

### **Planning Commission Meeting**

## AGENDA

## Tuesday, July 16, 2024 6:00 PM 215 N Broad St - City Hall

- I. <u>CALL TO ORDER</u>
- II. <u>ROLL CALL</u>
- III. APPROVAL OF AGENDA

#### IV. MINUTES OF PREVIOUS MEETING

- 1. Previous Minutes 6-18-2024
- V. <u>REPORT FROM CODE ENFORCEMENT OFFICER</u>
- VI. OLD BUSINESS

#### VII. <u>NEW BUSINESS</u>

- 1. Request for COA 423 E Spring St Addition
- 2. Request for COA 424 E Spring St Parking lot renovation
- 3. Request for COA 1001 Pavilion Pkwy New Fast Food Restaurant
- Request for Conditional Use Permit 303 S Broad St Alpha Omega Private School
- 5. Request for Conditional Use 114 S Broad St Retail Wine Shop
- 6. Request for Rezone 415 Pannell Rd R-1 to PID
- 7. Request for Rezone 1125 N Broad St B-3 to PRD/PCD
- VIII. ADJOURNMENT

#### MONROE PLANNING COMMISSION MEETING MINUTES—June 18, 2024--DRAFT

Present: Rosalind Parks, Randy Camp, Mike Eckles

Absent: Shauna Mathias, Nate Treadaway

Staff:Brad Callender—City PlannerLaura Wilson—Code Assistant

Visitors: Vicki Bailey

Call to Order by Chairman Eckles at 6:00 pm.

Motion to Approve the Agenda

Motion Parks. Second Camp. Motion carried

Chairman Eckles asked for any changes, corrections or additions to the May 21, 2024 minutes. Motion to approve

Motion Camp. Second Parks. Motion carried

Code Report: There are seven items submitted for the July Planning Commission meeting—all members are encouraged to attend; one item is detailed and complex—a 200-page pattern book to allow an advanced reading.

Old Business: None

#### New Business:

<u>The First Item of Business</u> is Conditional Use Case #3224, a request for a conditional use permit at 700 Breedlove Dr. for a music studio. This building has been under renovation in the last year. Extra insulation has been added to the space the music studio will be renting. The space will be divided into four classrooms with a waiting room for parents. Staff recommends approval without conditions.

Chairman Eckles: Anyone here to speak for or against the application? Yes—Vicki Bailey; this is a new location for an existing music studio. The lease at the previous location (Old City Hall) is being terminated due to building renovations. The new space has one additional classroom. The extra insulation is in the area around the four classrooms.

Chairman Eckles: Are there different instructors that lease each classroom? V. Bailey: Yes, there is one for cello, guitar, piano, and voice; each instructor has their own classroom. Each lesson is typically 30 minutes. Chairman Eckles: Anyone here to speak against the application? No

Motion to approve

Motion Camp. Second Parks. Motion approved

Chairman Eckles entertained a motion to adjourn. Motion to adjourn

Motion Parks. Second Camp Meeting adjourned; 6:08 pm



#### Planning City of Monroe, Georgia

#### **CERTIFICATE OF APPROPRIATENESS STAFF REPORT**

#### APPLICATION SUMMARY

**CERTIFICATE OF APPROPRIATENESS CASE #:** 3245

DATE: July 5, 2024

STAFF REPORT BY: Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Tonya Thomas

**PROPERTY OWNER:** Antonio Thomas

**LOCATION:** Northwest corner of E. Spring Street and Ford Street – 423 E. Spring St.

ACREAGE: ±0.27

EXISTING ZONING: B-3 (Highway Business District)

EXISTING LAND USE: Hair salon with associated parking

**ACTION REQUESTED:** The applicant is requesting approval of a Certificate of Appropriateness application in order to build an addition onto the existing hair salon building.

**STAFF RECOMMENDATION:** Staff recommends approval of this Certificate of Appropriateness as submitted without conditions.

#### DATE OF SCHEDULED MEETING PLANNING COMMISSION: July 16, 2024

#### **REQUEST SUMMARY**

#### CERTIFICATE OF APPROPRIATENESS REQUEST SUMMARY:

The applicant is requesting approval of a Certificate of Appropriateness application in order to construct an addition onto the existing hair salon building. The proposed addition will be approximately 672 square feet. The purpose of the proposed addition is to expand the existing hair salon operations.

#### **PROPOSED PROJECT SUMMARY:**

- Building Addition 360 Hair Salon
  - Existing Building ±1,052 square feet
    - Painted brick facade
  - Proposed Addition ±672 square feet
    - Painted hardy plank siding
  - No other changes to the site are proposed

#### STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>CORRIDOR DESIGN STANDARDS AND</u> <u>GUIDELINES</u>" AS SET FORTH IN SECTION 643A OF THE *CITY OF MONROE ZONING ORDINANCE*.

#### 643A.1 – Site Planning:

The site contains an existing commercial building originally constructed as a residence but was converted into a commercial business. The proposed addition to the building will be located on the rear side of the building. The addition appears to meet the general intent of the Site Planning Requirements in Section 643A.1(1) of the Zoning Ordinance.

#### 643A.2 – Architecture:

The existing building has a painted brick exterior façade. The proposed addition will have hardy plank siding on the exterior façade. The proposed building addition appears to meet the intent of the Architecture Requirements in Section 643A.2 of the Zoning Ordinance.

#### 643A.3 – Pavement:

This standard is not affected by this request.

#### 643A.4 – Landscaping:

This standard is not affected by this request.

#### 643A.5 – Signs:

This standard is not affected by this request.

#### 643A.6 – Illumination:

This standard is not affected by this request.

#### **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 Certificate of Appropriateness application to allow for the building addition as submitted without conditions.



## City of Monroe

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

#### **PLANNING & ZONING COA PERMIT**

PERMIT #: 324	5	DESCRIPTION:	COA-PLANNING & ZONING	
JOB ADDRESS: PARCEL ID: SUBDIVISION:	423 E SPRING ST M0150008	LOT #: BLK #: ZONING:	65 B-3	
ISSUED TO: ADDRESS CITY, STATE ZIP: PHONE:	TONYA THOMAS 2150 MALBOROUGH DR BETHLEHEM GA 30655	CONTRACTOR: PHONE: OWNER:	TONYA THOMAS	
PROP.USE VALUATION: SQ FT OCCP TYPE: CNST TYPE:	COMMERCIAL \$ 40,000.00 0.00	PHONE: DATE ISSUED: EXPIRATION:	6/12/2024 12/09/2024	
INSPECTION REQUESTS:	770-207-4674 Iwilson@monroega.gov			
FEE CODE COA-01	DESCRIPTION PLANNING COMMISSION REGULAR N	IEETING		<b>AMOUNT</b> \$ 100.00
			FEE TOTAL PAYMENTS BALANCE	\$ 100.00 \$- 100.00 \$ 0.00
NOTES:				
The Planning Com allow for an additic	mission will hear and make a decision at 423 E Spring St. on July 16, 202	n on this request for a 24 at 6:00pm. The mee	Certificate of Appropriatene	<mark>ss to</mark> cil

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.

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.

Win (APPROVED BY)

<u>6,14,24</u> DATE



#### Certificate of Appropriateness Application

Please fill out each section completely and provide all necessary documentation. Incomplete applications will not be accepted.

Under the Zoning Ordinance for the City of Monroe, properties located within the Corridor Design Overlay or the Central Business District are required to obtain a Certificate of Appropriateness (COA) from the Planning Commission for any exterior material change on the property.

Project Address: Parcel #

Property listed above is located in (circle) Corridor Design Overlay or Central Business District

Project Type (circle): New Construction, Renovation of Existing Structure, Demolition, Signage

Property Owner: borove Address: Quanto, com 2Email Address: JONUA. thomas Telephone Number: Applicant: Betelhen Ga bora Address: 2 Email Address: tonul . thomas a data. Co Telephone Number: Estimated cost of project: Please submit the following items with your application: Photographs of existing condition of the property to show all areas affected Plans, sketches, drawings, and diagrams of the project which detail the materials that will be used Written description of the project Owner authorization statement, if applicant is not the property owner Application Fee \$100

Please submit all application materials in hardcopy to the Code Department and digitally at lwilson@monroega.gov; Please submit two physical copies.

Signature of Applicant

5-10-24 Date

## *360 HAIR SALON ADDITION PROJECT*

#### Address: 423 E. SPRING ST.

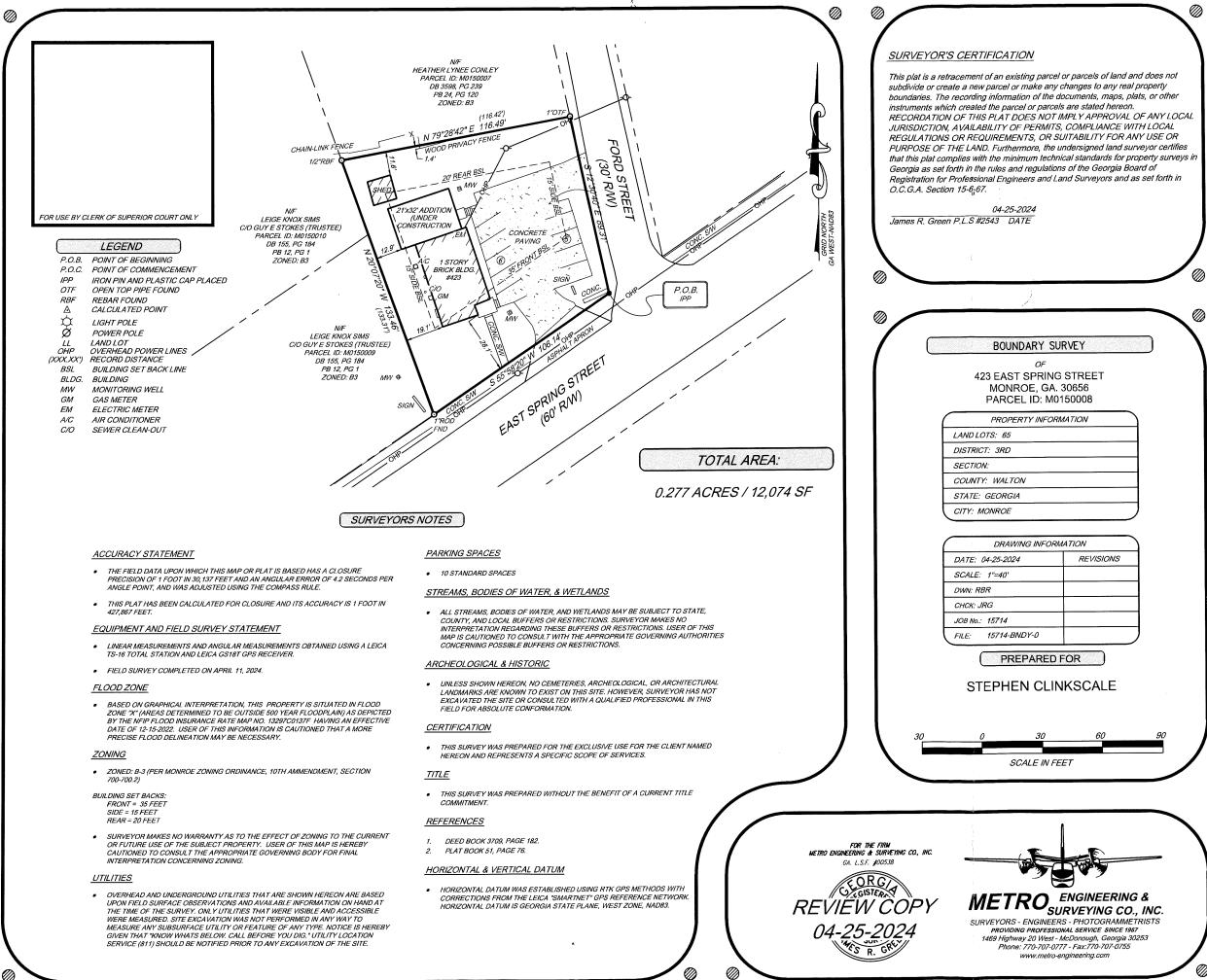
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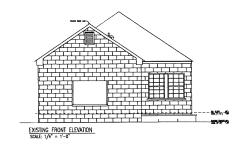
#### **MONROE, GA 30655**

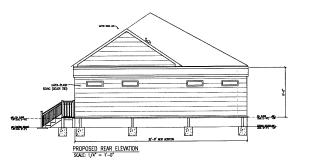
### **Owners: Antonio and Tonya Thomas**

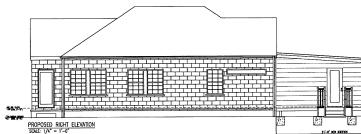
Description: The addition will be approximately 672 square feet (32'-0" x 21'-0"). HARDI-PLANK Exterior Siding, with Crawl Space with 6x6 Post on 18"x18"x18" Concrete Footing. The rooms in the addition will consist of - 4 Hair Dressing Studios, Hair Washing Room, ADA Restroom, Laundry Room, Kitchen/Break Room and Waiting Room.

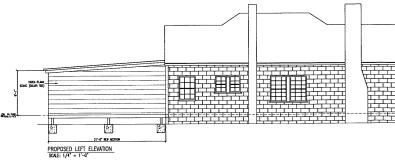


32'-0" 5'-0" 6'-2" 6'-3" 6'-2" 6'-2"  $\bigcirc \bigcirc$ STUDIO 3 STUDIO 4 STUDIO 1 STUDIO 2 HAIR WASH ROOM ,-0<u>"</u> HANDICAP SIGNAGE LAUNDRY ROOM KITCHEN [105] 5' DIA. RESTROOM WAITING ROOM -7 ()(WH) Ô ••• F A  $\left[ \right] \bigcirc$ EXISTING STUDIO RESTROOM И EXISTING STUDIO OPEN AREA EXISTING STUDIO EXISTING STUDIO 1-2 EXISTING WAITING AREA 6'-3**\*** 6'~6" 6'-3\* 10'-0" 19'-0" PROPOSED FLOOR PLAN 0 4' 8' 16' SCALE: 1/4'' = 1'-0''









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	General Notes	
AND ANK AND ANK AND ANK AND ANK ANT ANK ANK ANK ANK ANK ANK ANK ANK	No. Revision/Issue Date	
General Contraction	SCADS 2578 DEANN DR. ELLENWOOD, GA 30294 STEPHENCLINKSCALE07@GMAIL.COM 770.873.0038 Project Name and Address 360 HAIR SALON 423 E. SPRING ST. MONROE, GA 30655 Project 360 HAIR SALON Dete 5-10-2024 Stole 1/4"=1'-0"	







#### Planning City of Monroe, Georgia

#### **CERTIFICATE OF APPROPRIATENESS STAFF REPORT**

#### APPLICATION SUMMARY

**CERTIFICATE OF APPROPRIATENESS CASE #:** 3247

DATE: July 5, 2024

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Faith in Serving Humanity, Inc.

PROPERTY OWNER: Faith in Serving Humanity, Inc.

**LOCATION:** South side of E. Spring St. – 424 E. Spring St.

ACREAGE: ±2.22

**EXISTING ZONING:** B-3 (Highway Business District)

EXISTING LAND USE: Thrift store with paved and unpaved parking areas

**ACTION REQUESTED:** The applicant is requesting approval of a Certificate of Appropriateness application in order to allow paving of the existing parking area.

**STAFF RECOMMENDATION:** Staff recommends approval of this Certificate of Appropriateness as submitted without conditions.

#### DATE OF SCHEDULED MEETING

PLANNING COMMISSION: July 16, 2024

#### **REQUEST SUMMARY**

#### CERTIFICATE OF APPROPRIATENESS REQUEST SUMMARY:

The applicant is requesting approval of a Certificate of Appropriateness application in order to pave an existing unpaved parking lot and other unpaved portions of the site. The existing parking lot is located on the side of the building. The applicant proposes to pave all of the parking and install landscaping.

#### PROPOSED PROJECT SUMMARY:

- Upgrade unpaved parking and install landscaping
  - Parking Spaces 32
    - All unpaved portions of the site will now be paved
    - An area not accessible to the public at the rear of the building will also be paved

#### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>CORRIDOR DESIGN STANDARDS AND</u> <u>GUIDELINES</u>" AS SET FORTH IN SECTION 643A OF THE *CITY OF MONROE ZONING ORDINANCE*.

#### 643A.1 – Site Planning:

The site contains an existing thrift store with unpaved and paved parking. A majority of the parking area for the public is unpaved and a small area to the rear of the building is also unpaved. The applicant proposes to upgrade the parking in the site by installing paved parking areas and landscaping. The development appears to meet the general intent of the Site Planning Requirements in Section 643A.1(1) of the Zoning Ordinance.

#### 643A.2 – Architecture:

This standard is not affected by this request.

#### 643A.3 – Pavement:

There is existing unpaved parking in the location of the proposed parking lot improvement. A portion of the parking lot was paved prior to submitting the COA application and completion of that is pending consideration of the COA. The applicant proposes to pave the remaining areas of the public parking lot that will result in a total of 32 parking spaces. The applicant also proposes to pave areas behind the building that are currently unpaved. With the primary parking area already located on the side of the building, the improvements to the parking area and in other areas of the site comply with the general and area specific criteria outlined in Section 643A.3 of the Zoning Ordinance.

#### 643A.4 – Landscaping:

The submitted site plan indicates that landscaping will be added to the eastern and western sides of the lot. No specific landscaping improvements were identified for the parking lot. If shade trees and ornamental plantings are added to the parking lot planters and the edges of the parking lot, landscaping will be able to comply with the landscaping criteria outlined in Sections 520.4(6) and 643A.4 of the Zoning Ordinance.

#### 643A.5 - Signs:

This standard is not affected by this request.

#### 643A.6 – Illumination:

A lighting plan was not included with the development plans. Any lighting added to the site will be required to comply with the Illumination Criteria for the Corridor Design Standards and Guidelines outlined in Section 643A.6 of the Zoning Ordinance.

#### **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 Certificate of Appropriateness application to improve the parking area as submitted without conditions.



## **City of Monroe**

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

#### **PLANNING & ZONING COA PERMIT**

DESCRIPTION: PERMIT #: 3247 **COA-PLANNING & ZONING** LOT #: JOB ADDRESS: 424 E SPRING ST PARCEL ID: M0150014 BLK #: ZONING: B-3 SUBDIVISION: FAITH IN SERVING HUMANITY INC CONTRACTOR: ISSUED TO: FAITH IN SERVING HUMANITY INC ADDRESS PO BOX 1838 PHONE: CITY, STATE ZIP: MONROE GA 30655-5000 OWNER: PHONE: PHONE: PROP.USE COMMERCIAL DATE ISSUED: 6/12/2024 VALUATION: \$ 68,000.00 EXPIRATION: 12/09/2024 SQ FT 0.00 OCCP TYPE: CNST TYPE: INSPECTION 770-207-4674 REQUESTS: lwilson@monroega.gov FEE CODE DESCRIPTION AMOUNT COA-01 PLANNING COMMISSION REGULAR MEETING \$ 100.00 FEE TOTAL \$ 100.00 PAYMENTS \$- 100.00 BALANCE \$ 0.00 NOTES:

The Planning Commission will hear and make a decision on this request for a Certificate of Appropriateness to allow for parking lot renovations at 424 E Spring St on July 16, 2024 at 6:00pm. The meeting will be held in the Council Chambers at City Hall; 215 N. Broad St. Monroe, GA 30655

NOTICE

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(APPROVED BY)

DATE DATE

## Certificate of Appropriateness Application Please fill out each section completely and provide all necessary documentation. Incomplete applications will not be accepted. Under the Zoning Ordinance for the City of Monroe, properties located within the Corridor Design Overlay or the Central Business District are required to obtain a Certificate of Appropriateness (COA) from the Planning Commission for any exterior material change on the property. Project Address: 424 E. Spring Street Parcel # MDISOOL4 Property listed above is located in (circle) Corridor Design Overlay or Central Business District Project Type (circle): New Construction, Renovation of Existing Structure, Demolition, Signage Property Owner: Faith In Serving Humanity, Inc. Address: 424 E. Spring Street, PO Box 1838, Monroe, GA 30655 Telephone Number: 404-557-8860 Email Address: Cindy. Little Ofish of Walton. org Applicant: Faith In Serving Humanity, Inc. Address: 424 F. Spring Street, Monroe, GA 30655 Telephone Number: 404-557-8860 Email Address: Cindy. Little fish of walter. org Estimated cost of project: <u>68,000</u> Please submit the following items with your application: Photographs of existing condition of the property to show all areas affected

Plans, sketches, drawings, and diagrams of the project which detail the materials that will be used

Written description of the project

Me Owner authorization statement, if applicant is not the property owner

Application Fee \$100

Please submit all application materials in hardcopy to the Code Department and digitally at lwilson@monroega.gov; Please submit two physical copies.

Signature of Applicant

Date

May 15, 2024

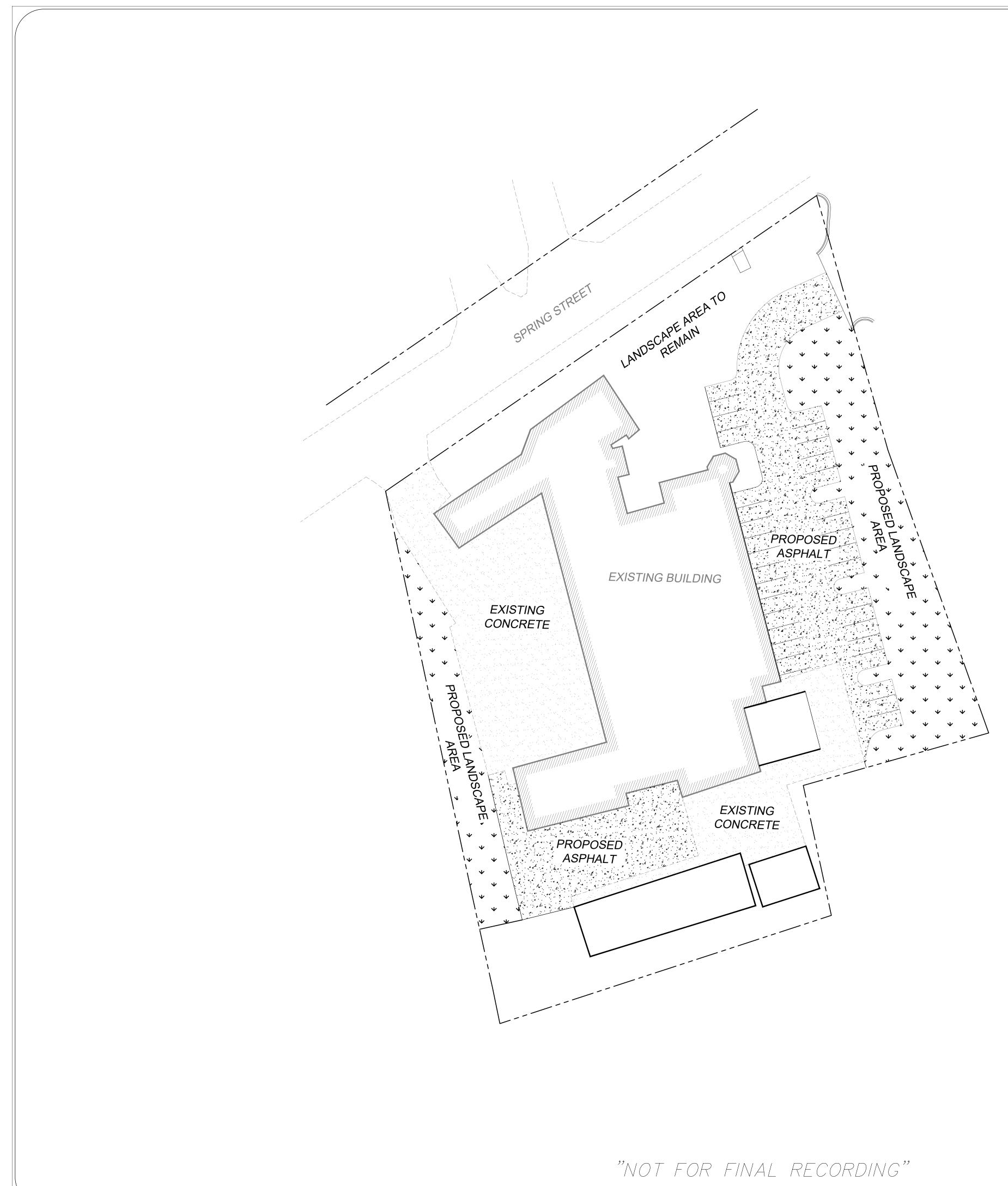
City of Monroe Planning & Zoning Department

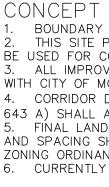
#### Re: 424 E. Spring Street – Certificate of Appropriateness

#### **Project Description**

The purpose of this project is to convert existing parking on the east side of the property and part of an existing driveway on the southwest side of the property from gravel / millings to asphalt pavement. This upgraded surface will allow customers better access to the storefront and will include ADA parking spaces. The paved driveway in the rear will allow better access for deliveries.

All areas that are proposed to be paved are currently compacted gravel or compacted asphalt millings. The remaining areas will be landscaped in accordance with City ordinances.





LAND USE: 75% IMPERVIOUS MAXIMUM TOTAL AREA = 2.22 ACRES MAXIMUM IMPERVIOUS AREA = 2.22 x 0.75 = 1.67 ACRES PROPOSED IMPERVIOUS AREA = 1.51 ACRES PROPOSED PARKING = 32 SPACES INCL 2 ADA SPACES

CONCEPT PLAN NOTES: BOUNDARY INFORMATION BASED ON SURVEY OF RECORD.
 THIS SITE PLAN IS CONCEPTUAL ONLY AND SHALL NOT BE USED FOR CONSTRUCTION.
 ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH CITY OF MONROE DEVELOPMENT ORDINANCE.
 CORRIDOR DESIGN STANDARDS AND GUIDELINES (SECTION 643 A) SHALL APPLY TO THIS PROJECT. 643 A) SHALL APPLY TO THIS PROJECT.
5. FINAL LANDSCAPING, INCLUDING ALL PLANT SELECTIONS AND SPACING SHALL CONFORM WITH SECTION 643A OF THE ZONING ORDINANCE.
6. CURRENTLY ZONED B3.

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CERTIFICATION NUMBER CERTIFICATION NUMBER IssueD: 01/15/2022 CERTIFICATION NUMBER CERTIFICATION NUMBER CERTIFICATION NUMBER CO00013703 Expires: 01/15/2025	
CONCEPT PLAN FAITH IN SERVING HUMANITY, INC.	
2.22 ACRES PARCEL ID: M0150014 LAND LOT 65 3RD LAND DISTRICT 424 E. SPRING STREET MONROE, GEORGIA	
05-15-2024 SCALE: 1" = 30'	
OWNER FAITH IN SERVING HUMANITY, INC. MONROE, GA 30655	
APPLICANT FAITH IN SERVING HUMANITY, INC. MONROE, GA 30655 24 HOUR - EMERGENCY CONTACT CINDY LITTLE	
404-557-8860	
REVISIONS         DATE       DESCRIPTION         I       I         I       I         I       I         I       I	
JOB: FAITH IN SERVING HUMANITY	
SHEET 1	





#### Planning City of Monroe, Georgia

#### **CERTIFICATE OF APPROPRIATENESS STAFF REPORT**

#### APPLICATION SUMMARY

**CERTIFICATE OF APPROPRIATENESS CASE #:** 3248

DATE: July 5, 2024

STAFF REPORT BY: Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Rick Maxian

PROPERTY OWNER: MAB Monroe LLC

LOCATION: South side of Pavilion Pkwy. and the north side of US Hwy 78 – 1001 Pavilion Pkwy.

**ACREAGE:** ±2.055

EXISTING ZONING: PCD (Planned Commercial District)

EXISTING LAND USE: Undeveloped

**ACTION REQUESTED:** The applicant is requesting approval of a Certificate of Appropriateness application in order to allow construction of a fast food restaurant with a drive-thru window.

**STAFF RECOMMENDATION:** Staff recommends approval of this Certificate of Appropriateness with conditions.

DATE OF SCHEDULED MEETING PLANNING COMMISSION: July 16, 2024

#### **REQUEST SUMMARY**

#### CERTIFICATE OF APPROPRIATENESS REQUEST SUMMARY:

The applicant is requesting approval of a Certificate of Appropriateness application in order to allow construction of a fast food restaurant with a drive-thru window, associated parking and landscaping.

#### **PROPOSED PROJECT SUMMARY:**

- Fast-Food Restaurant with Drive-Thru Window Chipotle
  - Total Building Floor Area 2,325 Sf
  - o Façade Materials combination of brick and EFIS, and architectural metal accents
  - Access Shared access drive off Pavilion Pkwy.
  - Parking 27 Parking Spaces
  - Landscaping landscape buffers along Pavilion Pkwy. and US Hwy 78

#### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>CORRIDOR DESIGN STANDARDS AND</u> <u>GUIDELINES</u>" AS SET FORTH IN SECTION 643A OF THE *CITY OF MONROE ZONING ORDINANCE*.

#### 643A.1 – Site Planning:

The proposed building is a typical sized fast-food restaurant building. The building is oriented on the center of the lot approximately 180-feet from Pavilion Pkwy. Parking is in the front and sides of the building with a drive-through lane on the southeast side of the building. The site has established access off Pavilion Pkwy. that was installed in the development of Pavilion Pkwy. The parking and location of the building will need to be redesigned to meet the general intent of the Site Planning Requirements in Section 643A.1(1) of the Zoning Ordinance. Staff has included a condition at the end of this report to address this issue.

#### 643A.2 – Architecture:

The proposed façade of the restaurant building will be a combination of brick, EFIS, architectural metal accents, and glass storefront windows and doors. The roof of the building will be a parapet roof style. The proposed building façade appears to meet the intent of the Pavilion PCD Pattern Book and the Architectural requirements under Section 643A.2. The location of the building will need to be moved closer to Pavilion Pkwy. to comply with the maximum 75-foot setback outlined in Section 643A.2(2) of the Zoning Ordinance.

#### 643A.3 – Pavement:

Parking is proposed in the front and side of the restaurant building. The pavement criteria in Section 643A.3 limits the maximum pavement depth between the roadways and buildings at 42-feet. The parking in front of the building will need to be relocated on the site to comply with the intent to limit the amount of paving between buildings and roadways. The site should be redesigned to relocate parking to the sides of the building and move the building toward Pavilion Pkwy. to comply with the general and area specific criteria outlined in Section 643A.3 of the Zoning Ordinance.

#### 643A.4 – Landscaping:

The submitted development proposes to include landscaping along Pavilion Pkwy. and US Hwy 78 and throughout the site. Landscaping along Pavilion Pkwy. and US Hwy 78 will contain a mixture of shrubs, medium sized trees, and grass. The landscaping proposed in the submitted development plans appears to comply with the landscaping criteria outlined in Section 643A.4 of the Zoning Ordinance.

#### 643A.5 - Signs:

The application includes the representative signs on the building elevations and various signs in the sign package. The sign package also includes a representative monument sign. Some wall signs will include a mix of halo lit signs and internally illuminated signs. The Pavilion PCD Pattern Book allows for internal illumination of signs, but defers to the City's sign regulations on all signs visible from US Hwy 78. The City of Monroe Corridor Design Overlay requirements do not permit any signs to be internally illuminated (Section 643A.5(e)). In this case, all signs facing Pavilion Parkway on the building, including the monument sign will be internally illuminated. The proposed signs in the sign package for the walls and monument complies with the Pavilion PCD Pattern Book and with the sign criteria outlined in Section 643A.5 of the Zoning Ordinance.

#### 643A.6 – Illumination:

A lighting plan was not included with the development plans. Any lighting added to the site will be required to comply with the Illumination Criteria for the Corridor Design Standards and Guidelines outlined in Section 643A.6 of the Zoning Ordinance.

#### **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 Certificate of Appropriateness application to construct a fast-food restaurant with drive-thru windows, subject to the following conditions:

 The site layout shall be redesigned to relocate the building closer to Pavilion Pkwy. Parking shall be redesigned so that no more than 42 feet of pavement depth is between the building and Pavilion Pkwy. The developer shall present a modified site plan package to staff for approval prior to submitting site development plans.



## City of Monroe

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

#### PLANNING & ZONING COA PERMIT

PERMIT #: **DESCRIPTION:** 3248 **COA-PLANNING & ZONING** JOB ADDRESS: 1001 PAVILION PKWY LOT #: PARCEL ID: M0050045G00 BLK #: PCD MONROE PAVILION ZONING: SUBDIVISION: **ISSUED TO:** MAX DESIGN GROUP LLC CONTRACTOR: MAX DESIGN GROUP LLC 2862 BUFORD HWY ADDRESS PHONE: CITY, STATE ZIP: DULUTH GA 30096 OWNER: PHONE: PHONE: PROP.USE COMMERCIAL DATE ISSUED: 6/12/2024 VALUATION: \$ 0.00 **EXPIRATION:** 12/09/2024 SQ FT 0.00 OCCP TYPE: CNST TYPE: INSPECTION 770-207-4674 REQUESTS: lwilson@monroega.gov FEE CODE DESCRIPTION AMOUNT COA-01 PLANNING COMMISSION REGULAR MEETING \$100.00 FEE TOTAL \$ 100.00 PAYMENTS \$- 100.00 BALANCE \$ 0.00 NOTES:

The Planning Commission will hear and make a decision on this request for a Certificate of Appropriateness to allow for development of a new restaurant at 1001 Pavilion Pkwy on July 16, 2024 at 6:00pm. The meeting will be held 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.

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.

han APPROVED BY)

014124 DATE

### Certificate of Appropriateness Application

Please fill out each section completely and provide all necessary documentation. Incomplete applications will not be accepted.

Under the Zoning Ordinance for the City of Monroe, properties located within the Corridor Design Overlay or the Central Business District are required to obtain a Certificate of Appropriateness (COA) from the Planning Commission for any exterior material change on the property. Project Address: 1001 PAVILION PLWY Parcel # MODSOUMJG00 Property listed above is located in (circle) Corridor Design Overlay or Central Business District Project Type (circle): New Construction, Renovation of Existing Structure, Demolition, Signage Property Owner: MAB MONROF LLC TRYON STARET 525 Address: 462.8851 Email Address: TOUN & MABAMERICON, COM **Telephone Number:** MAXIAN Applicant: BUFOND MWY - DULUTH, Go. 30096 Address: Telephone Number: NO. 330. 5245 Email Address: RMAXIAN & MAX DESTEN & Com Estimated cost of project: <u>1,200,000</u> Please submit the following items with your application:

Photographs of existing condition of the property to show all areas affected

Plans, sketches, drawings, and diagrams of the project which detail the materials that will be used

\_\_\_\_\_ Written description of the project

Owner authorization statement, if applicant is not the property owner

Application Fee \$100

Please submit all application materials in hardcopy to the Code Department and digitally at lwilson@monroega.gov; Please submit two physical copies.

2024

Signature of Applicant

Date

RECEIVED

# MABAMERICAN MANAGEMENT, LLC

525 North Tryon Street Suite 1600 Charlotte, NC 28202 PH: 704-331-6587

May 15, 2024

Mr. Brad Callender, Director Planning and Zoning Department City of Monroe Monroe City Hall Monroe, GA 30655

Re: Monroe Pavilion – Chipotle Restaurant Building – Freestanding Lot 3, Final Plat for Monroe Pavilion, recorded at PB 122 PGs 15-18 Property Address: 1001 Pavilion Parkway

**Dear Sir:** 

This letter is sent to provide an Owner's authorization statement for the referenced project proposed for Lot 3 at 1001 Pavilion Parkway. I am authorized by MAB Monroe, LLC, a Delaware limited liability company as Owner of the referenced property to issue this letter on its behalf.

The Owner has contracted with MaxDesign Group to provide architectural services for the contemplated construction by the Owner of a Chipotle restaurant on the property. Included within the scope of services is MaxDesign Group handling approval of a Certificate of Appropriateness for the restaurant building with the City of Monroe.

The contact person at MaxDesign Group is Richard M. Maxian, AIA. His firm will be making application to the City for the COA, as authorized by the Owner, as well as related approvals and building permits as the project progresses.

If you need any further information or have questions please contact myself or Rick Maxian. I am most readily reached at 334-462-8851 or by email at john@mabamerican.com. Mr. Maxian can be reached at 770-530-5245 or by email at <u>rmaxian@maxdesigngp.com</u>.

Thank you.

Best Regards,

John Argo

John Argo President MAB American Management, LLC



Date: 15 May 2024

Mr. Brad Callender, Director Planning and Zoning Department City of Monroe, Georgia

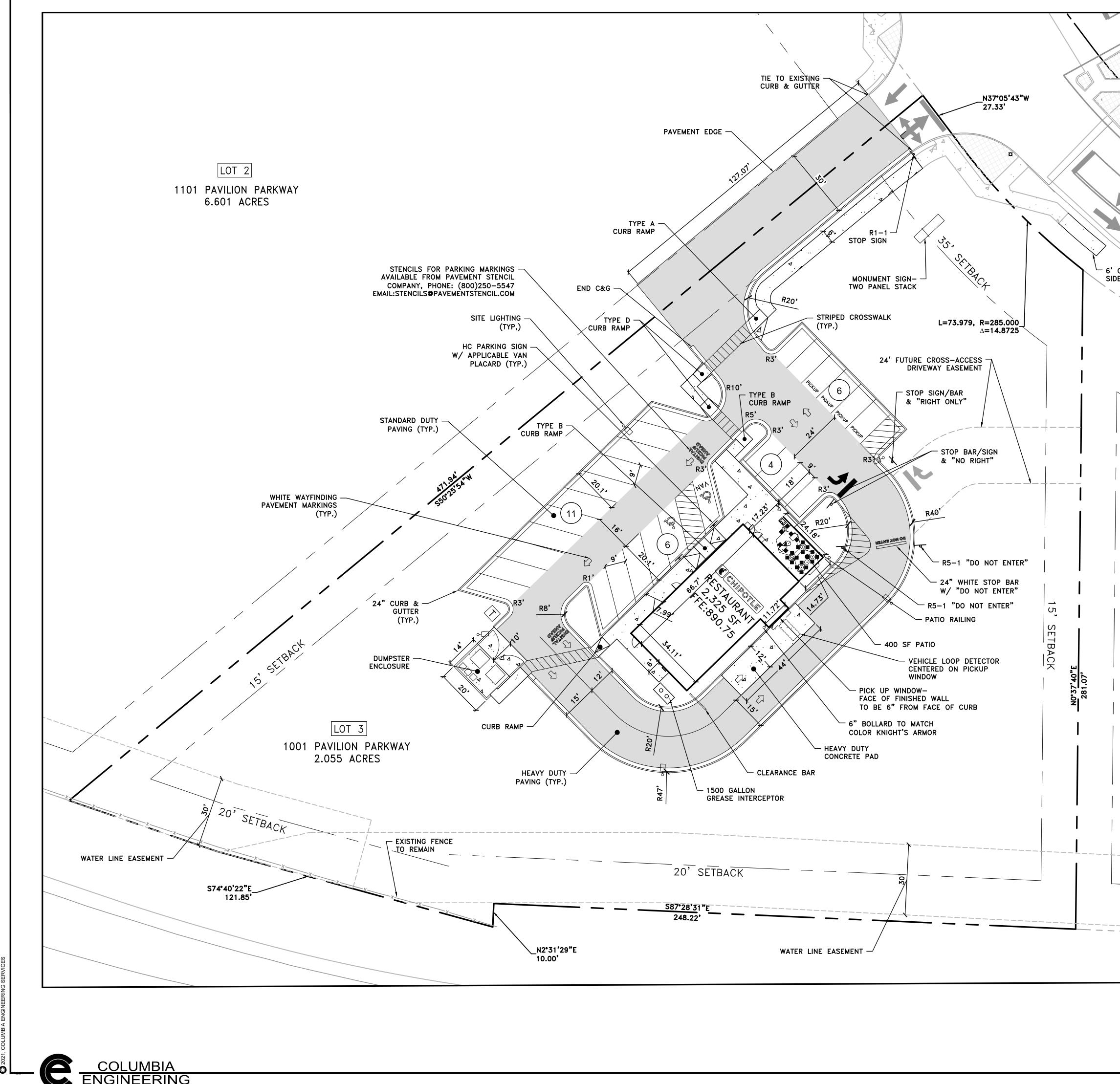
Re: Monroe Pavilion – Chipotle standalone building on Outlot #3.

This letter is in reference to our Certificate of Appropriateness Application. We are working on a new ground up standalone building that will be located at 1001 Monroe Parkway at the Monroe Pavilion development. This new building will be a Chipotle restaurant and a little over 2,300SF. We are working for the landlord to develop a shell building for this tenant space and the tenant will supply interior tenant build-out drawings. The civil engineering company is Columbia Engineering and they were the master development engineer.

If you need any further information or questions please contact myself or Rick Maxian.

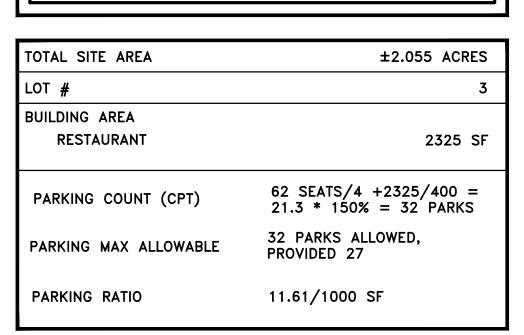
Best Regards,

John Argo MAB American Management, LLC

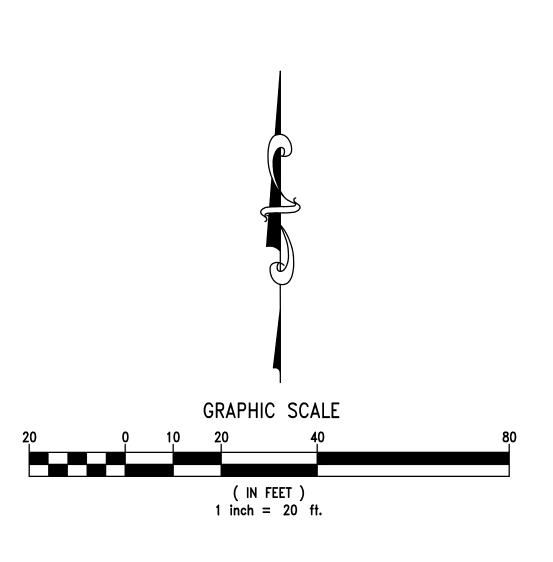


COLUMBIA ENGINEERING

CONCRETE	



SITE LEGEND				
PROPOSED CURB & GUTTER				
REVERSED PITCH CURB & GUTTER				
PROPERTY LINE				
ADJOINING LOT LINE				
FENCING	-00			
TRAFFIC FLOW	<b>→</b>			
STRIPING				
PARKING BAY COUNT	23)			
HEAVY DUTY PAVING				
CONCRETE				
STANDARD DUTY PAVING				
OVERLAY PAVING	· · · · · · · · · · · · · · · · · · ·			
EXISTING FEATURES SCREENED				



PROJECT	CHIPOTLE AT MONROE PAVILION 1001 PAVILION PARKWAY	MONKOE, GA CLIENT		
THIS DRAWING AND DESIGN ARE THE PROPERTY OF THE CONSULTANT. THEY ARE NOT TO BE USED, REPRODUCED, COPIED, IN WHOLE OR IN PART, OR USED FOR FURNISHING INFORMATION TO OTHERS, WITHOUT THE PRIOR WRITTEN CON-SENT OF THE CONSULTANT. ALL COMMON LAW RIGHTS OF COPYRIGHT AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED.				
REVISIONSDATEREVISION 1 RHF20220525REVISION 2 RHF20230602REVISION 3 RHF20230719REVISION 4 RHF20240411			25 02 19	
DRAWING TITLE				
l				

SUITE 200

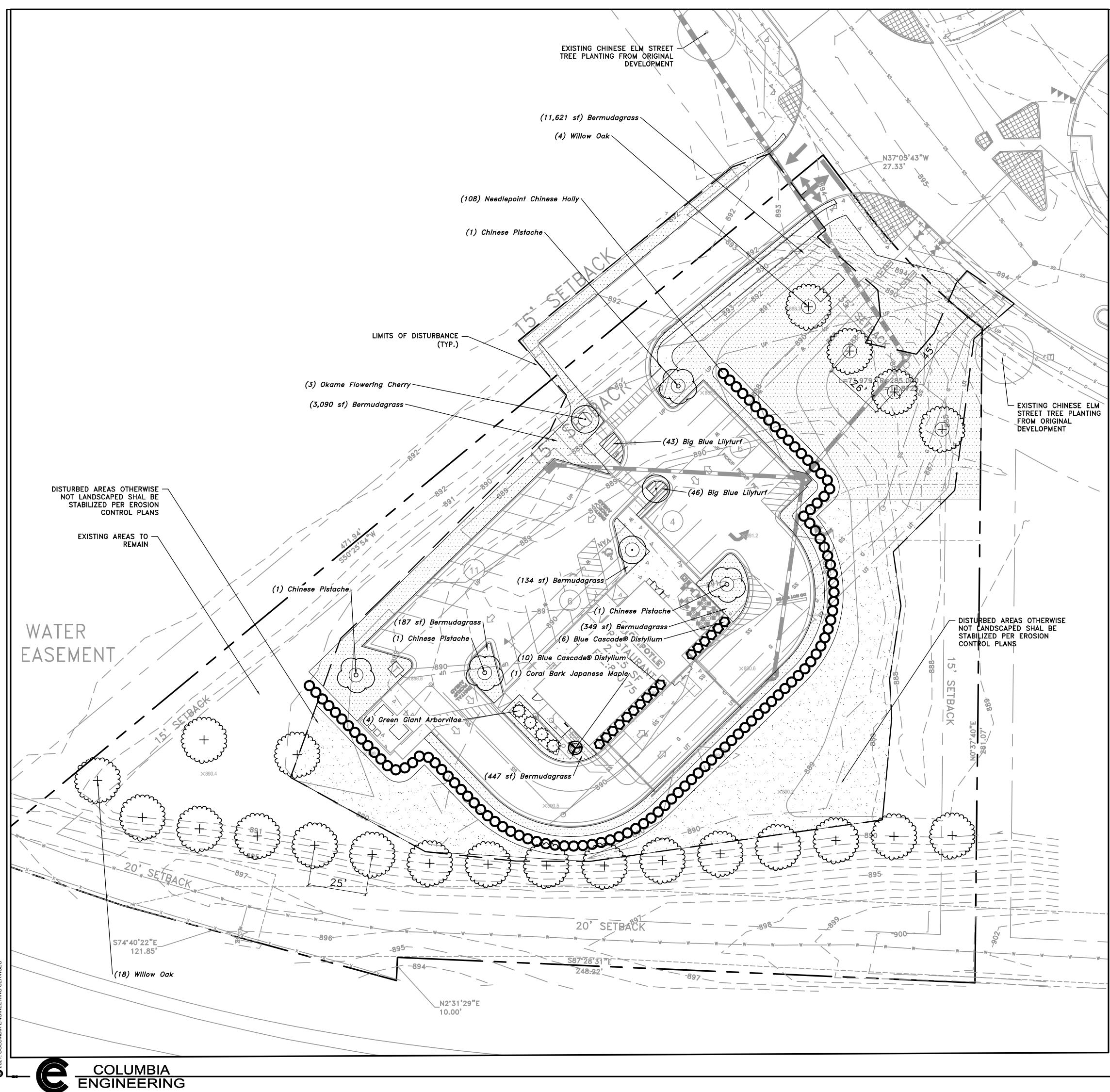
(770) 925-0357

2862 BUFORD HIGHWAY

DULUTH, GEORGIA 30096

ENGINEERING

**CIVIL ENGINEERS \* LAND PLANNERS** LANDSCAPE ARCHITECTS \* SURVEYORS



	GENERAL NOTES:				JMBIA EERING
1.	PLANT LIST QUANTITIES ARE FOR REFERENCE ONLY. KEYED PLANS SHALL GOVERN OVER PLANT LIST.		62 BUFORD H		
2.	all plants and plant beds shall receive a 3" layer of $\underline{PINESTRAW}$ $\underline{MULCH}$ . Apply pre-emergent to all beds and tree rings per manufacturer's recommendations. Apply pre-emergent to all sod areas prior to installation.	DU	ITE 200 LUTH, GEOR 0) 925-0357	GIA 3	0096
STU	IN AREAS WHERE PROPOSED VEGETATION IS SHOWN, EXISTING VEGETATION IS TO BE REMOVED. WHERE TREES AND LARGE SHRUBS ARE REMOVED, MPS SHALL BE GROUND. SEE DEMO SHEET C-2 FOR ADDITIONAL DEMOLITION DRMATION		GEOM	IG IA TER	
4.	THE GENERAL CONTRACTOR SHALL SUPPLY ROUGH GRADES $+\-0.2$ FEET, WITH POSITIVE DRAINAGE PATTERNS ESTABLISHED. THE LANDSCAPE CONTRACTOR WILL FINE GRADE FOR PLANTING OPERATIONS.		* ROGETA	ARCHILE	* LINBA
5.	TOPSOIL SHALL BE STRIPPED AND STOCKPILED BY THE GRADING CONTRACTOR. STOCKPILED TOPSOIL WILL BE SPREAD BY THE GRADING CONTRACTOR TO A MINIMUM DEPTH OF 4 INCHES IF QUANTITIES ARE SUFFICIENT. IF STOCKPILED TOPSOIL IS INSUFFICIENT IN QUANTITY, GENERAL CONTRACTOR SHALL PROVIDE TOPSOIL TO SUPPLEMENT STOCKPILED TOPSOIL. TOPSOIL SHALL CONSIST OF A MINIMUM OF 10% ORGANIC MATERIAL. STONE BASE COURSE MATERIAL SHALL NOT BE CONSIDERED AS SUITABLE TOPSOIL FOR PLANTING AREAS, AND SHALL BE AMENDED WITH 4 INCHES OF TOPSOIL PRIOR TO PLANTING. ALL STONES LARGER THAN 1" SHALL BE CLEARED FROM LANDSCAPED AREAS.		GOR Porton 5/	DON /16/2	.₄ I
6.	ALL PLANT MATERIAL SHALL MEET OR EXCEED SIZE AND SHAPE RELATIONSHIPS SPECIFIED IN THE LATEST EDITION OF <u>THE AMERICAN STANDARD FOR NURSERY STOCK</u> PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN.				
7.	ALL SIZES SPECIFIED REFER TO SIZE AT TIME OF PLANTING.				
	AN AUTOMATED IRRIGATION SYSTEM IS TO BE DESIGNED AND INSTALLED TO PROVIDE GATION FOR PROPOSED PLANTINGS.				
LA	TY OF MONROE CDO CORRIDOR DESIGN OVERLAY DISTRICT NDSCAPE REQUIREMENTS (UDO SEC 643A.4): EXISTING TREE COVER AND NATURAL VEGETATION SHALL BE PRESERVED ALL EXISTING, HEALTHY DECIDUOUS AND HARDWOOD TREES WITH A CALIPER OF 5 OR MORE INCHES AT A POINT THREE FEET ABOVE GROUND SHALL BE RETAINED, WHENEVER FEASIBLE. IF		PAVILION		LLC
	NOT FEASIBLE, THE TREE SHALL BE REPLACED WITH THE SAME OR SIMILAR TYPE OF TREE, UNLESS OTHERWISE APPROVED BY THE COMMISSION.		- MONROE RKWAY		BTS,
	SPONSE: NO EXISTING TREES OF 5" CALIPER AT 3' ABOVE GROUND EXIST ON SITE.				
L	OF PAVING AS WELL AS SERVICE AREAS, REFUSE CONTAINERS, ETC. 75% OF FRONTAGE LANDSCAPE MATERIAL MUST BE EVERGREEN OR PERENNIAL LANDSCAPE MATERIALS.		AT MC PARKV		ΟΠΤΓΟΤ
	SPONSE: SCREENING IS PROVIDED TO MEET THIS REQUIREMENT.				
RES THI	SPONSE: IRRIGATION DESIGN BUILD NOTES ARE PROVIDED ON SHEET L-2, WHICH SPECIFY CONTRACTOR MUST DESIGN AND INSTALL AN AUTOMATIC IRRIGATION SYSTEM TO DVIDE COVERAGE FOR ALL LANDSCAPE AREAS.	JECT	IPOTLE A 1 PAVILION I NROE, GA	LN	NROE
RES	FRONTAGE: (1) 3" CAL TREE PER 25 LF ALONG PUBLIC RIGHTS OF WAY. SPONSE: TOTAL 101.309 LF FRONTAGE – 20' DRIVEWAY = 81.309 LF $/3$ = 4 TREES QUIRED. 4 TREES PROVIDED	PRO.	CHIF 1001 I MONF	CLIENT	MOM
	PERIMETER: A LANDSCAPED BUFFER IS REQUIRED ALONGSIDE AND TO THE REAR OF	THEY AR	AWING AND DESIGN ARE TH	DUCED, CO	PIED, IN WHOLE OR IN
	ABUTTING PROPERTY THAT IS NOT PUBLIC RIGHT OF WAY. SPONSE: LANDSCAPED BUFFERS ARE PROVIDED FOR ALONGSIDE AND TO THE REAR OF E PROPERTY.	THE PRIC	R USED FOR FURNISHING II OR WRITTEN CON- SENT OF HTS OF COPYRIGHT AND C CALLY RESERVED.	F THE CONSU	ULTANT. ALL COMMON
	INTERIOR: MIN 12% OF THE PARKING LOT AREA MUST BE LANDSCAPED. MINIMUM ISLAND SIZE IS 150 SF AND ALL ISLANDS MUST HAVE AT LEAST 1 TREE. AT LEAST 75% OF TREES MUST BE OVERSTORY DECIDUOUS, AND/OR HARDWOOD.		EVISIONS -		– DATE –
	SPONSE: PROPOSED LANDSCAPE AREA ON SITE EXCEEDS 12% REQUIRED. PROPOSED EES EXCEED REQUIRED 75% MINIMUM OVERSTORY/HARDWOOD.				
7.	SPECIFIC CRITERIA: FRONTAGE LANDSCAPE BUFFER MUST BE 20', PERIMETER LANDSCAPE BUFFERS MUST BE 10'				
RES	SPONSE: ALL LANDSCAPE AREAS EXCEED THE REQUIRED DIMENSIONS.				
	ണ				
	ow what's <b>below.</b>				
	GRAPHIC SCALE		RAWING TII		
	10 5 10 20 40		RAWING TH		
	(IN FEET ) 1 inch = 10 ft.		LANDS	SCA	PE
	<u>CONTRACTOR</u> TO PROVIDE 3 SETS OF "AS-BUILT" PLANS TO OWNER.		PL	AN	
DI	ANY CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE SCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR THE FIELD CONDITIONS,				
Tł   O	HE <u>CONTRACTOR</u> MUST NOTIFY THE ENGINEER IMMEDIATELY, AND SHALL NOT COMMENCE PERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY ONDITIONS ARE RESOLVED.		-		AWING NO.

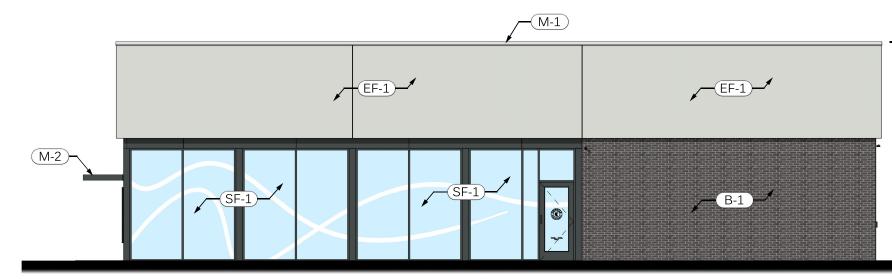
**CIVIL ENGINEERS \* LAND PLANNERS** LANDSCAPE ARCHITECTS \* SURVEYORS

PROJECT NO. 4273.70

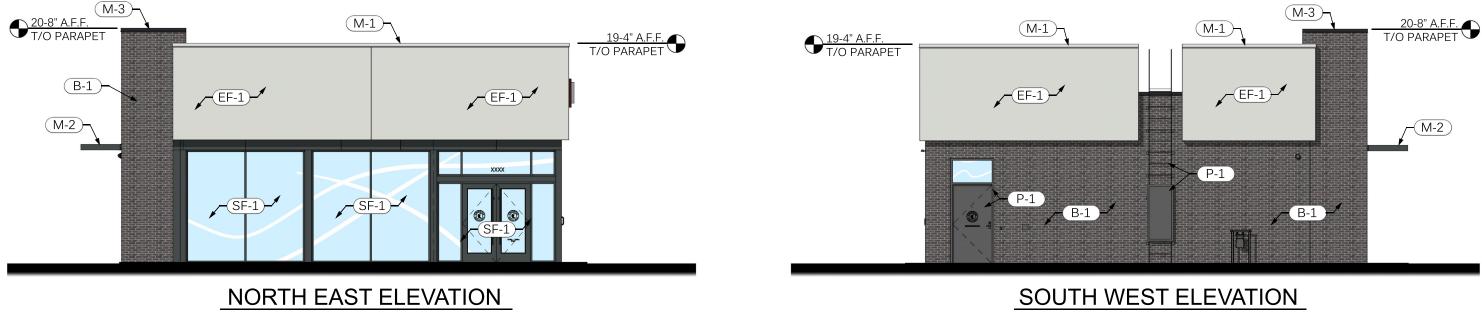
L-1

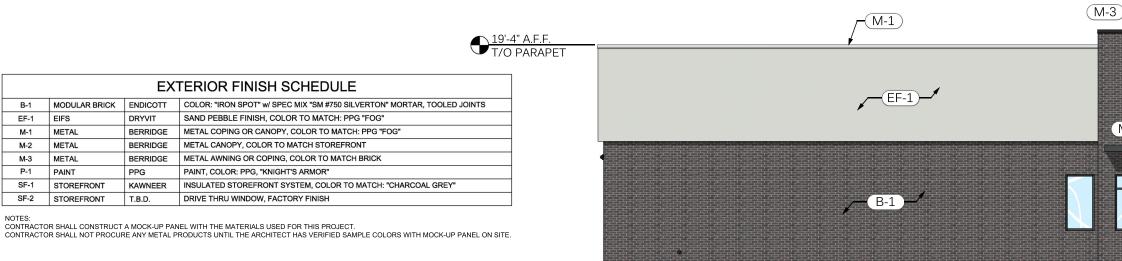
DATE

05/16/24



## NORTH WEST ELEVATION





## SOUTH EAST ELEVATION

## PRELIMINARY ELEVATIONS

MaxDesign Group Project D24-122

CITY OF MONROE, GEORGIA

16 MAY 2024

DEVELOPED BY:

B-1

EF-1

M-1

M-2

M-3

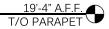
P-1

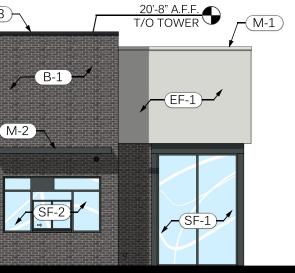
SF-1

SF-2

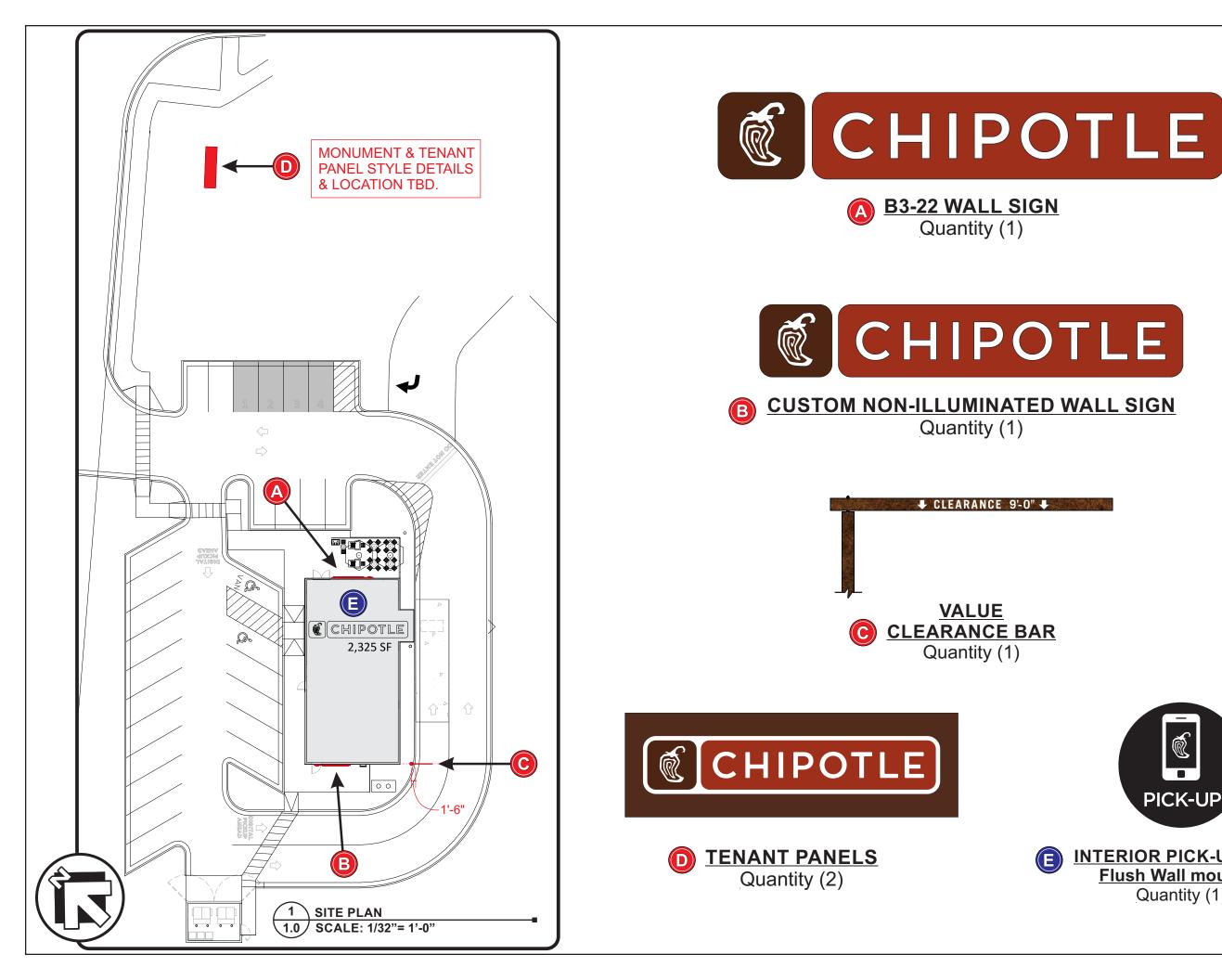
NOTES

## **MAB** American















E

### **INTERIOR PICK-UP DISC** Flush Wall mounted Quantity (1)



3725 Canal Drive Fort Collins, CO 80524 970 484 3637 www.adconsigns.com

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#### Design Proposal for: **Chipotle Mexican Grill** Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

Sign Type: Complete Schedule

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:	
File Name:	Site Plan

#### **Client Approval**

Signature

NOTE: Please ensure all red line changes are noted or this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.



Production Mgr. Approval

Date

Date

Date

Date

Project Mgr. Approval

Account Mgr. Approval

P&D Mgr. Approval

#### **Revision Notes:**

Quote No.				
W.O. No.	631	3		
Rev. No.	Α	Date: By:		
Sheet No.	1.0	Ē		





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## Design Proposal for: **Chipotle Mexican Grill** Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

Sign Type:

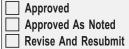
Multiple

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:	
File Name:	Elevations

#### Client Approval

Signature

Date NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.



Production Mgr. Approval

Date

Date

Date

Date

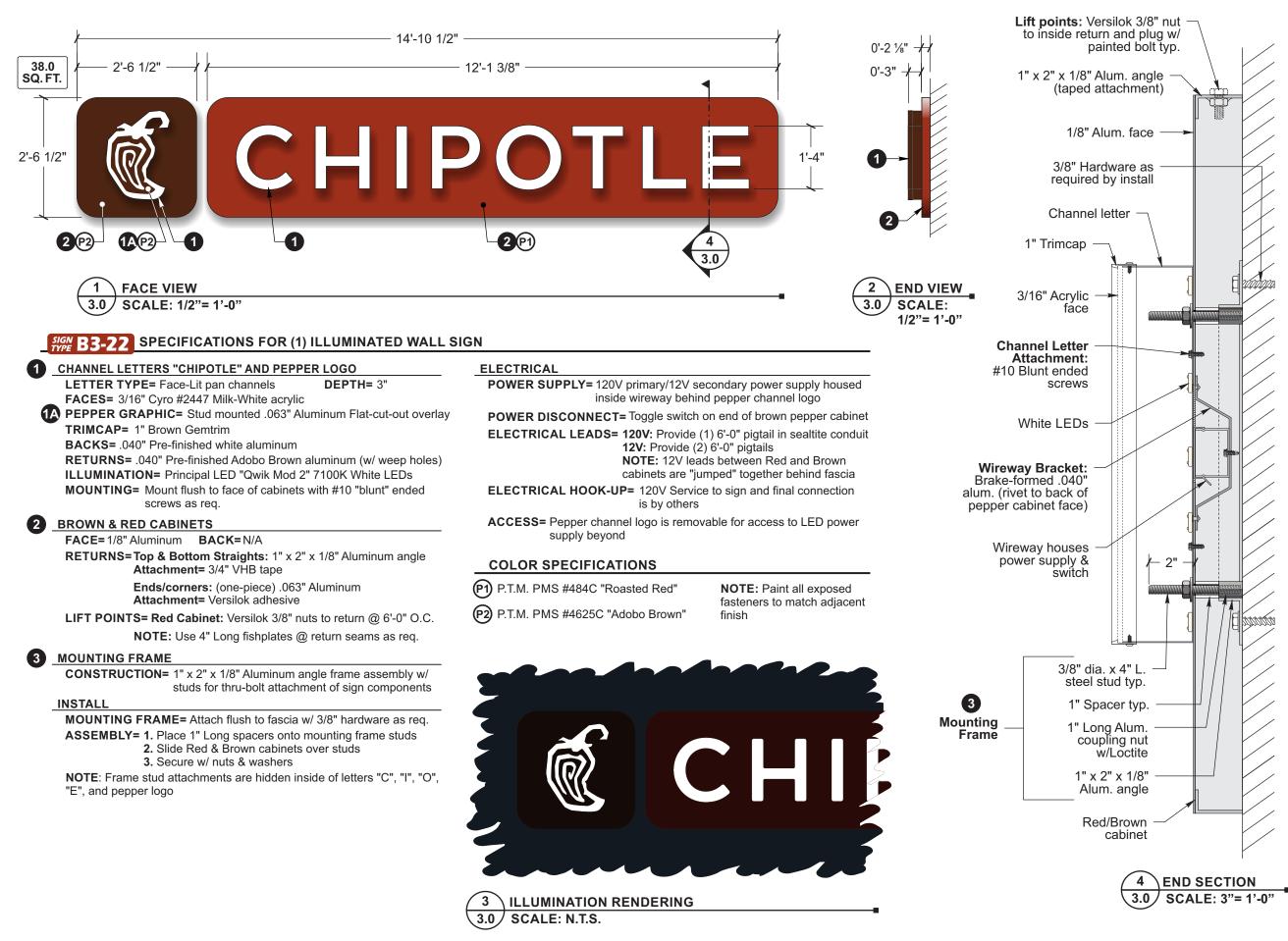
Project Mgr. Approval

Account Mgr. Approval

P&D Mgr. Approval

**Revision Notes:** 

Quote No. W.O. No. 6313 Date: By: Rev. No. A Sheet No. 2.0





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#### Design Proposal for: **Chipotle Mexican Grill** Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

Sign Type: B3-22

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:_	
File Name:	B3-22

#### **Client Approval**

Signature

NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour. 

	Approved
	Approved As Noted
٦	<b>Revise And Resubmit</b>

Production Mgr. Approval

Date

Date

Date

Date

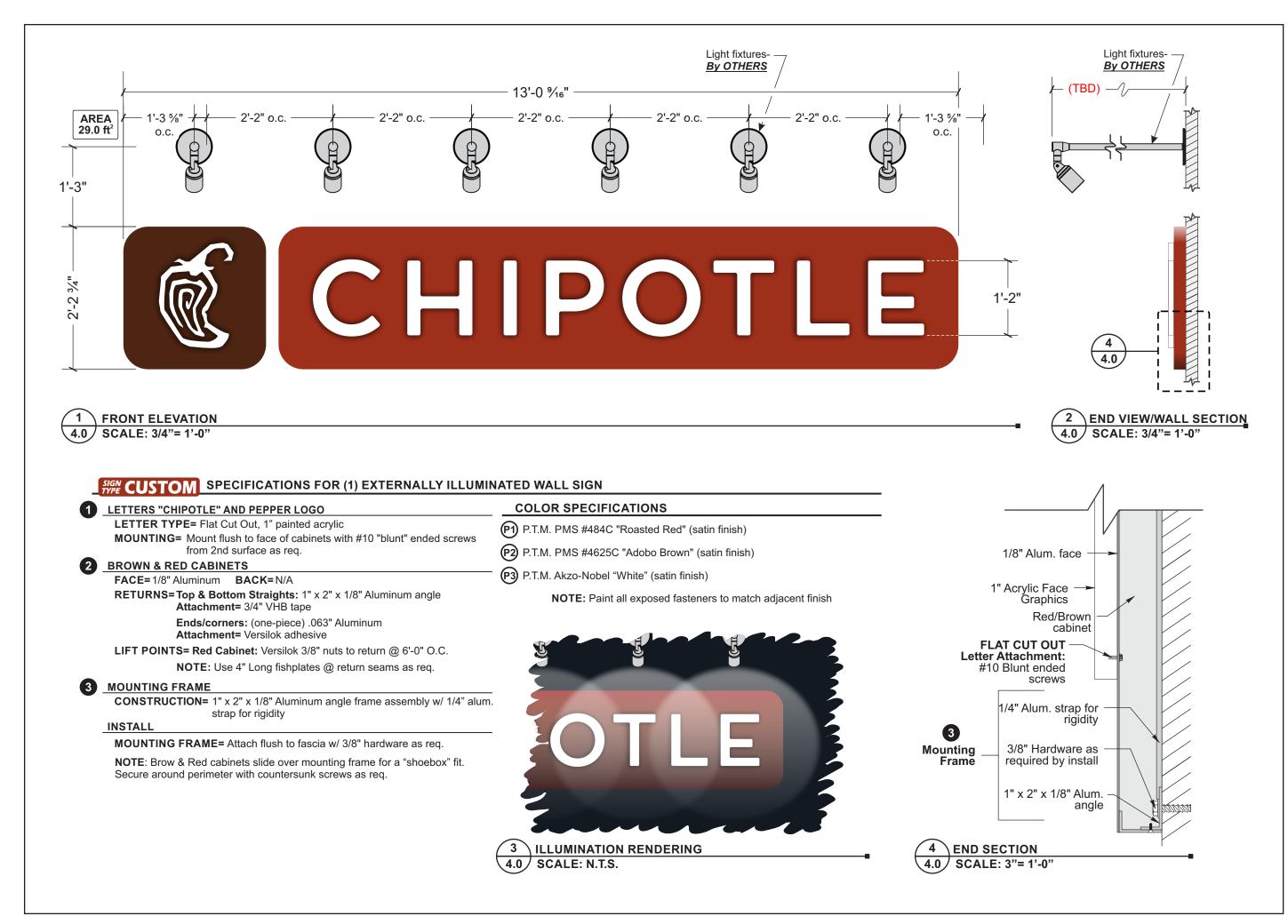
Account Mgr. Approval

Project Mgr. Approval

P&D Mgr. Approval

#### **Revision Notes:**

Dot No.			
W.O. No.	631	3	
Rev. No.	Α	Date: By:	
Sheet No.	3.0		





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#### Design Proposal for: Chipotle Mexican Grill Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

Sign Type: Custom Wall Sign

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:_	
File Name: Custor	m Non-Illuminated
	Wall Sign

#### **Client Approval**

Signature

Date NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.



Production Mgr. Approval

Date

Date

Date

Date

Account Mgr. Approval

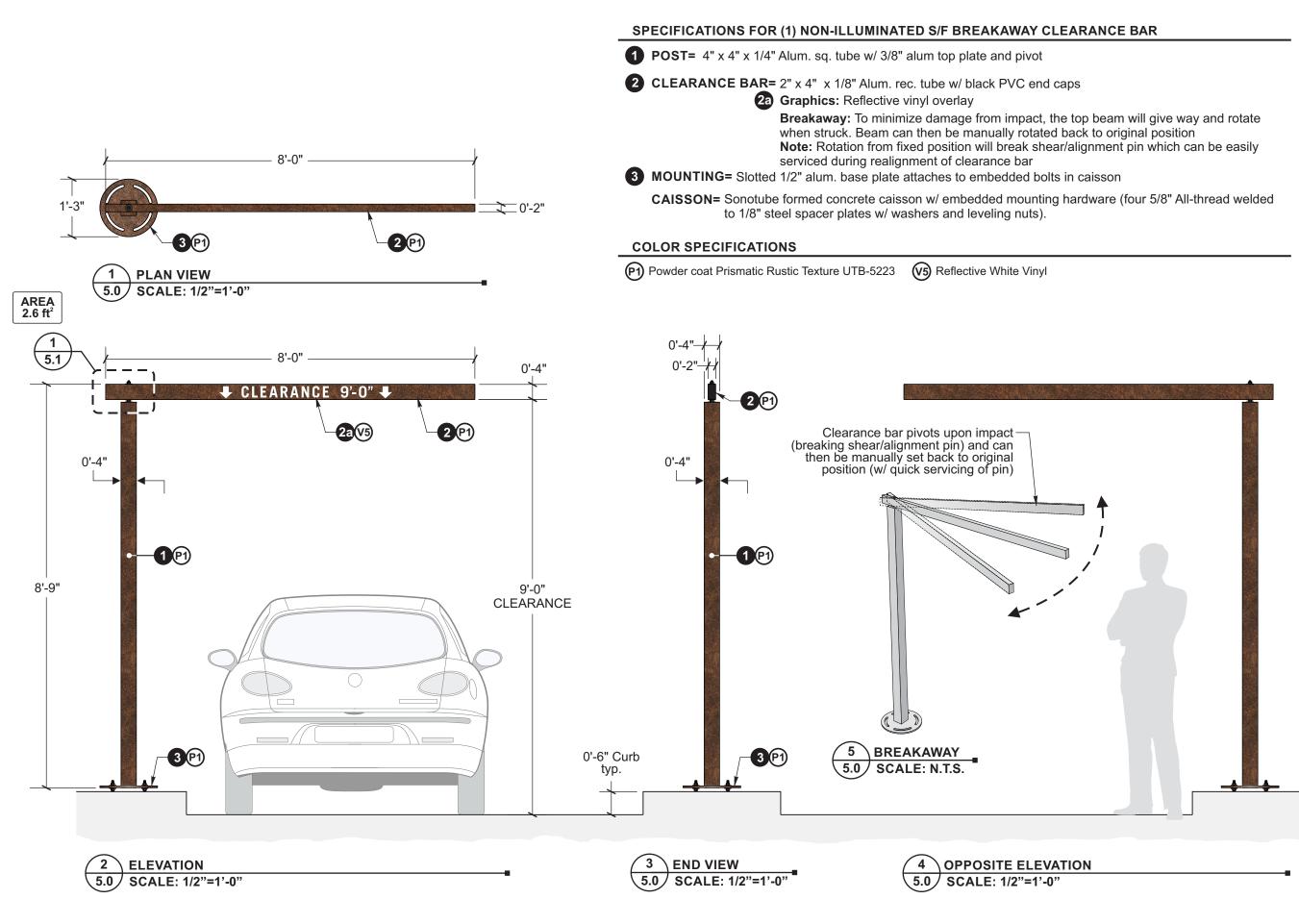
iocodini ingini ppione

Project Mgr. Approval

P&D Mgr. Approval

Revision Notes:

Quote No. W.O. No. 6313 Rev. No. A Date: By: Sheet No. 4.0



# **ADC**

3725 Canal Drive Fort Collins, CO 80524 970 484 3637 www.adconsigns.com

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#### Design Proposal for: **Chipotle Mexican Grill** Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

Sign Type: Clearance Bar

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:_	
File Name: VAL	<u>UE Clearance Bar</u>

#### **Client Approval**

Signature

Date NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.



Production Mgr. Approval

Project Mgr. Approval

Date

Date

Date

Date

Account Mgr. Approval

P&D Mgr. Approval

**Revision Notes:** 

Dot No.

<u>W.O. No. 631</u>3 Rev. No. A Sheet No. 5.0

// /	
	CHIPOTLE
	PANEL FACE ELEVATION SCALE: 1"= 1'-0"
<b>1</b> F/	FICATIONS FOR (2) MONUMENT TENANT PANELS (TYP. BOTH SIDES)
	ACE TYPE= Material TBD RAPHICS= Material TBD R SPECIFICATIONS on tast viryl #2100-3064 "Roasted Red" graphics on cast viryl #2100-3663 "Adobo Brown" graphics



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#### Design Proposal for: Chipotle Mexican Grill Monroe Store #5034 1001 Pavilion Parkway Monroe, GA 30656

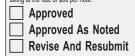
Sign Type: Tenant Panels

Date:	May 29, 2024
Drawn by:	Charles L.
Account Manager:	Kristi M.
Project Manager:_	
File Name:	Tenant Panels

#### **Client Approval**

Signature

Date NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.



Production Mgr. Approval

Date

Date

Date

Date

Account Mgr. Approval

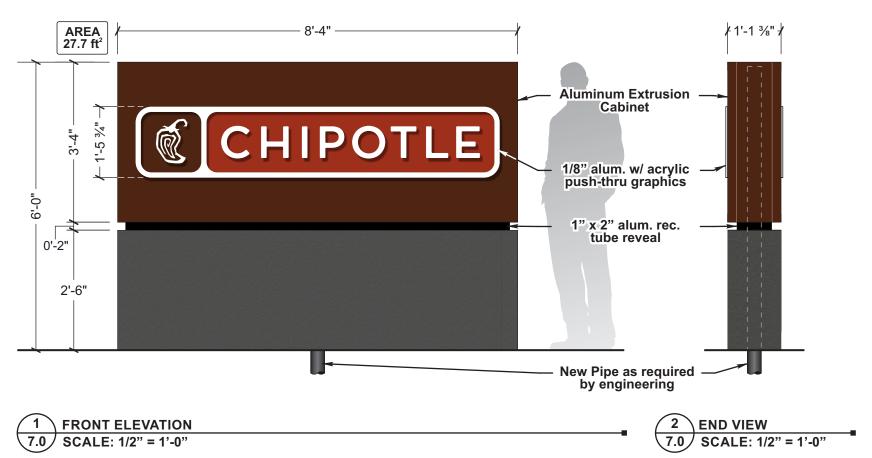
Project Mgr. Approval

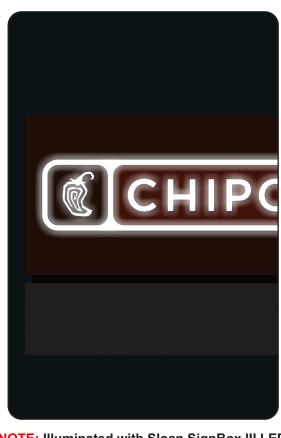
P&D Mgr. Approval

**Revision Notes:** 

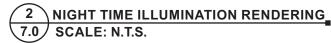
Quote No. W.O. No. 6313 Rev. No. A Date: By:

Sheet No. 6.0





**NOTE: Illuminated with Sloan SignBox III LED's** 





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Design Proposal for: Client Job Name Store # Street Address City, State Zip

Sign Type:

Date:	Month 00,	2023
Drawn by:		
Account Manager:		
Project Manager:		
File Name:		

#### Client Approval

Signature

Date NOTE: Please ensure all red line changes are noted on this drawing prior to returning it to ADCON. Subsequent to ADCON incorporating the red line changes requested on this drawing, any further changes will result in additional billing at the rate of \$86 per hour.

Approved
Approved As Noted
<b>Revise And Resubmit</b>

Production Mgr. Approval

Date

Date

Date

Date

Account Mgr. Approval

P&D Mgr. Approval

Project Mgr. Approval

**Revision Notes:** 

Dot No.

W.O. No.

Date: Α Rev. No. By: Sheet No. 1.0



### Planning City of Monroe, Georgia

### **CONDITIONAL USE STAFF REPORT**

### **APPLICATION SUMMARY**

CONDITIONAL USE CASE #: 3279

DATE: July 5, 2024

STAFF REPORT BY: Brad Callender, Planning & Zoning Director

APPLICANT NAME: Alpha Omega Preparatory Academy, LLC

PROPERTY OWNER: True Shaw Holdings, LLC

**LOCATION:** East side of S. Broad Street, south side E. Church Street, and the west side of S. Lumpkin St. – 303 S. Broad Street

**COUNCIL DISTRICTS:** 4 & 8

ACREAGE: ±0.99

EXISTING ZONING: B-2 (General Commercial District) & CBD (Central Business District Overlay)

EXISTING LAND USE: Office building with parking and landscaping

**REQUEST SUMMARY:** The owner is petitioning for Conditional Use approval on this property in order to allow for a private school in the existing office building.

**STAFF RECOMMENDATION:** Staff recommends approval of this Conditional Use request as submitted without conditions.

### DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: July 16, 2024 CITY COUNCIL: August 13, 2024

### **REQUEST SUMMARY**

### CONDITIONAL USE PERMIT REQUEST SUMMARY:

The applicant is requesting approval of a Conditional Use in order allow a Private School in the existing office building located at 303 S. Broad Street. The property is currently zoned B-2 (General Business District) and is also located inside the CBD (Central Business District Overlay). The site contains an office building constructed in 1986 with multiple units. Private Schools, including pre-school, post school day programs, parochial, and public schools, are allowed in the CBD Overlay as Conditional Uses. The applicant's narrative states the school is classified as a Non-Traditional Education Center. The

narrative further states students are homeschool based will spend a maximum of 60% of instructional time at the school with the remaining 40% being home-based instruction.

### PROPOSED PROJECT SUMMARY:

- Private School
  - Site Area ±0.99 Acres
  - Existing Building Floor Area ±10,611 Sf
  - Private School will be conducted inside a unit in the existing office building
    - 2 to 5 students at school at any given time

### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>STANDARDS FOR CONDITIONAL USE</u> <u>APPLICATION DECISIONS</u>" AS SET FORTH IN SECTION 1425.5 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) The proposed use will not be detrimental to adjacent properties or the general neighborhood, the proposed use will not significantly adversely affect public health, safety, morality and welfare, and the proposed use as designed will minimize adverse effects on the surrounding neighborhood: If the private school is operated in the manner proposed in the application, adjoining properties and the general neighborhood should not be adversely affected.
- (2) The applicable standards in Article X have been met: There are no standards applicable to Private Schools in Article X of the Zoning Ordinance.
- (3) The proposed use is consistent with the Comprehensive Plan, and the conditional use is compatible with the community development pattern: The subject property is located in the Downtown Sub-Area as identified in the Monroe Comprehensive Plan. The existing character of this vicinity of the Downtown Sub-Area is a mixture of commercial and office buildings. The requested Conditional Use does not conflict with any goals of the Comprehensive Plan.
- (4) A rezoning to allow the requested use as a permitted use would not be appropriate: Private Schools are only allowed as Conditional Uses within the CBD (Central Business District Overlay). A rezoning to allow the requested use is not an option for this type of land use.
- (5) The proposed use will not be injurious to the natural environment or the other property in the immediate vicinity, or unconstitutionally diminish property values within the surrounding neighborhood: Granting the ability for a private school to be located within the existing office building should not be injurious to other properties in the immediate vicinity of the site and should not negatively impact property values on adjacent properties.
- (6) Off-street parking and loading, and access thereto, will be adequate: The site currently has entrances off S. Broad Street and S. Lumpkin St. to parking areas in the front and rear of the building. The site has sufficient parking for the existing office building. The applicant's narrative states there will be no more than 2 to 5 students at the private school at any given time. The existing parking and access should continue to be adequate to serve the office building and private school. With the property being located within the CBD, the site is not required to have vehicular access or parking located on the site.

- (7) Public facilities and utilities are capable of adequately serving the proposed use, and the use would not lead to a major negative change in existing levels of public service, or fiscal stability: Public services and utilities are currently serving the existing office building. The proposed private school should not have any impact on the City's abilities to continue to provide public services and utilities.
- (8) The use will not be an extension of a use which will cause a damaging volume of (a) agricultural, (b) commercial, (c) industrial, or (d) higher density residential use into a stable neighborhood of well-maintained single-family homes, nor likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, or additional requests of a similar nature which would expand the problem: The private school is proposed inside an existing office building. If operated in the manner described in the applicant's narrative, the private school should not negatively impact adjoining properties.
- (9) The use would not significantly increase congestion, noise, or traffic hazards: Granting the ability for a private school within the existing office building will have no impact on congestion, noise, or traffic hazards.
- (10) Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan: Allowing the private school in the existing office building should have no impact on adjacent land uses within the downtown area.

### **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 Conditional Use for a private school as submitted without conditions.



## City of Monroe

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

### **CONDITIONAL USE PERMIT**

PERMIT #: 3279	)	DESCRIPTION:	CUP FOR SCHOOL
JOB ADDRESS: PARCEL ID: SUBDIVISION:	303 S BROAD ST M0160156	LOT #: BLK #: ZONING:	B-2
ISSUED TO: ADDRESS CITY, STATE ZIP: PHONE:	ALPHA OMEGA PREP ACADEMY, LLC 3824 SALEM RD COVINGTON GA 30016 706-421-4749	CONTRACTOR: PHONE: OWNER: PHONE:	ALPHA OMEGA PREP ACADEMY, LLC
PROP.USE VALUATION: SQ FT OCCP TYPE: CNST TYPE:	COMMERCIAL \$ 0.00 0.00	DATE ISSUED: EXPIRATION:	7/05/2024 1/01/2025
INSPECTION REQUESTS:	770-207-4674 lwilson@monroega.gov	-	
FEE CODE PZ-09	DESCRIPTION CONDITIONAL USE PERMIT		<b>AMOUNT</b> \$ 300.00
			FEE TOTAL         \$ 300.00           PAYMENTS         \$- 300.00           BALANCE         \$ 0.00
NOTES:			

The Planning Commission will hear and make recommendation on this request for a Conditional Use for a private school at 303 S. Broad St. on July 16, 2024 at 6:00pm. The Monroe City Council will hear and make a decision on this request on August 13, 2024 at 6:00pm. Both meetings will be held 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.

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.

(APPROVED BY)

DATE

Received	9	he	
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# The CITY OF Montoe

## **CITY OF MONROE**

## **CONDITIONAL USE APPLICATION**

CONDITIONAL USE LOCATION & DESCRIPTION			
Address: 303 South Broad Street			
Parcel #: M0160156	Council Districts: Distri	ct 4	District 8
Zoning: <u>B2</u> Acres	age/Square Feet:	cres	
Type of Conditional Use Requested: Schools-p	private		
PROPERTY OWNER & APPLICANT INFORMATION			
Property Owner: TrueShaw Holdings, LL	С	Phone #: _	706-421-4749
Address: 303 South Broad Street c	<sub>ity:</sub> Monroe	_ State: G	A30655
Applicant (If different than owner):	Preparatory Academy, LLC	Phone #:	470-509-8000
Address: 3824 Salem Road c	ity: Covington	_ State: _G	A <sub>Zip:</sub> 30016

### CONDITIONAL USE INFORMATION

Describe the nature of the proposed use, including without limitation the type of activity proposed, number of occupants and/or employees, hours of operation, number of vehicle trips, water and sewer use, and similar matters (1425.1(1)(b)): <u>Please see attached Letter of Intent.</u>

Describe the location of the proposed structure(s) or use(s) and its relationship to existing adjacent uses or structures, and use of adjacent properties (1412.1(1)(c)): \_\_\_\_\_\_

The conditional use would operate inside an inner-suite within the existing office building. As noted in the

Letter of Intent, there will only be a small number of students at this location, which will not have any impact

upon the use of any adjacent properties.

1

CONDITIONAL USE INFORMATION CONT.
Describe the area, dimensions and details of the proposed structure(s) or uses(s), including without limita-
tion, 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 (1425.1(1)(d)):
Applicant will not be making changes to the exterior of the exisiting office building. The only changes will be internal
and are illustrated on the attached site(floor) plan.
Select all existing utilities available and/or describe proposed utilities (1425.1(1)(e)):
✓ City Water Private Well ✓ City Sewer Septic Tank ✓ Electrical ✓ Gas ✓ Telecom
REQUIRED SUBMITTAL ITEMS
Completed Application Site Plan; Drawn to scale
✓     Fee (see Fee Schedule)       ✓     Deed
✓       Survey Plat       ✓       Proof of all property taxes paid in full         ✓       Typed Detailed Description of the Request       Other information as required by Code Enforcement
✓       Typed Detailed Description of the Request         Other information as required by Code Enforcement
I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANC- ES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE 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: 5/31/2024
A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPART- MENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.
PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT
SIGNATURE:
NOTARY PUBLIC: W. Charles Ross
SWORN TO AND SUBSCRIBED BEFORE THIS <sup>31st</sup> DAY OF May , 20 <sup>2024</sup>
NOTARY SIGNATURE: W. Cm M
DATE: 5/31/2024 SEAL:
It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are

compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.

Tony Powell Brian Edwards Nathan Powell W. Charles Ross



Jay Crowley Mandy Williams Laura Walsh Laura Shoop

May 31, 2024

Brad Callender, Director Monroe Department of Planning & Zoning City Hall 215 Norh Broad Street Monroe, Georgia 30655

## RE: CONDITIONAL USE APPLICATION AND LETTER OF INTENT FOR ALPHA OMEGA PREPARATORY ACDEMY, LLC.

Dear Mr. Callender:

Powell & Edwards, submits this Letter of Intent on behalf of Alpha Omega Preparatory Academy, LLC (the "Applicant") to request a Conditional Use Permit to operate a private school inside the existing office building located at 303 South Broad Street, in Monroe and having Walton County Tax ID Number of M0160156 (the "Property").

Applicant operates a fully accredited educational facility in Covington which opened its doors in 2006. Since then, it has graduated thousands of students who have gone on to earn college degrees and graduate degrees from institutions such as the University of Georgia, Georgia State University, Georgia College and State University, Emory University and even the University of Tennessee to name a few.

The school is classified as a Non-Traditional Education Center (NTEC). Most of the students are homeschool based and only come in for help/tutoring instruction for their classes. Students or parents come in each Monday to pick up their week's work which is due the following Monday. Under the NTEC classification, the student may only spend a maximum of 60% of instructional time at the school. The remaining 40% is for home-based instruction. It is the intent of the Applicant to utilize the Monroe Center to provide tutoring and individualized instruction to their students living in Walton County. It will only operate during regular business hours during the week.

All students are screened for disciplinary problems. Students that have had disciplinary issues at other schools are not allowed in Applicant's facilities, but rather are enrolled in a homeschool only program with a designated parent or guardian retrieving the work each Monday. These students are helped remotely and reevaluated each semester for a future opportunity of in class instruction. This method has proven successful as Applicant has not had a physical altercation among students or anyone else since opening in 2006.

### A PROFESSIONAL CORPORATION

P.O. Box 1390 • Lawrenceville, Georgia 30046-1390 • powelledwards.com • 770.962.0100 Street Address For Direct Deliveries Only • 10 Lumpkin Street Lawrenceville, GA 30046 May 31, 2024 Page 2

All the students are eligible for the Hope Scholarship as long as they meet the GPA requirements. The school conducts PSAT testing for high school students and ITBS testing for Middle School students. The school also holds a graduation ceremony on its main campus at the end of every school year.

There will be little impact on parking at the proposed facility as the Applicant only requires five (5) parking spaces for staff members. Most of the students are dropped off and picked up by parents. Typically, there will only be between two (2) to five (5) high school students at the new center at any time.

The Applicant and its representatives welcome the opportunity to meet with staff of the Monroe Department of Planning and Development to answer any questions or to address any concern relating to the matters set forth in this Letter of Intent or in its Application for a Conditional Use Permit filed herewith. The Applicant respectfully requests your approval of this Application.

Respectfully submitted,

POWELL & EDWARDS, P.C.

Mr. Cm Mm

W. Charles "Chuck" Ross Attorney for Applicant

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Return Recorded Documen Preston & Malcom, P.C. Attorneys at Law Post Office Box 984 110 Court Street Monroe, Georgia 30655 File No. 23-26141 BK: 5272 PG: 398-399 Filed and Recorded Feb-24-2023 04:34:35PM \ DOC#: D2023-001632 Real Estate Transfer Tax Paid \$1,700.00 1472023000741

Karen P. David CLERK OF SUPERIOR COURT Walton County GA.

### LIMITED WARRANTY DEED

### STATE OF GEORGIA COUNTY OF WALTON

THIS INDENTURE, made this 24th day of February, 2023, between F, H,& T Properties II, LLC, a Georgia Limited Liability Company, as party or parties of the first part, hereinunder called Grantor, and TrueShaw Holdings, LLC, a Georgia Limited Liability Company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that tract or parcel of land, together with all improvements thereon, situate, lying and being in the State of Georgia, County of Walton, City of Monroe, G.M.D. 419, containing 1.09 acres, more or less, according to a survey entitled "As Built Survey for: A. Kelly Farmer, Jr., R.G. Hickman & Dr. Craig Taylor," dated June 14, 1988, prepared by W.T. Dunahoo and Associates, Inc., certified by W.T. Dunahoo, Georgia Registered Land Surveyor No. 1577, recorded in Plat Book 45, page 9, Clerk's Office, Walton County Superior Court. Reference to said survey is hereby made and the same is incorporated herein for a more complete description of the property conveyed.

### LESS AND EXCEPT

All that tract or parcel of land, together with all improvements thereon, situate, lying and being in the State of Georgia, County of Walton, City of Monroe, located in Land Lot 65 of the 3rd land district, containing 0.167 acres, more or less, according to a survey entitled "Boundary Survey for: James H. Hughes" dated July 28, 2016, prepared by Alcovy Surveying and Engineering, Inc., certified by Ronald Calvin Smith, Georgia Registered Land Surveyor No. 2921, recorded in Plat Book 111, page 194, Clerk's Office, Walton County Superior Court. Reference to said survey is hereby made and the same is incorporated herein for a more complete description of the property conveyed.

Said property being subject to that certain Declaration of Access Easements Exclusive Parking Agreement and Maintenance Agreement between A. Kelly Farmer, Jr., Wanda Hickman as the Administrator of the Estate of R.G. Hickman, deceased and Dr. Craig Taylor and JHH Enterprises, LLC, recorded in Deed Book 3996, pages 393-397, Walton County, Georgia records.

### FOR INFORMATION ONLY

This being the real property commonly known as 303 South Broad Street, according to the present system of numbering properties in Walton County, Georgia.

### Tax Parcel ID No. M0160-00000-156-000

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

TO HAVE AND TO HOLD the said tract or parcel of land, together 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.

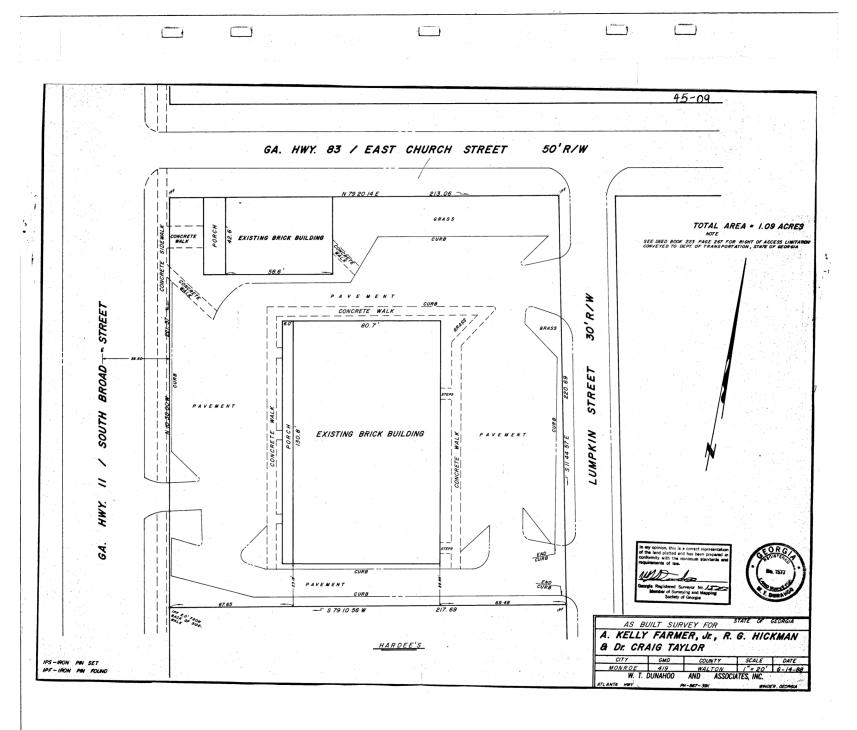
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above-named Grantor.

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

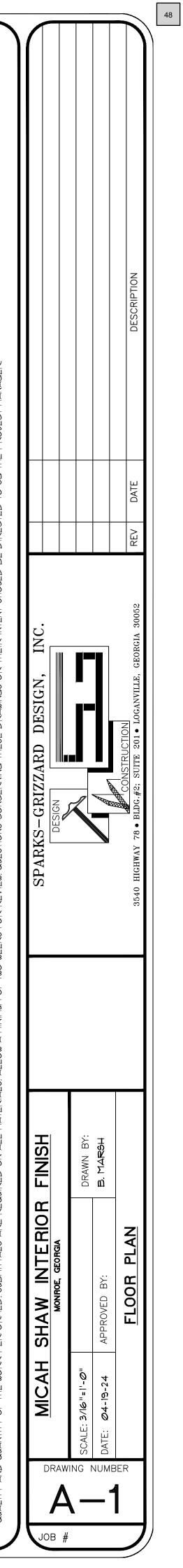
. .

Signed, sealed and delivered in the presence of: Unofficial Witness Notary Public - State of Georgia Watan Public - State of Georgia Watan County My Comm. Expires Oct. 6, 2023 GRANTOR:

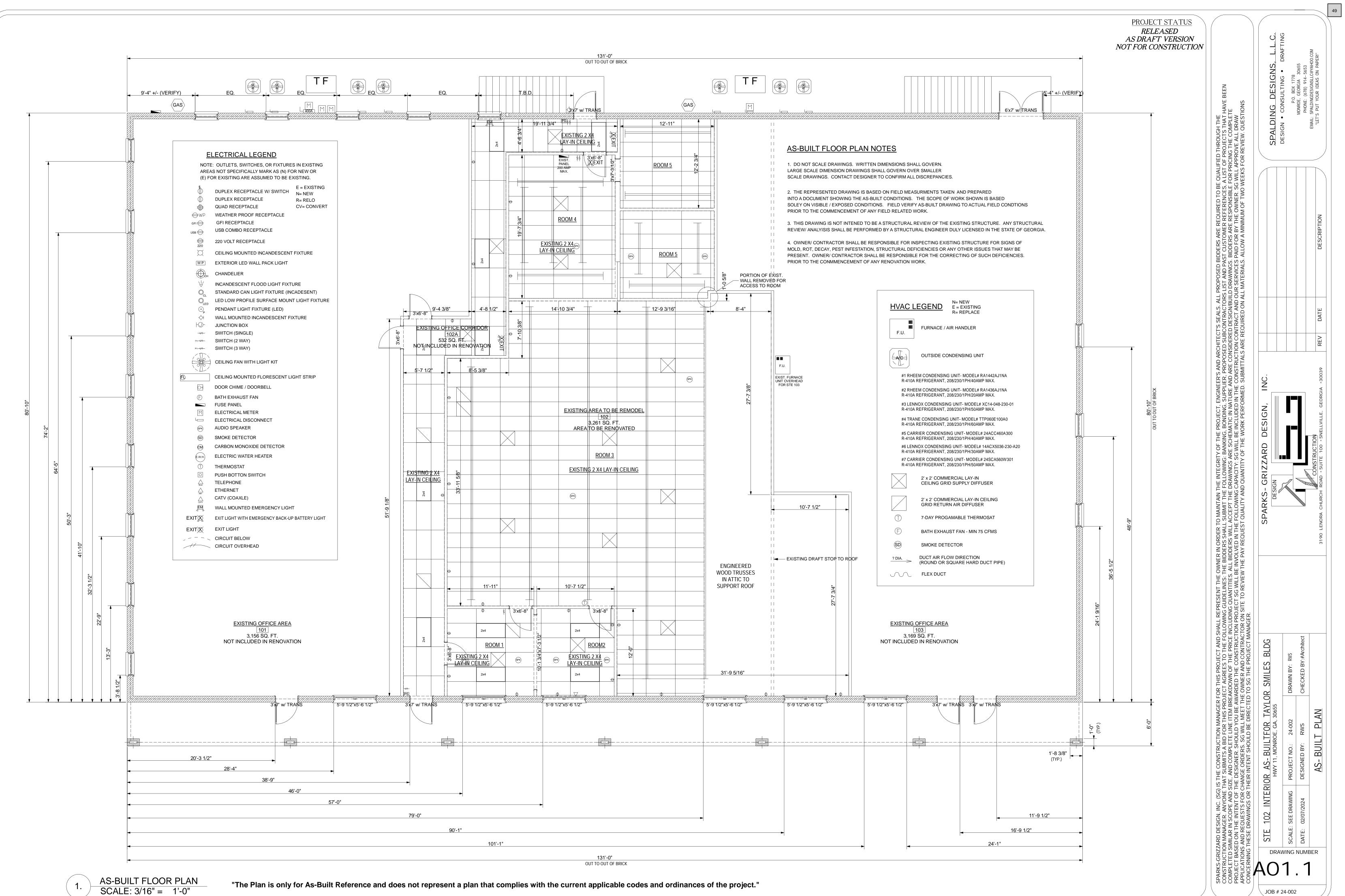
F, H,& T Properties II, LLC, a Georgia Limited Liability Company By: <u>(1- (il)</u> (ST A. Kelly Farmer, Jr., Member/Manager (SEAL)







STRUC: AND BE AL 필유향교류 AL9. Ц Ш ANAGER FOR THIS PROJECT AND SHALL REPRESENT THE OWNER IN ORDER TO MAINTAIN THE INTE OWING GUIDELINES: THE BIDDERS SHALL SUBMIT THE FOLLOWING: BANKING, BONDING, SUPPLIER, SIDDERS WILL ACCEPT THE DRAWINGS ARE SCHEMATIC IN NATURE AND ARE CONSIDERED DESIGN 5G WILL BE INCLUDED IN THE CONSTRUCTION CONTRACT AND OUR SERVICES PAID FOR BY THE 6 ARE REQUIRED ON ALL MATERIALS. ALLOW A MINIMUM OF TWO WEEKS FOR REVIEW. QUESTIONS ( PARKS-GRIZZARD DESIGN, INC. (3G) IS THE CONSTRUCTION NAT SUBMITS A BID FOR THIS PROJECT AGREES TO THE FOL EM BREAKDOWN OF THE PRICE INCLUDING QUANTITIES, ALL ROJECT 3G WILL BE INVOLVED IN THE FOLLOWING CAPACITY AND ON AND A DATA OF THE WOOD DEPODENT OF CHARACTY τ 'n μ PRO AUAL





## Planning City of Monroe, Georgia

### **CONDITIONAL USE STAFF REPORT**

### **APPLICATION SUMMARY**

CONDITIONAL USE CASE #: 3279

DATE: July 5, 2024

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

APPLICANT NAME: Highland Vine LLC (Jessica Murphy)

**PROPERTY OWNER:** Brown Oil Properties, LLC

LOCATION: West side of S. Broad St. and the east side of S. Wayne St. – 114 S. Broad St.

**COUNCIL DISTRICTS:** 4 & 8

**ACREAGE:** ±0.114

EXISTING ZONING: B-2 (General Commercial District) & CBD (Central Business District Overlay)

EXISTING LAND USE: Commercial building

**REQUEST SUMMARY:** The owner is petitioning for Conditional Use approval on this property in order to allow retail sales of wine.

**STAFF RECOMMENDATION:** Staff recommends approval of this Conditional Use request as submitted without conditions.

### DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: July 16, 2024 CITY COUNCIL: August 13, 2024

### **REQUEST SUMMARY**

### CONDITIONAL USE PERMIT REQUEST SUMMARY:

The applicant is requesting approval of a Conditional Use in order to allow retail sales of wine. The property is currently zoned B-2 (General Business District) and is also located inside the CBD (Central Business District Overlay). Retail sales of wine and beer are Conditional Uses in the CBD (Central Business District Overlay). The operation will be located in an existing commercial building located at 114 S. Broad Street. In addition to retail sales, the applicant proposes to include wine tasting as part of the operation.

### PROPOSED PROJECT SUMMARY:

- Retail Sales of Wine
  - Existing Building Floor Area ±2,736 Sf
  - Wine tasting will also be provided wine dispensing machines

### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>STANDARDS FOR CONDITIONAL USE</u> <u>APPLICATION DECISIONS</u>" AS SET FORTH IN SECTION 1425.5 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) The proposed use will not be detrimental to adjacent properties or the general neighborhood, the proposed use will not significantly adversely affect public health, safety, morality and welfare, and the proposed use as designed will minimize adverse effects on the surrounding neighborhood: The proposed retail sales of wine, included within an existing commercial building in downtown, should not be detrimental to any surrounding commercial buildings or properties.
- (2) The applicable standards in Article X have been met: There are no standards applicable to Retail Wine Sales located in the B-2 zoning district or CBD Overlay in Article X of the Zoning Ordinance.
- (3) The proposed use is consistent with the Comprehensive Plan, and the conditional use is compatible with the community development pattern: The subject property is located in the Downtown Sub-Area as identified in the Monroe Comprehensive Plan. The existing character of this vicinity of the Downtown Sub-Area is traditional downtown commercial buildings. The requested Conditional Use does not conflict with any goals of the Comprehensive Plan.
- (4) A rezoning to allow the requested use as a permitted use would not be appropriate: Retail sales of wine and beer are only allowed as Conditional Uses within the CBD (Central Business District Overlay). A rezoning to allow the requested use is not an option for this type of land use.
- (5) The proposed use will not be injurious to the natural environment or the other property in the immediate vicinity, or unconstitutionally diminish property values within the surrounding neighborhood: Granting the ability for retail sales of wine within the existing commercial building should not be injurious to other properties in the immediate vicinity of the site and should not negatively impact property values on adjacent properties.
- (6) Off-street parking and loading, and access thereto, will be adequate: With the property being located within the CBD, the site is not required to have vehicular access or parking located on the site.
- (7) Public facilities and utilities are capable of adequately serving the proposed use, and the use would not lead to a major negative change in existing levels of public service, or fiscal stability: Public services and utilities are currently serving the existing commercial building and will be unaffected by allowing the requested Conditional Use for retail wine sales.

- (8) The use will not be an extension of a use which will cause a damaging volume of (a) agricultural, (b) commercial, (c) industrial, or (d) higher density residential use into a stable neighborhood of well-maintained single-family homes, nor likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, or additional requests of a similar nature which would expand the problem: The primary uses surrounding the site are commercial and will be unaffected by allowing retail wine sales.
- (9) The use would not significantly increase congestion, noise, or traffic hazards: Granting the ability for retail sales of wine within the existing commercial building will have no impact on congestion, noise, or traffic hazards.
- (10) Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan: Allowing the retail sales of wine should have no impact on adjacent land uses within the downtown area.

### **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 Conditional Use for retail sales of wine as submitted without conditions.

THE CITY OF THOMOS GEORGIA ALL YOURS	CO	City of Monroe 215 N. Broad Street Monroe, GA 30655 (770) 207-4674 NDITIONAL USE PERMI	T	
PERMIT #: 328	0	DESCRIPTION:	CONDITIONAL USE WIN	E SHOP
JOB ADDRESS: PARCEL ID: SUBDIVISION:	114 S BROAD ST M0140096	LOT #: BLK #: ZONING:	B-2	
ISSUED TO: ADDRESS CITY, STATE ZIP: PHONE: PROP.USE VALUATION: SQ FT OCCP TYPE: CNST TYPE: INSPECTION REQUESTS:	JESSICA MURPHY 304 PINE CIR MONROE GA 30655 770-616-5054 COMMERCIAL \$ 0.00 0.00 770-207-4674 Iwilson@monroega.gov	CONTRACTOR: PHONE: OWNER: PHONE: DATE ISSUED: EXPIRATION:	JESSICA MURPHY 7/05/2024 1/01/2025	
FEE CODE PZ-09	DESCRIPTION CONDITIONAL USE PERM	IT	FEE TOTAL PAYMENTS BALANCE	AMOUNT \$ 300.00 \$ 300.00 \$- 300.00 \$ 0.00
NOTES:				
for a wine shop a and make a deci	at 114 S. Broad St. on Ju sion on this request on A	nake recommendation on th ly 16, 2024 at 6:00pm. The ugust 13, 2024 at 6:00pm. I oad St. Monroe, GA 30655	Monroe City Council v	vill hear

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.

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.

War M APPROVED BY)

112124 DATE

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## **CITY OF MONROE**

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## **CONDITIONAL USE APPLICATION**

CONDITIONAL USE LOCATION & DESCRIPTIO	N	
Address: 114 S Broad St		
Parcel #: M0140-096	Council Districts: Distri	ct 4 _/District 8
Zoning: CBD B-2	Acreage/Square Feet: 0.114	acres
Type of Conditional Use Requested: <u>Wine</u>	Shop / Restaurant	
PROPERTY OWNER & APPLICANT INFORMAT	[ION	
Property Owner: Brown Oil Distributo	ors, LLC. (Wesley Sisk)	Phone #: 770-616-5054
Address: 205 E. Spring Street	City: Monroe	
Applicant (If different than owner):	d Vine LLC (Jessica Murphy)	Phone #: 731-697-3961
Address: 304 Pine Cir	city: Monroe	_ State: <u>GA</u> Zip: <u>30655</u>
CONDITIONAL USE INFORMATION		

Describe the nature of the proposed use, including without limitation the type of activity proposed, number of occupants and/or employees, hours of operation, number of vehicle trips, water and sewer use, and similar matters (1425.1(1)(b)): Highland Vine is a unique wine tasting destination and retail bottle shop. A wine

dispensing machine will allow guests to self-serve a tasting of a variety of wines in 1 oz, 3 oz or 6 oz increments at their

own pace. Guests will present their ID and credit card to a certified employee. If the guest is 21 years of age he will receive a card to

operate the wine dispensing machines. We expect to employ 6-10 part time employees. Highland Vine anticipates operating 3-10 pm M-F,

10 am - 10 pm Sat and 12-8 pm Sunday. We will serve food and meet all of the requirements for restaurants. We will operate

primarily as a retail package dealer and earn a minimum of 70 percent of annual gross revenue from package sales of wine.

Describe the location of the proposed structure(s) or use(s) and its relationship to existing adjacent uses or structures, and use of adjacent properties (1412.1(1)(c)): The property is located in the Monroe

Commercial Historic District. It is currently Broad St Boots between Your Pie and the old

Police Station. The lot runs from Broad St to Wayne St. There is a parking lot across Wayne St.

CONDITIONAL USE INFORMATION CONT.
Describe the area, dimensions and details of the proposed structure(s) or uses(s), including without limita- tion, 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 (1425.1(1)(d)): <u>The exterior of the</u>
building is approximately 23 ft wide x 115 ft long. The interior is approximately 2,760 sf. The remaining lot behind the building approximately
23 ft wide by 100 ft long is currently broken asphalt. We propose simple beautification behind the building by installing sod down to Wayne St. There will be
no on-site parking. There is public parking along S Broad St in front of the building and lot 108 behind the building on the corner of Spring St and Wayne St.
Select all existing utilities available and/or describe proposed utilities (1425.1(1)(e)):  City Water Private Well City Sewer Septic Tank Electrical Gas Telecom
REQUIRED SUBMITTAL ITEMS
✓       Completed Application       ✓       Site Plan; Drawn to scale         ✓       Fee (see Fee Schedule)       ✓       Deed         ✓       Survey Plat       ✓       Proof of all property taxes paid in full         ✓       Typed Detailed Description of the Request       ✓       Other information as required by Code Enforcement
I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANC- ES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE 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: 05/30/2024
A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPART- MENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.
PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT
SIGNATURE: DECKSS CIO Brown OI Properties DATE: 5/30/2024
NOTARY PUBLIC: SWORN TO AND SUBSCRIBED BEFORE THIS <u>30<sup>th</sup> day of</u> <u>May</u> , 20, 24
NOTARY SIGNATURE: Deman & Lindan
DATE: <u>05-30-24</u> 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. Each applicant is responsible for compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.

# **Highland Vine**

wine market & tasting room



### **EXECUTIVE SUMMARY**

Highland Vine is a unique wine tasting destination and retail bottle shop located in historic downtown Monroe, Georgia. It aims to provide wine enthusiasts and newcomers alike the opportunity to taste a variety of wines from around the world in a relaxed yet stimulating environment. A wine dispensing system allows guests to self-serve to taste a variety of wines at their own pace. Favorite wines are available for purchase by the bottle. At Highland Vine a guest might experience his only opportunity to explore Chilean or Argentine wine found in the foothills of the Andes or go wine tasting through the Tuscany countryside.

Jessica Murphy and Jimmy Floyd are the co-creators of Highland Vine. They currently own and operate independent businesses in the construction industry with 50+ years of experience between them. Jimmy and Jessica both reside in Monroe, golf cart distance from the vibrant downtown historic district. They love Monroe and simply see a vacancy in the downtown scene for a wine tasting market and bottle shop. It is the perfect complement to the fine dining restaurants and diverse offering to the breweries and sports bars found in downtown Monroe.

The wine dispensing machines that will be used are called WineStation by Napa Technology. The Napa Technology operating software is completely customizable and allows the business owner or employee to exercise total control. First a patron will present his or her ID. Upon proof of age the patron will receive a card that allows him to operate the machines. The machines are programmed to provide 1 oz, 3 oz and 6 oz pours and only operate during business hours. The cards are programmed to limit the total ounces poured during a given hour and day. All of the required controls according to city ordinances are in place with the Napa Technology system.

The WineStation and similar machines are used throughout Georgia and all 50 states. The inspiration for Highland Vine comes from a similar establishment named Deep Roots in downtown Roswell with new locations in Woodstock and Chamblee. Just down the road in Athens is also a wine tasting market called Tapped Athens.





6. The 4<sup>th</sup> tab is for any Pour Limits being set on the card. Here you can limit how many drinks an account can pour in a given time. You can also view any limitation status on any of the cards in that given account.

Account / Edit Accoun	t			6
General	Customer Information T	ransactions Pour Limit	ts Cards	Site Access
Pour Limits				
Apply to     Disabled  Pour Managem	• 0	60	1 Drinks	
Card Number	Card Name	Pour Status		Actions
Account (All C	ards)	hr	min	0
01017DF5CF	12 01017DF5CF12	hr	min	0

\*By specifying a time then clicking the "Stop" button, you can suspend a card (or all cards) for a certain period of time. For example, if someone has had a bit too much wine you can cut them off for a few hours.

### 7. The $5^{th}$ Tab lists the cards assigned within the account.

unt / Edit Account						
General	Customer Information	Transactions	Pour Limits	Cards		Site Acces
Cards (UTC-08:00) Pacific Tim	ie (US & Canada)					
Card Number	Card Name	Card Type	Start Date	End Date	Active	Actions
01017DF5CF12	2 01017DF5CF12	RFID - Mifare Classic 1K	Dec 31, 1969 at 4:00 PM	Perpetual	•	8 🖿
	150 N. Gibson Rd. Suite A Henderson, NV 89014 800-603-6550 <u>info@napatechnology.com</u>					

### PROPERTY ADDRESS:

### 114 S. BROAD STREET MONROE, GEORGIA 30655

TRACT 2 AS SHOWN

### FLOOD STATEMENT:

BY GRAPHICALLY PLOTTING ONLY, THE SUBJECT PROPERTY DOES NOT FALL WITHIN A 100 YEAR FEDERALLY DESIGNATED FLOOD HAZARD AREA.AS PER COMMUNITY PANEL NO. 13121CO137E - EFFECTIVE DATE OF 12/8/2016.

### SURVEY STATEMENT:

SURVEY PREFORMED BY JOHN F, BREWER AND ASSOCIATES.

CURRENT ZONIING:

B-2, GENERAL COMMERCIAL BUSINESS DISTRICT

OVERLAY DISTRICTS: CENTRAL BUSINESS DISTRICT MONROE HISTORIC DISTRICT

MINIMUM LOT REQUIREMENTS:

60 FEET MINIMUM FRONTAGE:

MINIMUM YARD REQUIREMENTS: FRONT YARD: 25 FEET 15 FEET SIDE YARD: REAR YARD 20 FEET

MAXIMUM LOT COVERAGE 60% MINIMUM LOT AREA O S.F..

TOTAL LOT AREA = 4,906 S.F., .114 ACRES

24 HOUR CONTACT:

OWNER: WESTLEY SISK : 770-616-5054

CONTRACTOR: JESSICA MURPHY: 678-383-9189

EXISTING LOT COVERAGE:

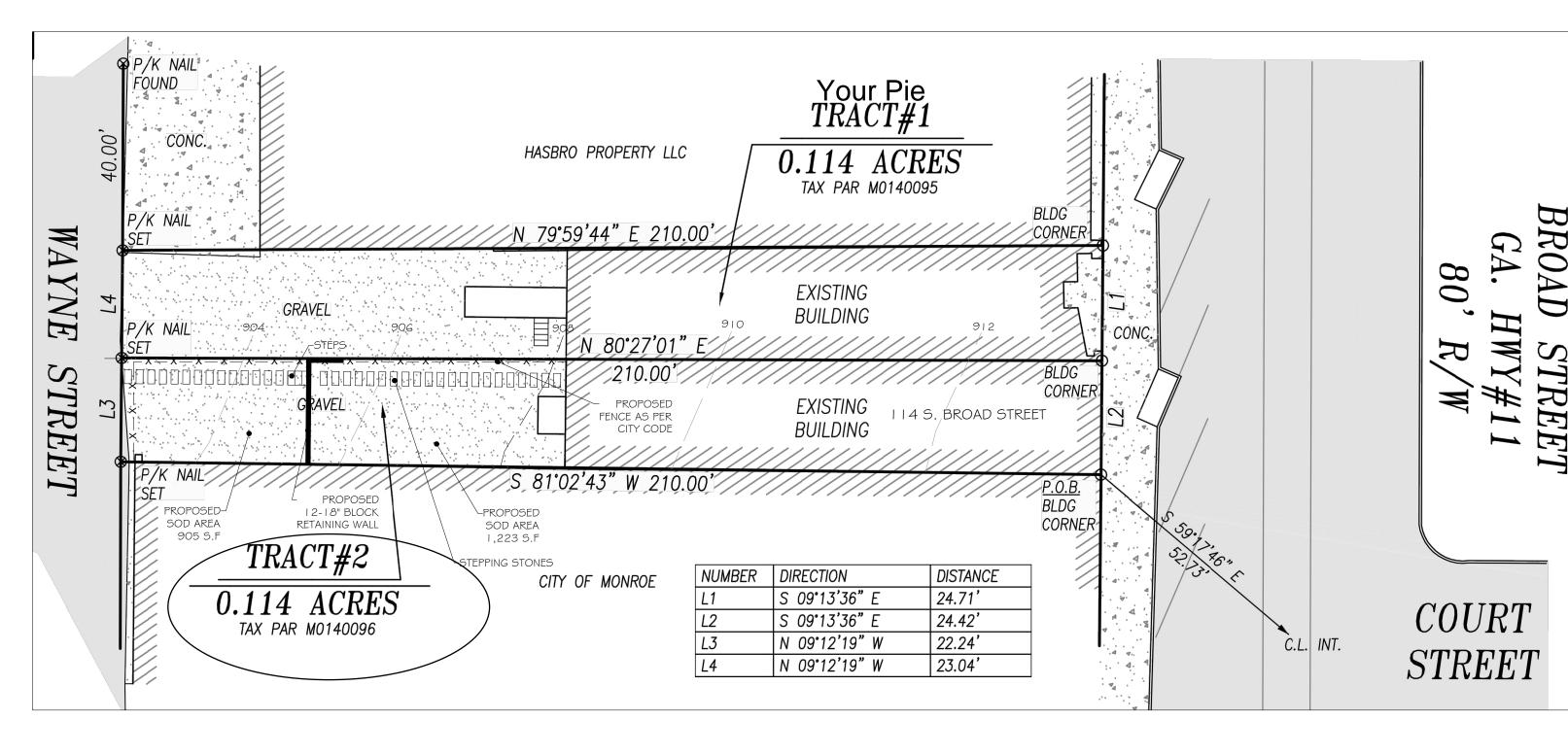
BUILDING= 2,730 S.F. GRAVEL AREA = 2,128 S.F. REAR DECK / STAIRS = 48 S.F.

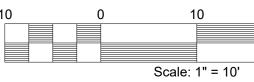
TOTAL COVERAGE = 4,906 S.F. (100%) LOT AREA = 4,906 S.F

PROPOSED LOT COVERAGE:

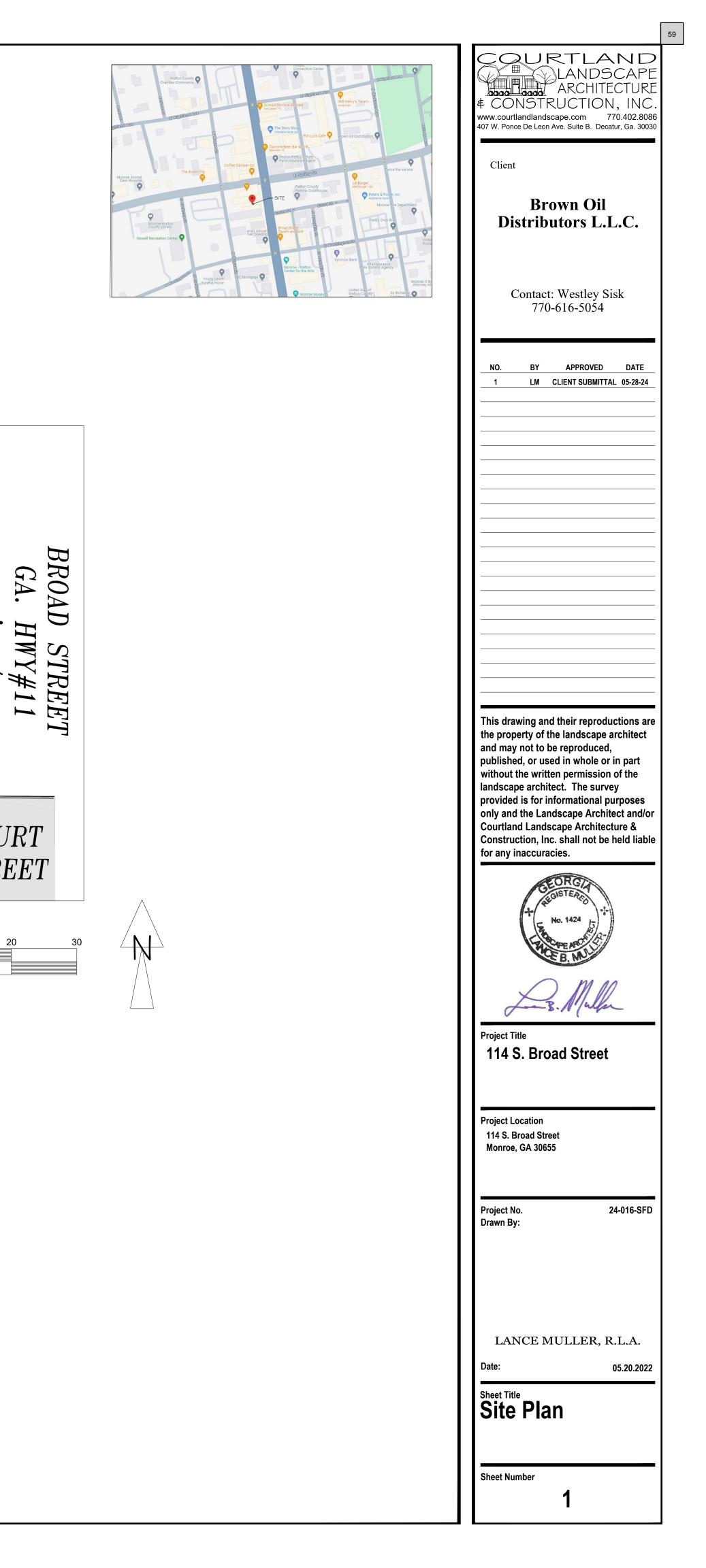
BUILDING= 2,730 S.F. SOD AREA = 2,128 S.F. REAR DECK / STAIRS = 48 S.F.

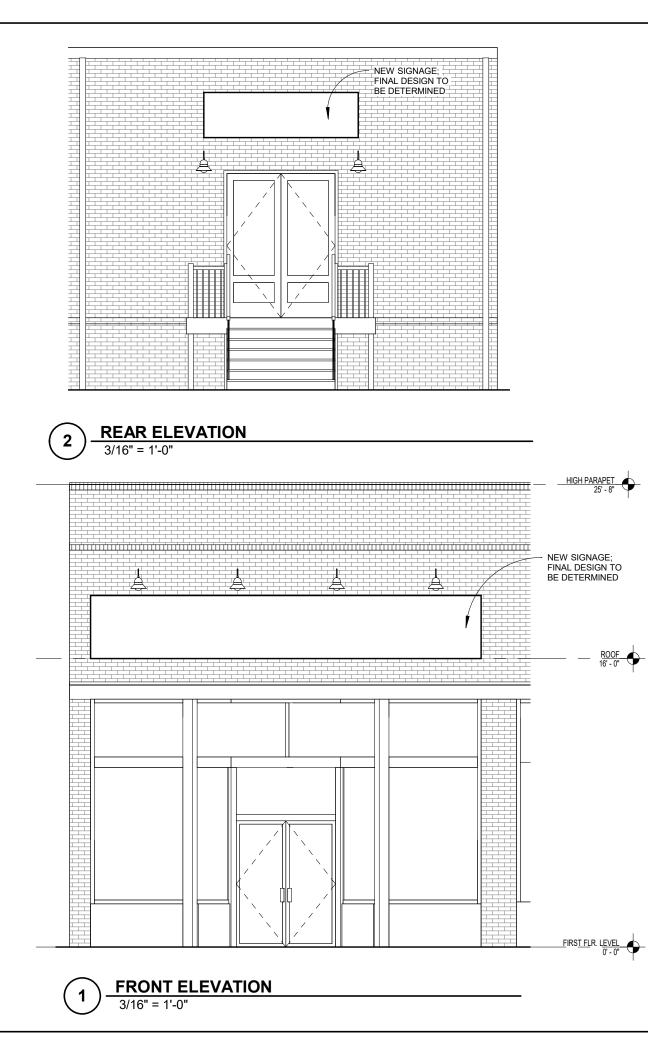
TOTAL COVERAGE = 2,778 S.F. ( 56.62%) LOT AREA = 4,906 S.F.





20

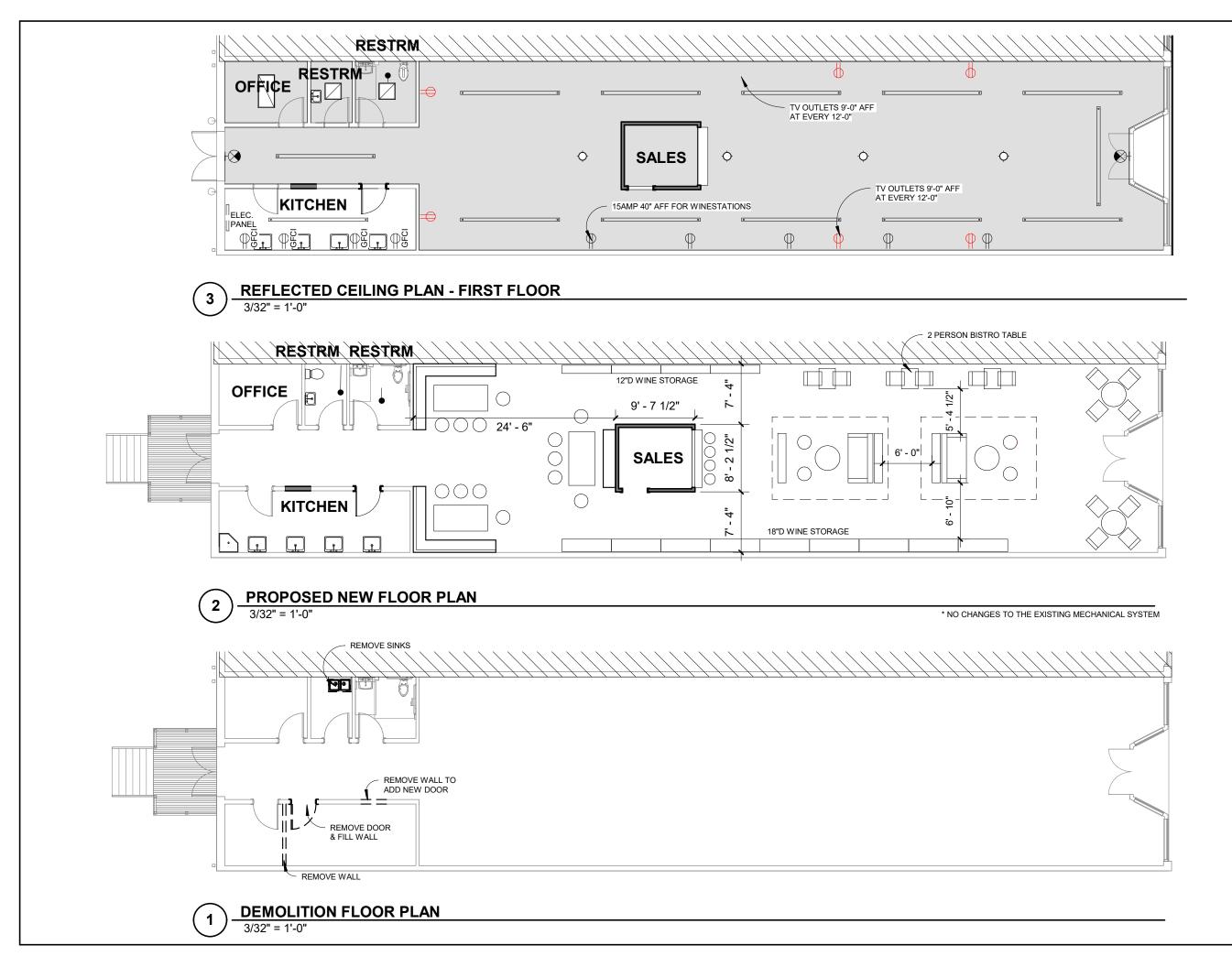




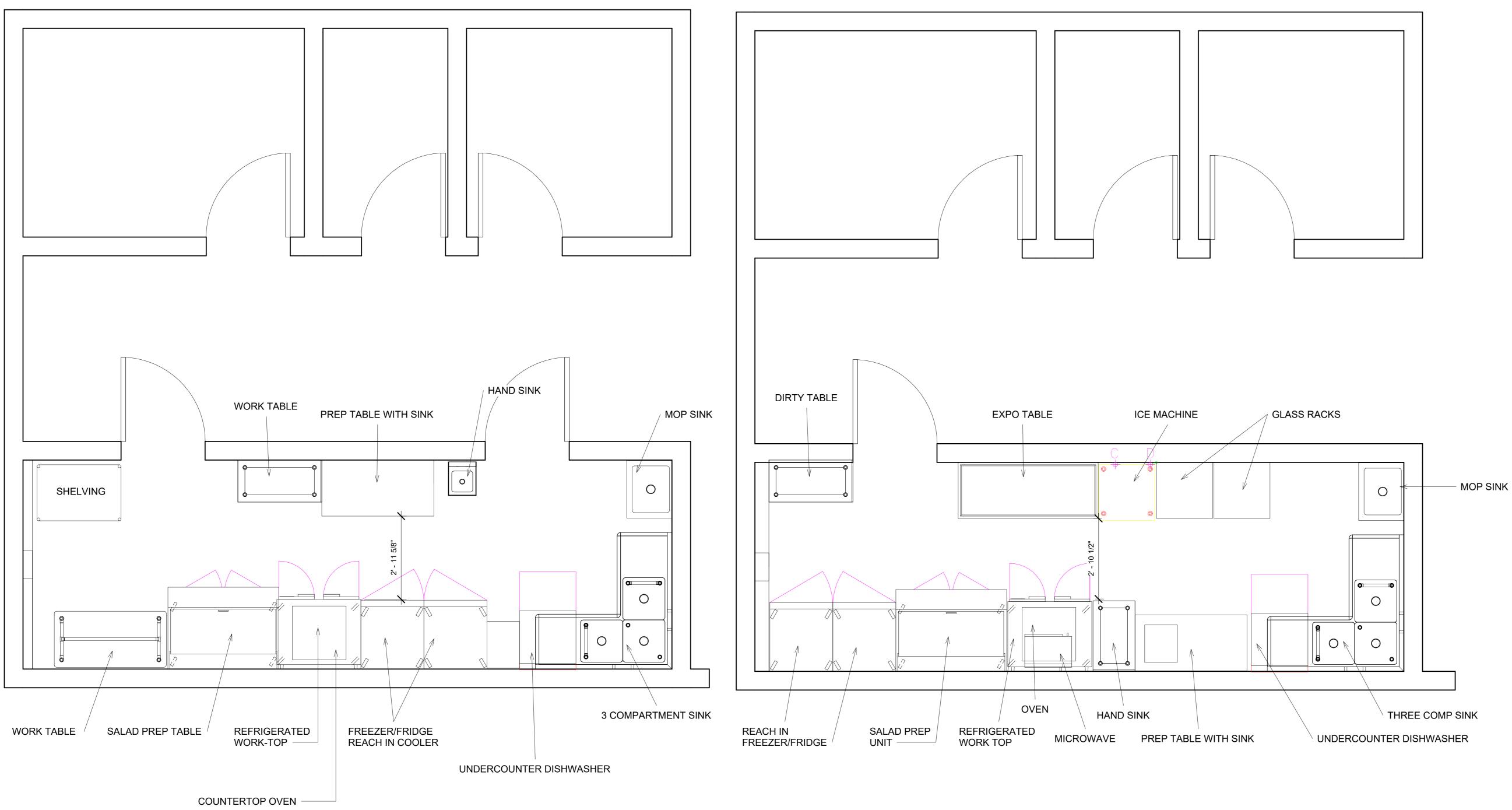
## WINE BAR: INTERIOR RENOVATION 114 SOUTH BROAD STREET MONROE, GEORGIA

BUILDIN	IG CODE INFORMATION	GENERAL	NOTES
APPLICABLE	CODES:		THE PROJECT CONSISTS OF A INTERIOR
BUILDING:	INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)	RENOVATION OF AN	EXISTING 2,565 SF COMMERICAL V BATHROOM AND KITCHEN WITHOUT A
RESIDENTIAL:	INTERATIONAL RESIDENTIAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)		IICAL SYSTEM TO REMAIN. NO NEW SYSTEM.
FIRE:	INTERNATIONAL FIRE CODE, 2018 EDITION		
PLUMBING:	INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)		
MECHANICAL:	INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)		
ELECTRICAL:	NATIONAL ELECTRICAL CODE, 2020 EDITION, WITH GEORGIA AMENDMENTS (2021)		
ENERGY:	INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, WITH GEORGIA SUPPLEMENTS AND AMENDMENTS ( <u>2020</u> )		
LIFE SAFETY:	LIFE SAFETY CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)		
CONTA			
OWNER: WESLEY SISK		D	RAWING INDEX
BROWN OIL DIS wesley@brownoil	TRIBUTORS, LLC company.com	Sheet No.	Sheet Name
CONTRACTOR:	łY	ARCHITECTUR	E
HER CAVE ATLA	NTA	A2.00	COVER I ELEVATIONS
DBA HAMMER A JESSICA@HAMI	ND HARMONY MERANDHARMONY.COM	A2.01	FLOOR PLAN & REFLECTED CEILING PLAN

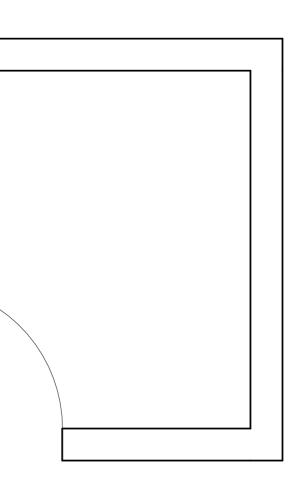
-	hammer + harmony	GENERAL CONTRACTORS
114 SOUTH BROAD ST.	PROJECT #: 2024	COVER I ELEVATIONS



# TWO DOOR LAYOUT



# ONE DOOR LAYOUT



Celebrating Over			
FOOD SERVICE DESIGN CONSULTANT: A CITY DISCOUNT 6286 DAWSON BLVD. NE NORCROSS, GA 30093 Phone: 678.905.3268 Fax: 678.578.8227			
Consultant Address Address Phone Fax e-mail			
Owner Address Address Phone Fax e-mail			
Owner Address Address Phone Fax e-mail			
Project Manager Address Address Phone Fax			
e-mail			
No. Description	Date		
Owner			
Project Name EQUIPMENT PLAN			
	Number sue Date		
Drawn by Checked by	WLH BP		
FS-101			
	2" = 1'-0"		
	1		

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Return Recorded Document to: PRESTON & MALCOM, P.C. Attorneys at Law Post Office Box 984 110 Court Street Monroe, Georgia 30655 FILE #: 17-24571

### LIMITED WARRANTY DEED

### STATE OF GEORGIA COUNTY OF WALTON

THIS INDENTURE made this 20th day of October, 2017, between H. A. Commercial, LLC, a Georgia limited liability company, as party or parties of the first part, hereinunder called Grantor, and Brown Oil Properties, LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

All that tract or parcel of land, together with all improvements thereon, situate, lying and being in the State of Georgia, County of Walton, City of Monroe, located in Land Lot 65 of the 3rd Land District, being designated as Tract 2, containing 0.114 acre, more or less, according to a survey entitled "Survey for: Brown Oil Properties, LLC," dated October 17, 2017, prepared by John F. Brewer & Associates, certified by John F. Brewer, III, Georgia Registered Land Surveyor No. 2905, recorded in Plat Book 113, page 131, Clerk's Office, Walton County Superior Court. Reference to said survey is hereby made and the same is incorporated herein for a more complete description of the property conveyed.

This being the real property commonly known as 114 S. Broad Street, Monroe, according to the present system of numbering properties in the Walton County Tax Assessor's Office.

Tax Parcel ID No. M0140096

Being a portion of the property conveyed to Grantor by virtue of that certain Warranty Deed dated January 2, 2002, recorded in Deed Book 1390, page 9, Walton County, Georgia records.

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

TO HAVE AND TO HOLD the said tract or parcel of land, together 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 by, through and under the above named grantor.

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

Signed, sealed and delivered in the presence of:

Unofficial Witness tary Publ LLY S OCONFE COUNTY, G

H. A. Commercial, LLC

eerrey M. Ce (Seal) M. Anold, Jr., Sole Member/Manager



## Planning City of Monroe, Georgia REZONE STAFF REPORT

### **APPLICATION SUMMARY**

REZONE CASE #: 3281

**DATE:** July 5, 2024

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

**APPLICANT NAME:** Conner Grading & Landscaping, Inc.

**PROPERTY OWNER:** Blasingame Properties LLC

LOCATION: South side of Richard Parsons Drive – Portion of property located at 415 Pannell Road

**COUNCIL DISTRICTS:** 5 & 8

**ACREAGE:** ±6.234

EXISTING ZONING: R-1 (Large Lot Residential District)

EXISTING LAND USE: Undeveloped

ACTION REQUESTED: Rezone R-1 to PID (Planned Industrial District)

**REQUEST SUMMARY:** The owner is petitioning for a rezone in order to develop the property for an office warehouse with unpaved outdoor storage.

**STAFF RECOMMENDATION:** Staff recommends denial of this rezone request. However, if the rezone request is approved, staff recommends that it be subject to conditions.

### DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: July 16, 2024 CITY COUNCIL: August 13, 2024

### **REQUEST SUMMARY**

### **REZONE REQUEST SUMMARY:**

The applicant is requesting approval of a rezone from R-1 (Large Lot Residential District) to PID (Planned Industrial District) in order to develop an office warehouse with outdoor storage. The subject property is a portion of a larger property containing approximately 72 acres with a single-family residence and a two-family duplex. The subject property was annexed into the City on 1955 and zoned to R-1. There are also pay-to-fish lakes on the property which are accessed from Richard Parsons Drive. The applicant proposes to develop the site with an office warehouse building and an unpaved outdoor storage yard.

### PROPOSED PROJECT AMENDMENT SUMMARY:

- Rezone Planned Industrial Development
  - $\circ$  Site Area ±6.234 Acres
  - Proposed Building ±11,250 Sf
    - Units 6 at 1,875 Sf per unit
    - Façade Materials Metal "Butler" style building with a brick knee wall
  - Proposed Uses: All uses in the M-1 zoning district with allowance for commercial vehicle, equipment and materials storage on unpaved surfaces in the rear of the site
  - Parking 32 paved spaces in the front of the building and loading spaces on the rear side of the building
  - Outdoor Storage ±1.57 acres of outdoor storage for heavy equipment and material storage
    - Outdoor Storage of items will include: heavy equipment such as loaders, dozers, and compactors along with material storage of pipes, rock, sand, and mulch

### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>STANDARDS FOR ZONING MAP</u> <u>AMENDMENT APPLICATION DECISIONS</u>" AS SET FORTH IN SECTION 1421.8 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) The location, present use, and zoning classification of the subject property, and its suitability and economic viability for use as currently zoned: The parent tract of the subject property is currently zoned R-1 (Large Lot Residential District). The subject property has been zoned R-1 since annexation into the City in 1955. The proposed rezone request is for a ±6.234 acre portion of the parent tract which is roughly 72 acres in size. A single-family residence has been on the property since 1955 and a duplex has been on the property since 1960. The current R-1 zoning of the property would allow for single-family residential development.
- (2) The proposed use and zoning classification of the subject property: The applicant is requesting a rezone to PID (Planned Industrial District) to develop the property primarily for a contractor office and warehouse with unpaved outdoor storage.
- (3) The existing land uses and zoning classification of nearby property, whether the zoning proposal seeks a use consistent with the use and development of adjacent and nearby property, and to what extent the zoning proposal will adversely affect adjacent or nearby property: The property on all sides of the tract are part of the parent tract of the subject property and is currently zoned R-1. The property is predominantly agricultural in nature and has been since being annexed into the City in 1955. The property has been zoned R-1 since annexation. Properties south of the parent tract are in unincorporated Walton County outside the city limits contain single-family residences on medium sized properties and an undeveloped property also owned by the owner of the subject property. The property north of the site across Richard Parsons Drive is the Monroe airport and is zoned M-1. Properties west of the site along Pannell Road are predominantly single-family residences on small sized tracts zoned R-1.

There are no adjacent industrial uses on any adjacent properties. The Monroe airport, although zoned M-1, is not intended for industrial development. The nearest industrial development is over a half mile away at the intersection of Vine Street and S. Broad Street. The proposed use is not consistent with adjacent uses on adjoining properties. Allowing a contractor office and warehouse operation with more than an acre of unpaved outdoor storage could negatively impact airport operations by generating unnecessary dust and airborne debris. The remaining portion of the parent tract would be negatively impacted by allowing an industrially zoned property in the middle of property zoned for residential purposes.

- (4) Whether the zoning proposal will result in a use which could adversely affect existing infrastructure including without limitation streets, transportation facilities, utilities, schools, police and fire protection, and municipal personnel: The submitted development plan illustrates one entrance off Richard Parsons Drive near the first entrance into the airport. Currently, Richard Parsons Drive handles light traffic into and out of the airport. Richard Parsons Drive is not constructed with an adequate base or pavement depth suitable for industrial operations, especially ones involving routine transportation of heavy equipment and construction materials. Negative impacts generated by the development could result in increased need for maintenance, repairs or even reconstruction of Richard Parson Drive. Water, natural gas and telecommunications are available to serve the development. Sanitary sewer is not directly adjacent to the site. Wastewater is proposed to be handled with an on-site septic system. Additional City services should be adequate to serve the proposed development.
- (5) Whether the zoning proposal is consistent with the Comprehensive Plan: The subject property is located in the East Sub-Area as identified in the Monroe Comprehensive Plan. The existing character of this vicinity of the East Sub-Area predominantly consists of the Monroe airport, undeveloped properties, and single-family residences on small and medium sized tracts. The future character of this portion of the sub-area indicates there is a potential for industrial development south of the airport. Technically, requesting an industrial rezone complies with the intent of the potential for industrial development south of the airport. The original intent of suggesting industrial development would be suitable south of the airport in the Comprehensive Plan is based upon traditional industrial development, such as Piedmont Industrial Park.
- (6) Whether there are other factors or existing or changing conditions regarding the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal: As stated above, there are no supporting or neighboring industrial uses on an adjacent properties. The remaining portion of the parent tract zoned for residential purposes would be negatively impacted by allowing an industrially zoned property in the middle of property. The proposed use could negatively impact airport operations. Impacts to Richard Parsons Drive could result in unnecessary and costly maintenance.

FURTHER ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE <u>"STANDARDS FOR REVIEW</u>" OF PLANNED DEVELOPMENT DISTRICTS AS SET FORTH IN SECTION 650.2(3) OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) Whether the zoning proposal demonstrates a clear and balanced benefit to the community as well as to the applicant that warrants the use of flexible zoning in lieu of the existing standards: The proposal provides a greater benefit to the applicant by circumventing limitations for certain elements such as having a greater ratio of commercial vehicles vs building size and unpaved outdoor storage. There is no demonstration of a clear and balanced benefit to the community by allowing a contractor office warehouse with unpaved outdoor storage under a Planned District designation.
- (2) Whether the zoning proposal will result in higher overall quality of community development than if developed utilizing the existing classification: The existing R-1 zoning classification would permit a single-family residential subdivision of the property. The proposed Planned Industrial District does not necessarily represent any unique or exclusive development type that would result in a higher overall quality of community development. Under M-1 zoning, the proposed is allowed by right if developed in compliance with the standards for outlined for building size vs allowed vehicle ratios and having a paved outdoor storage yard.
- (3) Whether the applicant proposes a compatible mixture of uses on the same property and even in the same buildings: The development will primarily be a contractor office warehouse building and outdoor storage yard. There are no unique mixture of uses proposed.
- (4) Whether the proposed exceptions and variances from existing development standards will achieve the itemized creative design goals and can be offset as necessary by mitigating conditions or amenities: Section 654(1) of the Zoning Ordinance, states the purpose and intent of a Planned Industrial Development is to be a planned, organized, controlled development of multiple but compatible, industrial uses in a planned industrial park. The standards encourage the formation and continuance of a compatible environment for the planned industrial uses and the surrounding land uses. Section 654(1) further states carefully planned office and commercial uses may be incorporated as part of a Planned Industrial Development.

The applicant's proposed development states that all M-1 uses would be allowed by right in the development, but with one exception to allow unpaved outdoor storage of commercial vehicles, equipment and materials. The proposed development plan included in the request is geared towards only one primary use and that is a contractor office and warehouse with unpaved outdoor storage. The proposed unpaved outdoor storage itself is intended specifically for one tenant but is mentioned to also be potentially permitted for future tenants. The number of vehicles proposed in the outdoor storage would include up to twelve (12) loaders, dozers, and compactors, but would include additional vehicles for other tenants. Section 540.1 of the Zoning Ordinance states the number of commercial vehicles allowed in a non-residential district is one (1) commercial vehicle per 10,000 square feet of gross floor of the principal building with the potential that four (4) additional vehicles are permitted provided that they are placed in an actual dedicated off-street parking space for each vehicle dedicated to its use only in the rear yard. The proposed building is only 11,250 square feet so a maximum of 5 vehicles in off-street parking

spaces would be permitted based upon the limitation in Section 540.1. In addition to the vehicles and equipment stored in the unpaved outdoor storage area, the applicant also proposes storage of materials not produced on the site such as pipes, rock, sand and mulch. This essentially means that in addition to the contractor operations of moving equipment in and out of the site, outside materials not produced on site will be transported in and out of the site on a routine basis.

The proposed development does not meet the stated purpose and intent of a Planned Industrial Development as stated in Section 654(1). The development plan with a small warehouse style building will likely not support any other type of use than a contractor office and warehouse. There are not any planned or coordinated industrial developments adjacent to or part of the project. The remaining portion of the parent tract that is still zoned R-1, would be harmed by essentially inserting an industrial style development in the center of the property.

### **STAFF RECOMMENDATION**

The proposed development raises several concerns when considering the original purpose and intent of a Planned Industrial development, the primary use for the Planned Industrial development, the lack of a comprehensive development plan for the remainder of the property, potential negative impacts to the local street accessing the site, and potential negative impacts to airport operations.

Based upon the City Council's policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends <u>denial</u> for the requested PID (Planned Industrial District) rezoning to develop contractor's offices and warehouses and unpaved storage.

However, if the rezone request is approved it is recommended it be subject to the following conditions:

- 1. The unpaved/gravel storage yard shall not be expanded beyond the area illustrated on the conceptual plan.
- 2. Prior to submitting site development plans, the developer shall subdivide the PID (Planning Industrial District) zoned portion area from the parent tract in accordance with the procedures for subdividing property as a Minor Subdivision.
- 3. Prior to submitting site development plans, the developer shall obtain approval for the septic tank and drain field from the Walton County Environmental Health Department.
- 4. The 25-foot landscaped and fenced opaque buffer shall extend around all sides of the site excluding the portion of property fronting on Richard Parsons Drive.
- 5. Hours of operation shall be limited to 7 am through 6 pm, Monday through Friday.
- 6. Any sediment, dirt, mud or other debris deposited on Richard Parsons Drive as a result of operations on the site shall be remediated by the property owner at the property owner's expense.



## **City of Monroe**

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

### **REZONE PERMIT**

PERMIT #: 3281	181	DESCRIPTION:	REZONE R-1 TO PID
JOB ADDRESS: PARCEL ID: SUBDIVISION:	415 PANNELL RD M02600260DP	LOT #: BLK #: ZONING:	R-1
ISSUED TO: ADDRESS CITY, STATE ZIP: PHONE:	CONNER GRADING & LANDSCAPING 226 ALCOVY ST MONROE GA 30655 770-639-3149 BUSINESS	CONTRACTOR: PHONE: OWNER: PHONE:	CONNER GRADING & LANDSCAPING
PROP.USE VALUATION: SQ FT OCCP TYPE: CNST TYPE:	PID \$ 0.00 0.00	DATE ISSUED: EXPIRATION:	7/05/2024 1/01/2025
INSPECTION REQUESTS:	770-207-4674 lwilson@monroega.gov		
FEE CODE PZ-08	DESCRIPTION REZONE TO PLANNED DISTRICT		<b>AMOUNT</b> \$ 600.00
			FEE TOTAL         \$ 600.00           PAYMENTS         \$- 600.00           BALANCE         \$ 0.00

### NOTES:

The Planning Commission will hear and make recommendation on this request for a Rezone from R-1 to PID (Planned Industrial District) of <u>+6.234</u> acres at 415 Pannell Rd. on July 16, 2024 at 6:00pm. The Monroe City Council will hear and make a decision on this request on August 13, 2024 at 6:00pm. Both meetings will be held 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.

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.

Min APPROVED BY)

1 12124 DATE



Planning City of Monroe, Georgia BLASINGAME PROPERTIES, LLC – PID REZONE DROPBOX LINK

## TO ACCESS THE REZONE DOCUMENTS FOR CASE #3281, BLASINGAME PROPERTIES, LLC, R-1 TO PID, PLEASE SELECT THE FOLLOWING LINK:

https://www.dropbox.com/scl/fo/ea82at0sqy8ozdkvb2w1v/ADPfU\_ MgWTCmL57\_7R9Z-9o?rlkey=f0hnli451xly1wb5fq595utzl&st=zhe6dsgb&dl=0 Leigh Ann Aldridge 409 Pannell Road Monroe, GA 30655

July 11, 2024

The City of Monroe Planning & Zoning Commission The City of Monroe City Council 215 N Broad Street Monroe, GA 30655

Dear Members of The Monroe Planning Commission and City Council,

I am writing this letter to oppose the proposed rezone of 6.234 acres on Richard Parsons Road from R1 to PID by Conner Grading and Landscaping. As a lifelong resident of Monroe and a former city employee focused on downtown development for a decade, I have a vested interest in the betterment of our city and how we plan for development in our future. I ask that you strongly consider the damaging effects of what seems to be one simple rezone. Zoning laws are established to promote orderly growth and development, protect property values, and enhance the quality of life for residents. Our city has worked hard to develop ordinances that will help us achieve our goals of keeping Monroe's quaint charm while fostering growth to provide amenities and economic prosperity for our future. We have witnessed the effects of what poor planning has done to our neighboring cities and counties and we've all heard the cries not to let our Monroe become the next Gwinnett County. We have vowed to not make the same mistakes but allowing this piece meal/partial zoning is leading us down this exact path. It will open the door to the sprawl we want to avoid, it contradicts our goals as a city, and it defies the very definition of why zoning laws are established.

While we all know that growth is inevitable, smart growth is achievable. We have the power to steer our development and lay the foundation for a solid groundwork for the future. The rezoning of property is often necessary and, in many cases, beneficial. However, this proposal lacks a cohesive plan or vision and this rezone to industrial will be detrimental to our city and will set a regrettable precedent for the future of the surrounding area. Once one area is approved, it can have a domino effect and before we know it, our small acre tracks of residential are overtaken by a booming sprawl industry.

The basis for the request for rezone to industrial is that the property is not suitable for residential due to its proximity to the airport. This statement is inaccurate. As a matter of fact, R1 surrounds the airport. The largest area being the north end of the airport off Towler Street. This rezone would place industry within feet of a residential area. My property (along with 3 other homes) sits closer to this project than the airport runway

to this project. My grandparents lived in my home (prior to me in 2017) for 56 years and my next-door neighbor has lived in her home since it was built in 1961. I hardly think residents of 56 and 63 years disqualify this as being a residential area. This project is not simply approving one business but six. It is more than office space; it includes large equipment storage and maintenance. It will not only be unaesthetically pleasing but will also bring noise and pollution from equipment, a higher volume of traffic causing a further burden on our roads and infrastructure and a decrease in property value. The noise and negative impact from this project will far outweigh that of the airport. The building of the airport did not affect residential growth at its opening in 1961 nor has the growth and expansion of our airport in size and use in more recent years had a negative impact on residential. It has done the opposite, contributing to Monroe's appeal as a destination that continues to draw people to our great city to live. There are many houses that have undergone significant improvements and investment in the vicinity of the airport over the last few years. sparking revitalization in this area which is a major corridor to our city. The applicant also references that the property is not walkable to our downtown. This is also inaccurate. My home is one mile from Monroe Cotton mills (our downtown boundary) which is walkable via sidewalks from South Madison Avenue and less than 1.5 miles to our beautiful new town green. It also falls within the approved area for golf carts, all of which make it an attractive marketing point used by real estate agents selling properties in the area.

We have invested years in the betterment of our city. We have worked hard to get to where we are today. We are not here by accident but by intentional acts. We are here because of the dedication of staff and leadership to cast visioning sessions, to develop master plans and approve zoning that lines our ordinances with the voice of our community. I'm asking that you please listen to the voice of the community, to continue our vision as a city, to stand firm in our values, and insist on better planning and use of the land that we still have. That we can walk alongside property owners and include them in planning sessions and make connections that will help them find the best use for property if their intent is development. Not to prohibit growth, but to steer the growth in a direction that will promote quality of life for all of our citizens and continue us on the path to keep Monroe the place we all love for future generations to come.

I would be happy to continue a conversation regarding the matter should you have any questions. Thank you for your time.

Sincerely,

Leigh Ann Aldridge

Leigh min munue

770-601-2410



## Planning City of Monroe, Georgia REZONE STAFF REPORT

### **APPLICATION SUMMARY**

REZONE CASE #: 3282

**DATE:** July 5, 2024

**STAFF REPORT BY:** Brad Callender, Planning & Zoning Director

APPLICANT NAME: Rowell Family Partnership, LLLP

PROPERTY OWNER: Rowell Family Partnership, LLLP & Still Family Realty, LLC

**LOCATION:** South and east sides of Charlotte Rowell Blvd. and the west side of N. Broad Street – Portion of property located at 1125 N. Broad Street

**COUNCIL DISTRICTS:** 2 & 7

ACREAGE: ±105.870

EXISTING ZONING: B-3 (Highway Business District)

EXISTING LAND USE: Inactive dairy farm and undeveloped

**ACTION REQUESTED:** Rezone B-3 to PRD (Planned Residential District) & PCD (Planned Commercial District)

**REQUEST SUMMARY:** The owner is petitioning for a rezone in order to develop the property for a mixed use development with a variety of housing, commercial, and natural and civic areas.

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

### DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: July 16, 2024 CITY COUNCIL: August 13, 2024

### **REQUEST SUMMARY**

### **REZONE REQUEST SUMMARY:**

The applicant is requesting approval of a rezone from B-3 (Highway Commercial District) to PRD (Planned Residential District) and PCD (Planned Commercial District) in order to develop a mixed use development. The subject property was part of a large annexation into the City in 2001 and was zoned to the B-3 district. The subject property is the former site of a dairy farm. The request is accompanied by a comprehensive pattern book with complete details for the rezone request.

### **PROPOSED PROJECT AMENDMENT SUMMARY:**

- Rezone B-3 to PRD (Planned Residential District) and PCD (Planned Commercial District) •
  - $\circ$  The Project will have four (4) character areas within the project. Please refer to page 44 of the project's pattern book for details on each character area

Fotal Acreage	105.87 acres	Building Coverage (continued)	
Total Open Space	34.13 acres	Medium-Scale Multifamily	1.4 acres
Natural Area	25.52 acres	Large-Scale Multifamily	2.5 acres
Civic Space	8.61 acres	Mixed Use	3.4 acres
Total Impervious Area	71.74 acres	Civic	0.4 acres
Planned Commercial District	50.7 acres	Total Gross Residential Square Footage	2,414,15
Planned Residential District	55.2 acres	Single Family	1,441,463
		Cottage	11,700 sf
Total Residential Units	1,062 units	House (Max. 70% coverage)	670,946 s
Single Family	335 units	Townhouse (Max. 80% coverage)	596, 698
Cottage	18 units	Live/Work (residential)	162,119 sf
House	143 units	Multifamily	972,694
Townhouse	115 units	Apartment House (Max. 70% coverage)	281,927 s
Live/Work	59 units	Medium-Scale Multifamily	174,055 s
Multifamily	727 units	Large-Scale Multifamily	317,877 sf
Apartment House	225 units	Mixed Use (residential)	198,835 s
Medium-Scale Multifamily	139 units		
Large-Scale Multifamily	204 units	Total Gross Commercial Square Footage	541,430
Mixed Use	159 units	Mixed Use (commercial)	298,252 :
		Office	149,126 sf
Total Building Coverage	31.2 acres	Retail	149,126 sf
Cottage	0.3 acres	Live/Work (commercial)	243.178 st
House	11.4 acres	Lite, Work (commercial)	210,000

10 17 17 17 17 17 17 17 17 17 17 17 17 17	
Cottage	0.3 acres
House	11.4 acres
Townhouse	4.3 acres
Live/Work	3.1 acres
Apartment House	4.4 acres

Total Gross Commercial Square Footage	541,430 sf
Mixed Use (commercial)	298,252 sf
Office	149,126 sf
Retail	149,126 sf
Live/Work (commercial)	243,178 sf
Office	121,589 sf
Retail	121,589 sf
Total Civic Square Footage	18,112 sf

### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>STANDARDS FOR ZONING MAP</u> <u>AMENDMENT APPLICATION DECISIONS</u>" AS SET FORTH IN SECTION 1421.8 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) The location, present use, and zoning classification of the subject property, and its suitability and economic viability for use as currently zoned: The subject property is currently zoned B-3 (Highway Commercial District). The subject property has been zoned B-3 since annexation into the City on October 2, 2001. The property is the former location of a dairy farm and has not been developed since the dairy operations ceased. The basis for this rezone request is to replace the B-3 zoning with a comprehensively planned district rezoning to PRD (Planned Residential District) and PCD (Planned Commercial District) for a mixed use development.
- (2) The proposed use and zoning classification of the subject property: The applicant is requesting a rezone to PRD (Planned Residential District) and PCD (Planned Commercial District) to develop the property for a mixed-use, walkable development with a variety of housing types.
- (3) The existing land uses and zoning classification of nearby property, whether the zoning proposal seeks a use consistent with the use and development of adjacent and nearby property, and to what extent the zoning proposal will adversely affect adjacent or nearby property: Properties north of the site across Charlotte Rowell Blvd. are zoned B-3 and PCD. The B-3 zoned properties are all undeveloped with the PCD property as the site of the YMCA currently under construction. Properties east of the site are zoned with a mixture of B-3, B-2, R-2, and R-1A with land uses ranging from two-family dwellings to fast food restaurants to indoor mini-storage warehouses. Properties south of the site are zoned with a mixture of B-2, B-3, M-1, and PCD with land uses ranging from car washes to planned commercial shopping centers. Properties west of the site are zoned B-3 and are undeveloped.

The requested PRD and PCD zoning will introduce a robust, walkable development to an area of the City that is primarily auto-centric. If developed to the plans and standards outlined in the pattern book submitted with this request, the project will be an asset and a cornerstone of sustainable development in this portion of the City and the surrounding area.

(4) Whether the zoning proposal will result in a use which could adversely affect existing infrastructure including without limitation streets, transportation facilities, utilities, schools, police and fire protection, and municipal personnel: The submitted pattern book includes road network diagrams showing seven (7) access points to the development from Charlotte Rowell Blvd., N. Broad Street, and an extension of Pavilion Avenue from the south. There will be four (4) accesses off Charlotte Rowell Blvd., two (2) accesses off N. Broad Street, and one (1) access point from an extension of Pavilion Avenue to the south. A round-about is proposed at the intersection with Double Springs Church Road Connector at one of the primary entrances to the site. The road network diagram illustrates an interconnected, gridded street network within the development.

Initial estimates provided by the applicant indicate as many as 18,448 external trips could be generated by the development. This number represents trips entering and exiting the site. A formal traffic study has not been performed for the development. Charlotte Rowell Blvd. and N.

Broad Street should be adequate to serve the proposed development. A condition has been added to the end of this report requiring a traffic study be performed prior to preliminary plat submittal. Improvements identified in the traffic study will need to be implemented as result of the recommended condition.

At the time of this report, sanitary sewer is currently unavailable for the residential portion of the development. A moratorium is currently in effect that prohibits the submission of a preliminary plat for any development containing single-family residential dwellings. Infrastructure for water, electric, natural gas, and telecommunications are capable of supporting the development. Additional City services should be adequate to serve the proposed development.

- (5) Whether the zoning proposal is consistent with the Comprehensive Plan: The subject property is located in the Northwest Sub-Area as identified in the Monroe Comprehensive Plan. The existing character of this vicinity of the Northwest Sub-Area is predominantly undeveloped with new commercial development between Charlotte Rowell Blvd. and N. Broad Street on the north side of US Hwy 78. The future character of this sub-area will be predominantly single-family residential with focused areas of higher density mixed use. The proposed rezone to develop the property for a mixed use development meets the intent of the goals of the Comprehensive Plan.
- (6) Whether there are other factors or existing or changing conditions regarding the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal: The current B-3 zoning will only provide commercial uses intended to be oriented for highways. The proposed PRD and PCD zoning provides an opportunity to develop the property in a manner that is more sustainable than conventional commercial development by mixing uses in a walkable, interconnected development.

FURTHER ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "<u>STANDARDS FOR REVIEW</u>" OF PLANNED DEVELOPMENT DISTRICTS AS SET FORTH IN SECTION 650.2(3) OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) Whether the zoning proposal demonstrates a clear and balanced benefit to the community as well as to the applicant that warrants the use of flexible zoning in lieu of the existing standards: The proposal demonstrates a very clear and balanced benefit to the community as a mixed use, walkable, interconnected development. As a mixed use, urban style development, the project is an excellent representation of the goals of Placemaking. The core principals behind Placemaking include creating public spaces, streets, neighborhoods and urban centers that create sense of place and identity.
- (2) Whether the zoning proposal will result in higher overall quality of community development than if developed utilizing the existing classification: The existing B-3 zoning classification would permit conventional style commercial development that would be auto-centric. As previously stated, the proposed planned residential and commercial development will result in a walkable, mixed use, interconnected development that will be an asset to the City of Monroe.
- (3) Whether the applicant proposes a compatible mixture of uses on the same property and even in the same buildings: The proposed development plan and project pattern book illustrates a robust and complex mixed use development that will include a variety of housing types, mix of

residential and non-residential uses, in a walkable development. The proposed development is representative a of an ideal mixed use development. The only exception is the proposed large scale multi-family buildings on the southern portion of the development. The proposed buildings for the large scale multi-family appear to be large, stacked conventional style buildings with a high number of units per building. In keeping with the intent to provide a variety of housing types and sizes in the development, staff would prefer these buildings to resemble the medium scale multi-family and apartment houses also proposed for the development.

- (4) Whether the proposed exceptions and variances from existing development standards will achieve the itemized creative design goals and can be offset as necessary by mitigating conditions or amenities: The proposed development is an excellent example of compliance with all of the Design Standards and Criteria for Planned Development Districts outlined in Section 655 of the Zoning Ordinance. The standards for Section 655 include all of the following:
  - 1. Parking facilities in the front lot is highly discouraged and should be utilized only in rare circumstances. When front lot parking is utilized it should be limited and appropriately screened from public right of ways with landscaping strips including evergreen screens and berms where appropriate.
  - 2. Vast expanses of asphalt/concrete parking lots visible from the public right of ways are not favorable and should be avoided. Parking should be concentrated in the side lots and rear lot. Parking areas should be interspersed with appropriate landscaping islands, buffers and strips.
  - 3. Walkability of all parcels should be a priority in planning and design.
  - 4. Interconnectivity of all parcels and uses should be a priority in planning and design.
  - 5. Building setbacks should be in conformity with the surrounding areas and take into consideration the traditional and historic building and development patterns of the City. Deep front setbacks are discouraged in all areas and strictly prohibited in key historic areas of the downtown core. Zero lot line setbacks are encouraged throughout the appropriate areas of the City core.
  - 6. Street trees along with appropriate approved landscape plans must be considered in planning and design.
  - 7. All Planned Development Districts should utilize sidewalk lined streets in all areas, with sidewalks on both side of the streets, except where not feasible due to topography limitations. Sidewalks should generally be a minimum of 5 feet in width and placed a minimum of two feet from the back of curb of the road with a landscaped planter strip located between.
  - 8. All Planned Development Districts should utilize common lighting fixtures and hardscape materials such as benches, planters and trash receptacles, consistent with prevailing fixtures and materials recommended by the Code Enforcement Officer.
  - 9. Mixed form of residential dwelling units is highly encouraged. Attached and detached single family units along with multi-family units can coexist harmoniously in close proximity.
  - 10. Retail, professional, commercial, civic and residential uses are encouraged, with proper planning, to coexist harmoniously in close proximity, including developments built around the general concepts of "Live-Work-Play" and "Walkable Communities."
  - 11. Traditional Neighborhood Development designs and criteria are encouraged in Planned Residential Developments, including the use of rear alley drives.
  - 12. Front facing garages, cul-de-sacs and residential developments not well interconnected to existing city streets are to be avoided in Planned Residential Developments.
  - 13. Vinyl siding and metal sided "butler building" style construction should not be allowed in any Planned Development District. Building materials should consist of brick, wood and masonry products that promote the traditional and historic design standards that are predominant in the core of the City.

As the submitted Pattern Book demonstrates, the proposed development meets each and every one of the criteria outlined in Section 655.

### **STAFF RECOMMENDATION**

The plan for the requested project represents an ideal mixed use, walkable neighborhood. If developed to the standards outlined in the pattern book, the project will be an asset to the City of Monroe and an example for surrounding communities pursuing smarter, sustainable development patterns.

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 for the requested PRD (Planned Residential District) and PCD (Planned Commercial District) rezoning to develop mixed use development subject to the following conditions:

- 1. Prior to Preliminary Plat submittal, the developer shall perform a traffic study for the development. Any and all necessary improvements identified in the traffic study shall be represented on the Preliminary Plat and all subsequent plans and plats.
- 2. Prior to Preliminary Plat submittal, the developer shall enter into a fully executed development agreement with the City of Monroe.
- 3. Existing trees shall be retained and preserved throughout the areas in the development designated as Character Area-1 Natural Area or Open Space. Existing trees shall be retained and preserved in areas designated as Character Area-CV or Civic Area wherever practical retention of the trees are possible.



# **CITY OF MONROE**

# **REZONE APPLICATION**

<b>REZONE LOCATION &amp; DESCRIPTION</b>			
Address (or physical location): 1125 N Broad Street, Monroe GA 30655			
	Parcel #(s): <u>M0050045</u>		
Acreage/Square Feet: 105.870	_ Council Districts: 2	7	
	Proposed Zoning: PR	D/PCD	
Existing Use: Vacant			
Proposed Use:	g, commercial, office, natura	Il areas and civic areas	
PROPERTY OWNER & APPLICANT INFORMATION			
Property Owner:	till Family Realty, LLC	Phone #:	
Address: PO Box 1936 ci	<sub>ity:</sub> Monroe	_ <sub>State:</sub> <u>GA</u> <sub>Zip:</sub> <u>30655</u>	
Applicant (If different than owner):	Partnership, LLLP	Phone #: 770-318-6153	
	<sub>ty:</sub> Monroe	_ <sub>State:</sub> <u>GA</u> <sub>Zip:</sub> <u>30655</u>	
REZONE INFORMATION			
Describe the current zoning of the subject property and abutting properties. Describe all existing uses on abutting properties (1421.4(2)(c)): The property is currently zoned B3 and is a part of a 300+ acre tract zoned the same. Abutting properties to the south are zoned PCD and B3 and include the Monroe Pavillion shopping center.			
Abutting properties to the west and north are B3 and abutting properties to the east			
and across Hwy 11 are primarily B3 and include Bojangles and vacant property.			
<b>Provide a statement explaining the intent of the recipient of the recipient of the rezoning request (1412)</b> master planned community with a mix of housing recipient of the rec	.4(2)(d)): The Breedlove	Farm development is a	
and civic space. The intent of the PCD/PRD zo	oning is to implement qu	ality urban design principles	
to create a cornerstone development in Monroe which pa	ays tribute to Monroe's histor	y while welcoming its future.	

REZONE INFORMATION CONT.	8
REZONE INFORMATION CONT.	
Describe the suitability for development under the existence existing uses and structures (1421.4(2)(e)): The existing	
proposed for the PRD/PCD but without the unified de	sign and planning framework and without
the ability to create a unique sense of place or a mixe	ed-use, walkable neighborhood through higher
density development. The property is currently vacar	nt
Describe the duration of vacancy or non-use if the propertion is submitted (1421.4(2)(f)): The property was formerly p	
but has been vacant at least since it was purchased t	by the Applicant in 1999.
Select all existing utilities available and/or describe prop City Water Private Well City Sewer Se	osed utilities (1425.1(1)(k)): eptic Tank 🔽 Electrical 📝 Gas 🗹 Telecom
DECLUDED SUDMITTAL ITEMAS (1421 4/2))	
REQUIRED SUBMITTAL ITEMS (1421.4(2))         SELECT THE APPLICABLE ITEMS FOR THE REQUEST         Completed Application         Fee (see Fee Schedule)         Typed Legal Description         Typed Detailed Description of the Request         Survey Plat         Deed         Proof of all property taxes paid in full         Site Plan         Drawn to scale, showing the following:         Proposed Uses/Buildings         Proposed Improvement Information         Parking	Residential Rezoning Sites Plans shall also include the following in addition to the items listed for Site Plans:         Image: Image
<ul> <li>Traffic Circulation</li> <li>Landscaping/Buffers</li> <li>Stormwater/Detention Structures</li> <li>Amenities</li> <li>Commercial &amp; Industrial Rezoning Site Plans shall also include the following in addition to the items</li> </ul>	For Planned Districts, the applicant must submit a pattern book for review before submitting any re- zoning application. Any submittal of a rezone appli- cation for a Planned District which has not under- gone a preliminary review by staff will be considered incomplete. The pattern book and rezoning site plan
<ul> <li>Isted for Site Plans:</li> <li>Maximum Gross Square Footage of Structures</li> <li>Minimum Square Footage of Landscaped Area</li> <li>Maximum Structure Height</li> <li>Minimum Square Footage of Parking &amp; Drives</li> <li>Proposed Number of Parking Spaces</li> </ul>	shall include all of the applicable items listed above as well as any identified by staff during the prelimi- nary review process:
Required Buffers	Code Enforcement Officer

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS			
AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANC-			
ES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES			
THE 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: 52121			
A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPART-			
MENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.			
PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT			
Til ( Tata)			
SIGNATURE: DATE: 5 20 2024			
NOTARY PUBLIC:			
SWORN TO AND SUBSCRIBED BEFORE THIS 2th DAY OF May , 20,24			
(Manuel a) the a			
NOTARY SIGNATURE:			
DATE: 5/2012024 SEAL:			
EDWARD J. KORCHNAK			
* Commission # HH 338427			
Expires December 5, 2026			
C DFTU			
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. Each applicant is responsible for			
compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.			

### DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Date: <u>5 - 24 - 24</u> Tax Map and Parcel Number(s): a portion of M0050045			
PROPERTY ADDRESS:	105 acres of 1125 N. Broad Street Monroe, Georgia 30655		
PROPERTY OWNER and APPLICANT	Rowell Family Partnership, LLLP PO Box 1936 Monroe, GA 30655		

Check one of the following:

(A) The applicant here certifies, under oath, that he or she has not made any campaign contributions or gifts having an aggregate total value of \$250.00 or more to any local government official of Monroe, Georgia, as defined by O.C.G.A. 36-67A-1(5).

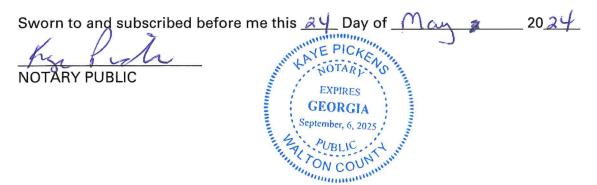
(B) The Applicant here certifies, under oath, that he or she has made the following campaign contributions or gifts having an aggregate total value of \$250.00 or more to a local government official of Monroe, Georgia as defined by 0.C.G.A.36-67A-1 (5).

Please list total value of contribution(s) dates and names of the local Government Official:

Describe in detail any gifts listed above (example: quantity and nature, etc.):

**Rowell Family Partnership, LLLP** 

BY:



### AGENT AUTHORIZATION

Date: 5 - 24 - 24 Tax Map and Parcel Number(s): a portion of M0050045

PROPERTY ADDRESS:	105 acres of 1125 N Broad Street Monroe, Georgia 30655
PROPERTY OWNERS:	Rowell Family Partnership, LLLP P.O. Box 1936 Monroe, GA 30655, and Still Family Realty, LLC 10111 Windward Way Jacksonville, FL 32556
APPLICANT:	Rowell Family Partnership, LLLP P.O. Box 1936 Monroe, GA 20655
ATTORNEY/AGENT:	Andrea P. Gray, LLC 300 E Church Street Monroe, GA 30655 (678) 364-2384

ACTION:

The undersigned states under oath that it is the owner of the property and hereby authorizes Applicant through its Attorney/Agent to submit, execute and prepare any and all documents relating to or speak on its behalf regarding the request for a rezoning for the property referenced herein.

Rezone 105 acres from B3/R1 to PCD

[signatures on following pages]

÷ . .

### **Owner: Rowell Family Partnership, LLLP**

BY:



NOTARY PUBLIC

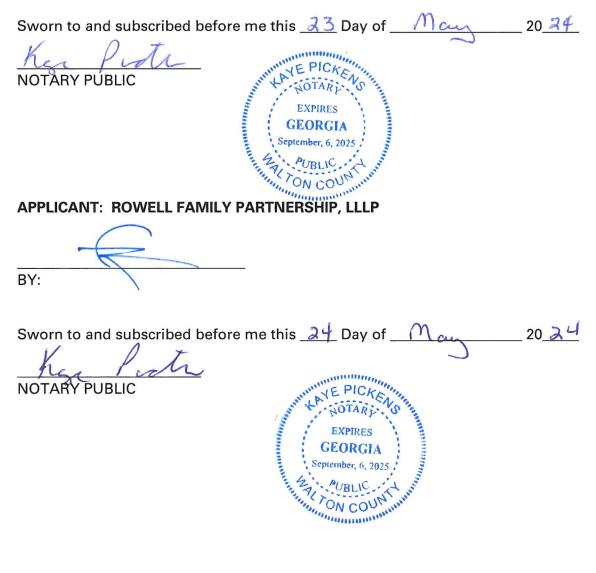


EDWARD J. KORCHNAK Commission # HH 338427 Expires December 5, 2026

[signature page to Agent Authorization]

**ATTORNEY/AGENT** 

BY: Andrea Gray



### DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Date: 5 - 24 - 24 Tax Map and Parcel Number(s): a portion of M0050045

PROPERTY ADDRESS: 105 acres of 1125 N. Broad Street Monroe, Georgia 30655

PROPERTY OWNERS: Rowell Family Partnership, LLLP P.O. Box 1936 Monroe, GA 30655, and Still Family Realty, LLC 10111 Windward Way Jacksonville, FL 32556

Check one of the following:

(A) The applicant here certifies, under oath, that he or she has not made any campaign contributions or gifts having an aggregate total value of \$250.00 or more to any local government official of Monroe, Georgia, as defined by O.C.G.A. 36-67A-1(5).

(B) The Applicant here certifies, under oath, that he or she has made the following campaign contributions or gifts having an aggregate total value of \$250.00 or more to a local government official of Monroe, Georgia as defined by 0.C.G.A.36-67A-1 (5).

Please list total value of contribution(s) dates and names of the local Government Official:

Describe in detail any gifts listed above (example: quantity and nature, etc.):

Still Family Realty, LLC

Sworn to and subscribed before me this <u>Jah</u> Day of \_

\_\_\_\_20\_24

Eliand & Calego

NOTARY PUBLIC



EDWARD J. KORCHNAK Commission # HH 338427 Expires December 5, 2026



### **City of Monroe**

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

### **REZONE PERMIT**

PERMIT #: 328	2	DESCRIPTION:	REZONE FROM B-3 TO PRD	/PCD
JOB ADDRESS: PARCEL ID: SUBDIVISION:	1125 N BROAD ST M0050045	LOT #: BLK #: ZONING:	B-3	
ISSUED TO:	ROWELL FAMILY PARTNERSHIP	CONTRACTOR:	ROWELL FAMILY PARTNER	SHIP LLLP
ADDRESS CITY, STATE ZIP:	779 ROWE RD MONROE GA 30655	* PHONE:		
PHONE:		OWNER: PHONE:		
PROP.USE	COMMERCIAL			
VALUATION:	\$ 0.00	DATE ISSUED:	7/05/2024	
SQ FT	0.00	EXPIRATION:	1/01/2025	
OCCP TYPE:				
CNST TYPE:				
INSPECTION	770-207-4674			
REQUESTS:	lwilson@monroega.gov			
FEE CODE	DESCRIPTION			AMOUNT
PZ-08	REZONE TO PLANNED DISTRICT			\$ 600.00
			FEE TOTAL	\$ 600.00

NOTES:

The Planning Commission will hear and make recommendation on this request for a Rezone from B-3 to PRD (Planned Residential District) and PCD (Planned Commercial District) of <u>+</u>105.87 acres at 1125 N. Broad St. on July 16, 2024 at 6:00pm. The Monroe City Council will hear and make a decision on this request on August 13, 2024 at 6:00pm. Both meetings will be held 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.

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.

PROVED BY)

PAYMENTS

BALANCE

\$- 600.00

\$ 0.00



June 13, 2024

Mr. Brad Callender Planning and Zoning Director City of Monroe, Georgia 215 N Broad Street Monroe, GA 30655

Re: Applicant: Rowell Family Partnership, LLLP
 Owners: Rowell Family Partnership, LLLP and Still Family Realty, LLC
 Request to Rezone property from B3 to PRD/PCD
 Tax Parcel: M0050045
 Addresses: 1125 N Broad Street, Monroe, Georgia 30655
 Total acreage: 105.87 acres

Dear Mr. Callender:

My client, the Rowell Family Partnership, LLLP (the "Applicant"), is pleased to present Breedlove Farm, a true mixed-use development master planned to incorporate quality urban planning and design inspired by community input. Breedlove Farm will be located on 105.87 acres currently owned by the Applicant and Still Family Realty, LLC ("Owners"), and is situated northwest of Monroe's downtown and bordered by Charlotte Rowell Blvd to the west and north, Hwy 11 to the east and the Monroe Pavilion development to the south (the "Property"). This mixed-use development will include multiple housing types, retail, office, commercial, natural areas, and civic areas. These uses are thoughtfully integrated in the master plan to create a unique sense of place for residents and visitors that ties the historic nostalgia of the Breedlove Farm, once an operational cattle farm, to an urban development designed to meet the current demands of the City.

Applicant commissioned Town Planning & Urban Design Collaborative, LLC ("TPUDC") to conduct community collaboration efforts, shape the vision for the development, and create a master plan to include a conceptual site plan and detailed development and architectural standards. TPUDC commenced its efforts by hosting a five-day public engagement and design workshop at the Wayfarer Music Hall titled "Breedlove Farm- Master Plan Charrette" in March 2024. Through a series of workshops, topic specific discussions, and open studio hours, TPUDC gathered community input which formed the basis for the master plan's core design principles. The common



300 E Church Street, Monroe, GA 30655 (678) 364-2384 www.andreapgray.com themes expressed included a desire for a mix of housing types, sizes and prices, live/work opportunities, a walkable development, quality multifamily housing, preservation of natural features and the farm silo, green space, street connectivity with golf cart paths, encouraging locally owned businesses, and options for senior and young professional housing. Using this input, TPUDC developed a master plan which incorporates four Character Areas: CA - 1 Natural Area, CA-3 Neighborhood Area, CA-4 Neighborhood Center, and CA-CV Civic Area. Each Area has specific development standards that define development patterns within the master plan such as permitted location of uses, building types, civic space types and thoroughfare types, etc. Character Areas will be developed in phases based on utility capacity, namely sewer, and market demands.

The Applicant is seeking to rezone the Property from B3 to PCD/PRD. It is asking the City to approve the conceptual master plan as defined by the Character Areas and the development and architectural design standards. Once these land use standards are in place, future development of the site must be consistent with the standards and the City's planning staff will review detailed site plans for consistency therewith before any vertical construction may begin.

A complete copy of the application materials and detailed pattern book are included herewith. If you have any questions or would like to discuss this further, please do not hesitate to contact me.

Sincerely

P.A

Andrea P. Gray Attorney for Rowell Family Partnership, LLLP



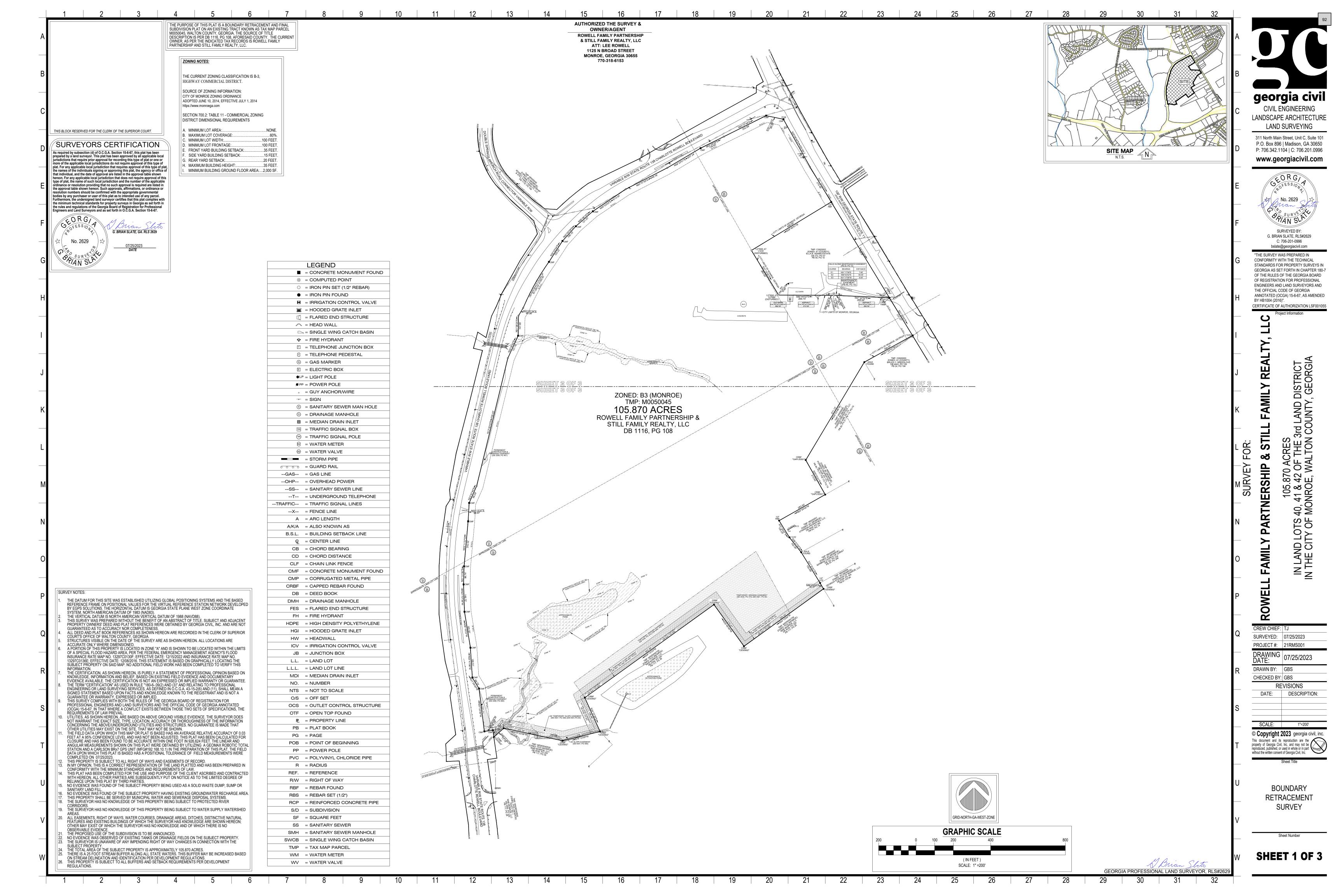
# LEGAL DESCRIPTION TAX PARCEL M0050045

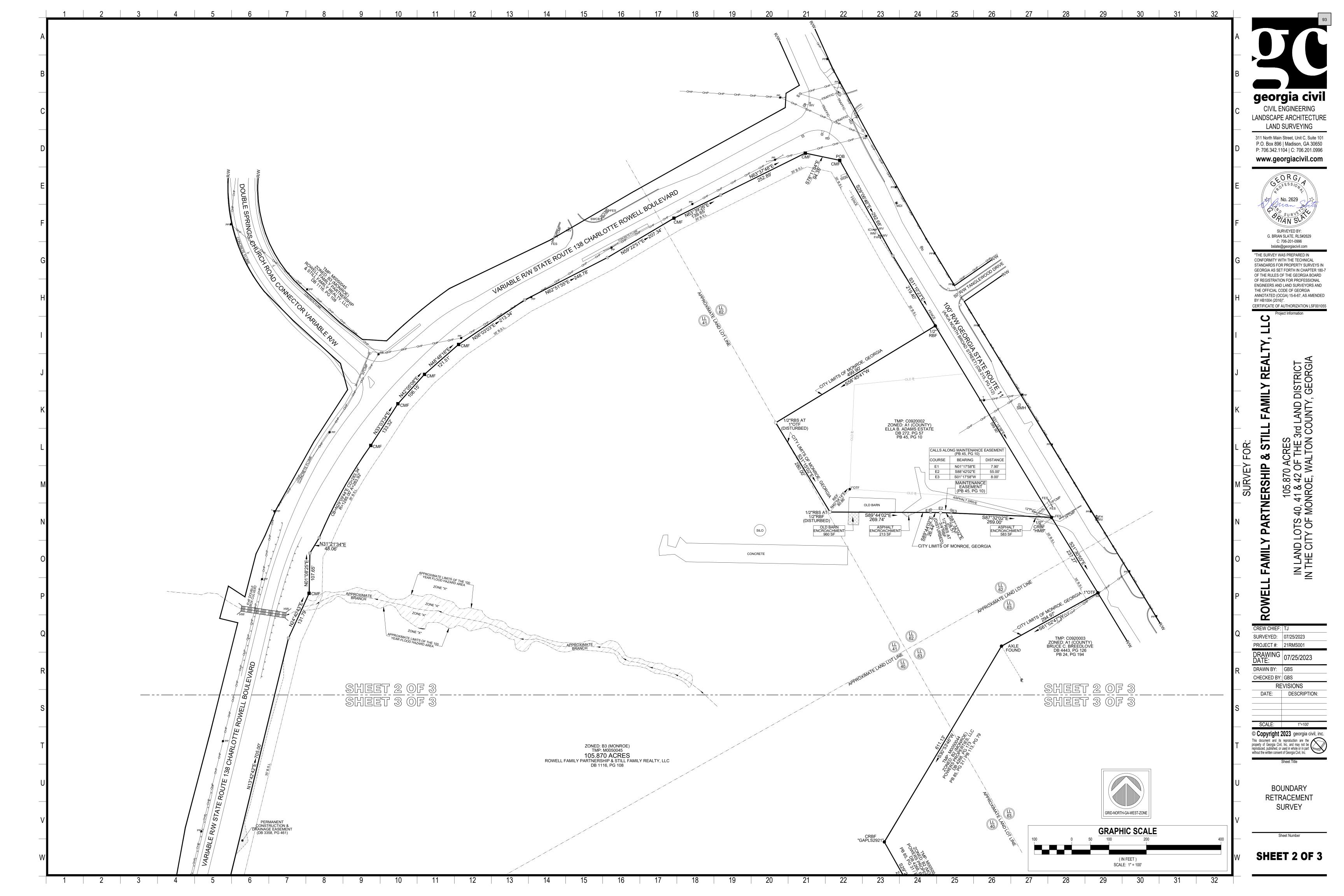
All that Tract or Parcel of land, lying and being located in Land Lots 40, 41 and 42 of the 3<sup>rd</sup> Land District, in the City of Monroe, Walton County, Georgia, containing 105.870 Acres, more or less and being more particularly described as follows:

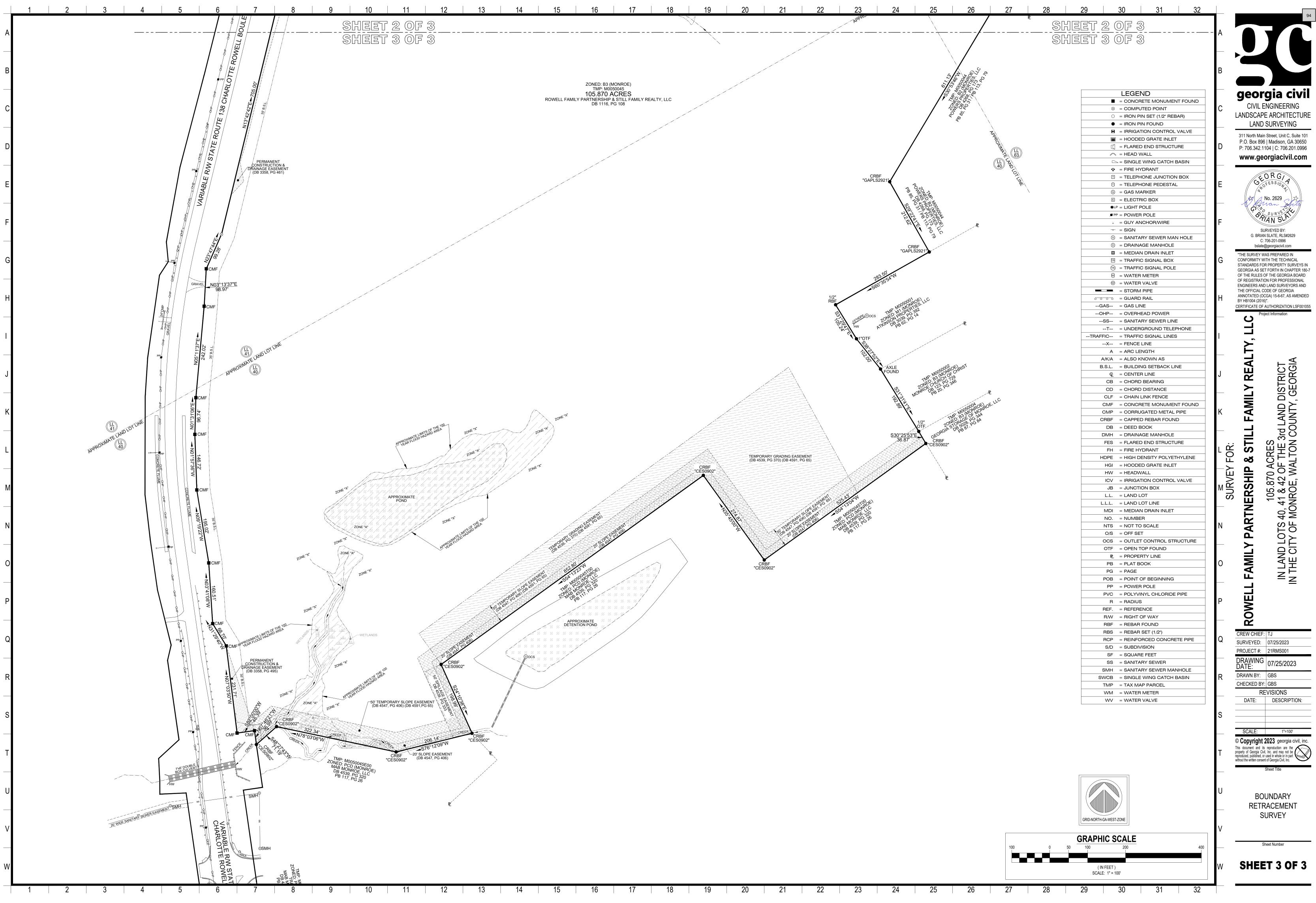
**BEGINNING** at a concrete monument found at the southwestern most mitered right of way intersection of the southernmost variable right of way of Georgia State Route 138 (also known as Charlotte Rowell Boulevard) and the westernmost 100 foot right of way of Georgia State Route 11 (also known as North Broad Street); thence proceed along the westernmost 100 foot right of way of Georgia State Route 11 (also known as North Broad Street), the following: South 29 degrees 06 minutes 46 seconds East for a distance of 292.68 feet to a point; thence South 31 degrees 10 minutes 23 seconds East for a distance of 219.40 feet to a 1/2" rebar found; thence departing said right of way, proceed the following: South 58 degrees 45 minutes 41 seconds West for a distance of 499.90 feet to a 1/2" rebar set at a 1" disturbed open top found; thence South 31 degrees 15 minutes 02 seconds East for a distance of 280.00 feet to a 1/2" rebar set at a 1/2" disturbed rebar found; thence South 89 degrees 44 minutes 02 seconds East for a distance of 269.74 feet to a point; thence South 89 degrees 44 minutes 02 seconds East for a distance of 26.44 feet to a 1/2" rebar set at a 3/4" disturbed rebar found; thence South 87 degrees 32 minutes 02 seconds East for a distance of 28.57 feet to a point; thence South 87 degrees 32 minutes 02 seconds East for a distance of 269.00 feet to a 1/2" rebar found capped "HMB" on the westernmost 100 foot right of way of Georgia State Route 11 (also known as North Broad Street); thence proceed along the westernmost 100 foot right of way of Georgia State Route 11 (also known as North Broad Street), South 31 degrees 30 minutes 55 seconds East for a distance of 237.27 feet to a 1" open top found; thence departing said right of way, proceed the following: thence South 61 degrees 02 minutes 47 seconds West for a distance of 294.97 feet to an axle found; thence South 30 degrees 53 minutes 46 seconds West for a distance of 611.13 feet to a rebar found capped "GAPLS2921"; thence South 29 degrees 22 minutes 41 seconds East for a distance of 212.62 feet to a rebar found capped "GAPLS2921"; thence South 60 degrees 35 minutes 54 seconds West for a distance of 283.50 feet to a 1/2" rebar found: thence South 31 degrees 29 minutes 47 seconds East for a distance of 105.24 feet to a 1" open top found; thence South 38 degrees 27 minutes 52 seconds East for a distance of 102.00 feet to an axle found; thence South 31 degrees 31 minutes 41 seconds East for a distance of 192.89 feet to a 1/2" open top found; thence South 30 degrees 25 minutes 53 seconds East for a distance of 36.87 feet to a rebar found capped "CES0902"; thence South 54 degrees 13 minutes 04 seconds West for a distance of 525.43 feet to a rebar found capped "CES0902"; thence North 35 degrees 45 minutes 00 seconds West for a distance of 274.87 feet to a rebar found capped "CES0902"; thence South 54 degrees 13 minutes 23 seconds West for a distance of 852.80 feet to a rebar found capped "CES0902"; thence South 24 degrees 10 minutes 38 seconds East for a distance of 198.99 feet to a

rebar found capped "CES0902"; thence South 76 degrees 12 minutes 09 seconds West for a distance of 206.14 feet to a rebar found capped "CES0902"; thence North 78 degrees 03 minutes 06 seconds West for a distance of 322.34 feet to a rebar found capped "CES0902"; thence South 48 degrees 27 minutes 43 seconds West for a distance of 71.19 feet to a rebar found capped "CES0902" on the easternmost variable right of way of Georgia State Route 138 (also known as Charlotte Rowell Boulevard); thence proceed along the easternmost variable right of way of Georgia State Route 138 (also known as Charlotte Rowell Boulevard), the following: thence North 07 degrees 46 minutes 21 seconds West for a distance of 36.99 feet to a concrete monument found: thence South 82 degrees 00 minutes 00 seconds West for a distance of 46.39 feet to a concrete monument found; thence North 07 degrees 03 minutes 50 seconds West for a distance of 231.71 feet to a concrete monument found; thence North 31 degrees 29 minutes 40 seconds West for a distance of 68.70 feet to a concrete monument found; thence North 03 degrees 41 minutes 08 seconds West for a distance of 160.51 feet to a concrete monument found; thence North 09 degrees 19 minutes 22 seconds West for a distance of 195.02 feet to a concrete monument found; thence North 01 degrees 57 minutes 36 seconds West for a distance of 146.72 feet to a concrete monument found: thence North 01 degrees 31 minutes 06 seconds East for a distance of 96.74 feet to a concrete monument found; thence North 05 degrees 11 minutes 37 seconds East for a distance of 242.02 feet to a concrete monument found; thence North 03 degrees 13 minutes 37 seconds East for a distance of 98.97 feet to a concrete monument found; thence North 23 degrees 47 minutes 44 seconds East for a distance of 99.28 feet to a point; thence North 13 degrees 42 minutes 42 seconds East for a distance of 705.00 feet to a point; thence North 24 degrees 40 minutes 43 seconds East for a distance of 131.79 feet to a point; thence North 01 degrees 08 minutes 25 seconds East for a distance of 107.65 feet to a point; thence North 31 degrees 21 minutes 34 seconds East for a distance of 48.06 feet to a point; thence with a curve turning to the right with an arc length of 283.92 feet, a radius of 1285.00 feet, a chord bearing of North 29 degrees 09 minutes 44 seconds East and a chord length of 283.34 feet to a concrete monument found: thence North 33 degrees 03 minutes 34 seconds East for a distance of 133.32 feet to a concrete monument found; thence North 42 degrees 05 minutes 08 seconds East for a distance of 106.15 feet to a concrete monument found; thence North 48 degrees 48 minutes 16 seconds East for a distance of 121.51 feet to a concrete monument found; thence North 56 degrees 03 minutes 03 seconds East for a distance of 213.34 feet to a point; thence North 62 degrees 51 minutes 55 seconds East for a distance of 248.78 feet to a point; thence North 59 degrees 22 minutes 51 seconds East for a distance of 207.34 feet to a concrete monument found; thence North 63 degrees 39 minutes 26 seconds East for a distance of 139.65 feet to a point; thence North 63 degrees 37 minutes 48 seconds East for a distance of 252.89 feet to a concrete monument found; thence South 78 degrees 11 minutes 04 seconds East for a distance of 94.35 feet to a concrete monument found and back to the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 105.870 Acres, more or less.









May 30, 2024

# **Notice of Preservation of Constitutional Objections**

Re: Applicant: Rowell Family Partnership, LLLP Owner: Rowell Family Partnership, LLLP and Still Family Realty, LLC Property: 1125 N. Broad Street, Monroe GA 30655 Request to PCD/PRD

Georgia law requires that Applicant include in its rezoning record a statement of constitutional objections to put the deciding board on notice of the Applicant's assertion of its constitutional and legal rights to the requested rezoning. In accordance with this requirement, Applicant asserts the following:

The current zoning of the Property restricts said property in an unreasonable manner, is unconstitutional, null and void in that the restriction to the current zoning classifications affords the Applicant no reasonable use of the Property and is the equivalent of a taking of the Applicant's property rights without payment of just and adequate compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendments to the Constitution of the United States, and Article I, Section I, Paragraph I, and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the board to approve the rezoning requested by the Applicant to permit a reasonable economic return on the Applicant's investment and a reasonable use of the Property would therefore be unconstitutional, null and void and would be arbitrary, capricious and without a rational basis, thus constituting an abuse of discretion. Further, a refusal by the council would discriminate in an arbitrary, capricious, and unreasonable manner between the Applicant and owners of similarly situated properties in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States, and Article I, Section I, Paragraph II of the Georgia Constitution.

The continued application of the current zoning to the Property results in little or no gain to the public in general and fails to promote the health, safety, morals or general welfare of the public and does not bear a substantial relation to the objectives of the City of Monroe, Georgia Zoning Ordinance, and would constitute a substantial reduction of the property value of the Applicant and is therefore confiscatory and void.

By filing this Statement of Constitutional Rights, the Applicant reserves all rights and remedies available to them under the United States Constitution, the Georgia Constitution, all applicable federal state and local laws and ordinances, and in equity.





Planning City of Monroe, Georgia ROWELL-STILL – PRD & PCD REZONE

DROPBOX LINK

# TO ACCESS THE PATTERN BOOK DOCUMENTS FOR CASE #3282, ROWELL FAMILY PARTNERSHIP, LLLP & STILL FAMILY REALTY, LLC, B-3 TO PRD & PCD, PLEASE SELECT THE FOLLOWING LINK:

https://www.dropbox.com/scl/fo/vi0xf8zpvrqga6l871ycx/AJUQMAsu S7LZ7aJPIUPCgBE?rlkey=wmuvpj6w6jiqk2p8ox06u2q8a&st=we6wus0 h&dl=0