P.O. Box 1936 $\qquad$ city: Monroe $\qquad$ | $\text { State: GA zip: } 30655$ |


| Property Owner: Rowell Family Parnership \& Still Family Realty, LLC, et al. |  | $\begin{aligned} & \text { Phone \#: } \frac{706-318-6153}{\text { GA } \text { zip: } \underline{30655}} \\ & \text { _state: } \end{aligned}$ |
| :---: | :---: | :---: |
| $\text { Address: P.O. Box } 1936$ | city: Monroe |  |
| Developer: |  | Phone \#\# |
| Address: | City: | State: ___ Zip: |
| Designer: |  | Phone \#: |
| Address: | City: | State:___ Zip: |

1 HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

SIGNATURE OF APPLICANT: $\qquad$ DATE: $\qquad$ SIGNATURE OF OWNER: $\qquad$ DATE: $3 \ln / 22$

## FEE: $\$ 30$ PER LOT/UNIT; $\$ 150$ MINIMUM

It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are submitted. Applications and submittals found to be incomplete and incorrect will be rejected.


## 50  Hitumiciow $\frac{2}{2}$ 

SHEET 1 OF 5


# $\overline{\mathrm{TC}}$ <br> georgia civil   3 <br>  



SHEET 3 OF 5


SHEET 4 OF 5


SHEET 5 OF 5


[^0]:    I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

