

Zoning Report - 2 Lots - Avalon Pkwy

ZONING REPORT

2 Lots - Avalon Pkwy
McDonough, GA 30253

PREPARED BY:

Coldwell Banker Commercial
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ZONING REPORT

Avalon Pods T, U, V



City of McDonough, Georgia
Community Development Department

Annexation/Zoning Report

Public Review:	Planning Commission	February 1, 2005	6:00 P.M.
Public Hearing:	Mayor and Council	February 7, 2004	4:30 P.M.

Applicant: Central Henry Kirkland Road, LLC

Request: PUD RTD (Residential Town Home District) Pods T and U to PUD C-2 (Central Commercial District) and M-1 (Henry County) Pod V to PUD C-2 (Central Commercial District)

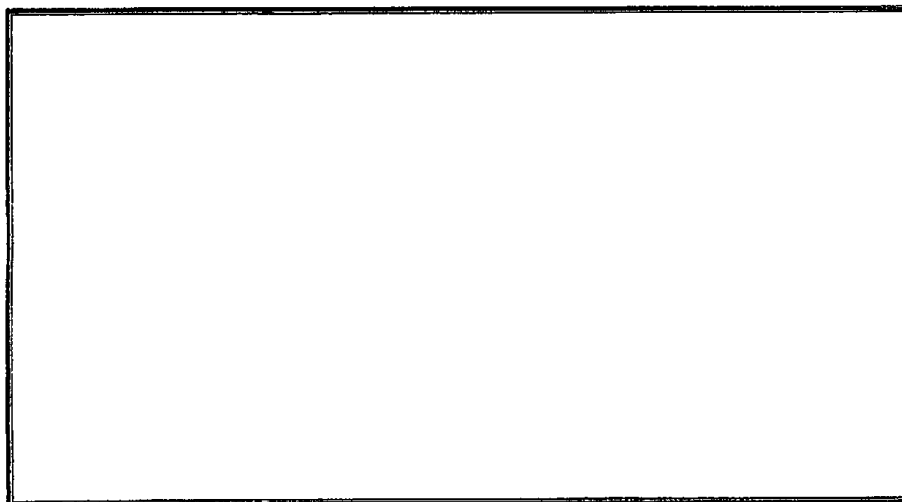
Location: Land Lot 195 of the 7th District; property situated along Industrial Parkway (Pods T, U, V) and in the immediate vicinity of Haworth Parkway as it bisects Pods U and V.

Method: 100 percent annexation method (Pod V only)

Tract Size(s): Pod T = 1.25 +/- acres (Rezone)

Pod U = 1.41 +/- acres (Rezone)

Pod V = 2.17 +/- acres (Annex/Rezone)



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- Infrastructure:** Water Service: Henry County Water and Sewer
 Sewer Service: Henry County Water and Sewer
 Electrical Service: Georgia Power
 Telephone: BellSouth
 Cable: Charter
 Schools: Not affected due to petition type.
- Environmental:** Small Water Supply Watershed: The site lies OUTSIDE all Small Water Supply Watersheds within the city.
 Wetlands and Floodplain: None as indicated by the engineering certification.
- 2020 Comp Plan:** The site is a newly annexed area which is not part of the present Land Use plan.
- Transportation:** The properties Pods T, U, and V are bordered on the east by Industrial Parkway and Pods U and V are bisected by Haworth Parkway (existing)
- Zoning History:** Pods T and U are presently zoned PUD RTD (Residential Town Home District)
 Pod V is presently zoned M-1 (Industrial designation) within Henry County and is proposed for annexation and rezoning.
- Regulations:** Zoning Ordinance, Building and Development Ordinance, Soil Erosion and Sedimentation Control Ordinance, and Tree Preservation.
- Comments:** See exhibit by Moore Bass Consulting for the respective tract sizes and locations

Note: Applicant has not identified nor requested any variances in conjunction with these three (3) petition requests.

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Standards of Review (§ 17.104.048 of Zoning Code)

1. *The existing land use pattern.* The surrounding area is characterized by mixed uses which emanate from the activity centers commencing at the State Route 20 and State Route 155 intersection corridors with Industrial Parkway and as part of the Avalon Planned Unit Development.
2. *The possible creation of an isolated district unrelated to adjacent and nearby districts.* Not applicable. The subject zoning, Planned Unit Development, facilitates mixed use development in order to allow the proximate and compatible location of commercial, office, and residential uses.
3. *The population density pattern and possible increase or overtaxing load on public facilities, including, but not limited to, schools, utilities, and streets.* The proposed development utilizes existing public rights-of-way for circulation – Industrial Parkway and Haworth Parkway for ingress/egress. There are no reasons to suspect the requested rezoning would be burdensome to existing public facilities with contributions warranted by the applicant.
4. *The cost of the City and other governmental entities in providing, improving, increasing, or maintaining public utilities, schools, streets, and other public safety measures.* There is to be costs incurred in servicing the site with standard water and sewerage facilities; however, developer shall put forth investment for construction of additional services to minimize impact on infrastructure services. Henry County Water and Sewer has reviewed the proposed development and has mandated that capacity to service the development which will be made available on a first come first served basis shall require improvement costs to be borne by the Applicant.
5. *The possible impact on the environment, including, but not limited to, drainage, soil erosion and sedimentation, flooding, air quality, and water quantity.* The proposed development should produce negligible impacts on the surrounding environment with proper site design, buffering, and placement of structures.
6. *Whether the proposed Zoning Map amendment will be a deterrent to the value of improvement of development of adjacent property in accordance with existing regulations.* With conditions of zoning recommended by staff, the development should be compatible to and/or enhance the value of adjacent and nearby properties.
7. *Whether there are substantial reasons why the property cannot be used in accordance with existing regulations.* There are no substantial reasons other than that for feasibility of development.

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8. *The aesthetic effect of existing and future use of the property as it relates to the surrounding area.* Development of the subject property with suggested conditions of zoning by staff should maintain and enhance the aesthetic value/standards of the surrounding properties.
9. *The extent to which the proposed development is consistent with the Land Use Plan.* The subject property is a newly annexed area which is not part of the present Land Use Plan but is consistent with the land uses permissible within the Avalon PUD.
10. *The possible effects of the proposed Zoning Map amendment to the character of a zoning district, a particular piece of property, neighborhood, a particular area, or the community.* The proposed development would be complimentary to the area by furthering the mixed use character of the established and emerging activity centers.
11. *The relation that the proposed Zoning Map amendment bears to the purpose of the overall zoning scheme, with due consideration given to whether or not the proposed change will help carry out the purposes of these regulations.* The amendment warrants review of its merits given its potential to provide village retail commercial services/office uses within close proximity to density residential uses thereby creating a further extension of the existing activity centers previously established/under development.
12. *Applications for a Zoning Map amendment which do not contain specific site plans carry a rebuttal presumption that such rezoning shall adversely affect the zoning scheme.* An overall site plan was not submitted with this request; however, conditions of zoning offered by staff require each pod to be reviewed and approved by Mayor and Council per development proposal/platting.
13. *The consideration of the preservation of the integrity of residential neighborhoods shall be considered to carry great value.* Not affected. The subject property does not abut any established residential neighborhoods.
14. *In those instances in which property fronts a major thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry a great weight.* Not applicable. The subject property does not abut an established residential neighborhood.

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Recommendation:

The Community Development Department recommends Approval of the request as C-2 with the respective zoning tract sizes per the exhibit prepared by Moore Bass Consulting entitled Avalon date/stamped/received by the Community Development Department January 20, 2005, with the following stipulated conditions of zoning which address the natural, human, and built environments.

All proposed development within the C-2 (Central Commercial District) pods T, U, and V shall require the review and approval of the conceptual site plans by Mayor and Council.

Uses within C-2 shall be limited to professional office uses (per amended zoning ordinance proposed to be approved on February 7, 2005); restaurants; and retail stores or shops per 17.64.010.

No land disturbing activity, clearing, grubbing, grading prior to the approval of a concept subdivision plat by Mayor and Council/Staff and a site development permit.

C-2 Zoning:**Natural:**

- (1) Provide a twenty (20) feet landscape strip/earthen berm adjacent to the Avalon Parkway/Haworth Parkway/proposed rights-of-way which shall include decorative accent capstone fencing/wall, minimum four (4) feet in height, with masonry (brick and/or stone) columns of a consistent architectural theme as other Avalon commercial structures per review of the Community Development Director and/or designee. Column placement shall not exceed 20 feet intervals. Landscape strip/berm shall contain a mixture of deciduous canopy/over story/under story; evergreen; ornamental; shrubbery; and native ornamental grass.
- (2) Street trees, Japanese Zelkova variety, shall be provided adjacent to Avalon Parkway/Haworth Parkway/proposed rights-of-way which are a minimum of three (3) inches in caliper at the time of planting and six (6) feet in height.
- (3) Provide a five (5) foot landscape strip adjacent to all external property lines (non-residential, non-multi-family) comprised of mixed hardwoods (over story/under story); evergreens; ornamental; shrubbery except for approved ingress/egress points.
- (4) Provide a ten (10) feet landscape strip between internal property lines comprised of mixed hardwoods (over story/under story); evergreens; ornamental; shrubbery except for approved ingress/egress points.

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- (5) Provide a fifty (50) feet structure setback where abutting residential zoned properties which shall contain a twenty (20) feet replanted buffer as per code definition.
- (6) Provide a ten (10) foot replanted buffer where abutting multi-family zoning as per code definition.
- (7) Foundation plantings, minimum three (3) gallon in size at the time of planting, shall be required adjacent to the facades of structures where facing public rights-of-way except areas necessary for ingress/egress.
- (8) The site (pin to pin) shall be fully sodded with the exception of natural planting areas per an approved landscape plan. All other areas outside of the site area (e.g. right-of-way) that are disturbed pertaining to the development of the subject properties shall also be sodded.
- (9) Landscape plan shall be reviewed and approved by the Community Development Director and/or designee that shall evidence diversity of species selection and continuity with adjacent developed Avalon properties.

Human:

- (1) Provide five (5) feet sidewalks and bicycle path adjacent to Avalon Parkway/Haworth Parkway/proposed rights-of-way which shall include a uniform planted groundcover strip, Dwarf Mondo Grass, between the curb and the sidewalk/bicycle path. Decorative stamped concrete inserts shall be provided upon review and approval of the Community Development Director and/or designee.
- (2) A raised pedestrian path (hard surface) minimum of five (5) feet in width shall direct patrons to the front door of the business from the Avalon Parkway frontages and interlink with the required sidewalk. Surfacing material shall consist of pavers which shall compliment the built structures.
- (3) Pedestrian pathways, minimum five (5) feet in width, shall be provided to adjacent properties upon review and approval of the Community Development Director and/or designee.
- (4) Hard surface pedestrian pathways, minimum five (5) feet in width, shall be provided on the site to inter link vehicular corridors/service areas with pedestrian uses.
- (5) Architectural designed street lights along Avalon Parkway and Haworth Parkway per review and approval of the Community Development Director.

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- (6) Outdoor loud speakers shall be prohibited.
- (7) Site lighting shall not trespass onto adjacent residential or multi-family zoned properties.

Built:

- (1) Structures shall be residential in appearance with pitched roves (real or simulated) and architectural features which provide connectivity to other Avalon properties if developed as two (2) or less stories. Structures shall be constructed of four (4) side brick and/or stone and/or glass. Glass surfaces shall not be permitted within three (3) feet of the finished floor unless an ingress/egress door. Glass surfaces shall be either true-divided or true divided effect. Neon and neon accents shall be prohibited.
- (2) Multi-story structures of three (3) or more stories shall be compatible with that of Avalon Office Park (all brick) as previously approved by Council.
- (3) All proposed structures shall be reviewed and approved by Mayor and Council per recommendation of the Façade Committee.
- (4) Dumpster enclosures shall be required and shall be constructed of three (3) sided brick and/or stone with screening gates.
- (5) Eighty (80) percent of the site parking shall be located in the side or rear yards with twenty (20) percent allowed in the front yard.
- (6) Double row parking shall require a lineal shrubbery planting island, minimum of five (5) feet in width, to separate parking spaces.
- (7) Ground mounted signs shall be monument style, maximum twelve (12) feet in height with a reader board, with the property address identified in a minimum eight (8) inch copy. Only one (1) monument sign shall be permitted per public road frontage regardless of the number of subdivided commercial parcels.
- (8) Wall signage shall be limited to one (1) sign per tenant elevation of heated exterior wall with a maximum permissible amount of two (2) wall signs per tenant or occupant if a two (2) story structure or less with square footage allowance as per code. Multi-story structure over of three (3) or more stories shall be permitted one (1) identification wall sign with square footage allowance as per code. Neon signage and accents shall be prohibited. Roof mounted signage or signs that protrude above the fascia shall be prohibited.

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- (9) On premise directional signage shall, when approved by the Community Development Director and/or designee, shall have a masonry base (brick and/or stone) and be monument style not to exceed two (2) square feet.
- (10) Temporary signs including but not limited to banners, temporary/portable signs, pennants, and streamers shall be prohibited. Flags shall be limited to not more than one (1) United States flag and/or one (1) State of Georgia flag. Balloons and other inflatable advertising device shall be prohibited. At no time shall vehicles, including delivery trucks, be utilized as a means of advertising.
- (11) Window signage exceeding the total area of one (1) square feet shall be prohibited.
- (12) Inter-parcel access shall be required through all subdivided commercial parcels.
- (13) Shared parking shall be required where commercial parcels are subdivided.
- (14) No vehicular ingress/egress to Industrial Parkway. Vehicular ingress/egress to sites shall be from Haworth Parkway and via required inter-parcel access. Sight distance certifications shall be required for all curb cuts commensurate with site development permit.
- (15) Outdoor storage and display of vehicles, supplies, products, and equipment shall be prohibited.
- (16) Detention/retention facilities, where provided, shall be located to the rear of the lot, except required buffers, and shall be incorporated into the approved landscape plan.
- (17) Drive through/drive in facilities shall be prohibited.
- (18) All other requirements of the McDonough Zoning Ordinance, Subdivision Ordinance, Construction/development standards not specifically exempted or varied herein shall be required.

Agent profile



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Since entering the real estate industry in 1998, Butch has distinguished himself as a top producing agent/broker in his market area. Butch began his real estate career by selling single-family residential and horse farms, that eventually led to representing land sellers and becoming proficient in the land development sector of real estate. Since that time, Butch has represented clients, both in the sale and acquisition of tracts, for development uses ranging from single-family residential, PUD and commercial developments.

Since 1998, Butch has personally sold over 1,500+ acres of land, with total dollar sales volume of all properties sold in excess of \$100 million.

1998 – 2005 Coldwell Banker Bullard Realty. Sales Associate. 2001 – 2004 earned President Elite (Top 4% of all Coldwell Banker Associates Worldwide). Various months was recognized as Agent of Month.

2005 – 2008: Metro Brokers GMAC Real Estate. As Associate Broker, received Top Sales Associate for McDonough Office from 2005 – 2007, also Commercial Agent of the Month at various times (Top 1% of all GMAC Associates Worldwide).

2008 – 2014: Springer and Associates Real Estate was formed and focused largely on lender-owned as well as investment based properties.

2015 – present: Affiliated with **Coldwell Banker Commercial Metro Brokers** a subsidiary of Realogy, a leading worldwide provider of real estate services.

Confidentiality Statement

For more information, please contact:

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The Seller reserves the right to withdraw the Property being marketed at any time without notice, to reject all offers, and to accept any offer without regard to the relative price and terms of any other offer. Any offer to buy must be: (i) presented in the form of a non-binding letter of intent; (ii) incorporated in a formal written contract of purchase and sale to be prepared by the Seller and executed by both parties; and (iii) approved by Seller and such other parties who may have an interest in the Property. Neither the prospective buyer nor Seller shall be bound until execution of the contract of purchase and sale, which contract shall supersede prior discussions and writings and shall constitute the sole agreement of the parties.

Prospective buyers shall be responsible for their costs and expenses of investigating the Property and all other expenses, professional or otherwise, incurred by them.