

REPORT

CITY OF SENOIA

DINA RIMI

DEPARTMENT OF COMMUNITY DEVELOPMENT

DRIMI@SENOIA.COM

<u>Item</u>	Rezoning	<u>Location</u>	3363 Highway 85
<u>Planning Commission Date</u>	January 18, 2022	<u>Mayor and Council Date</u>	February 14, 2022
<u>Applicant</u>	City Staff	<u>Purpose</u>	Rezoning from R40 to GI

SUMMARY

The applicant is requesting to rezone the property at 3363 Highway 85 from R40 -GI

ZONING

Existing Zoning/Requested Zoning	Existing Land Use	Surrounding Zoning	Site Improvements
R40/GI	Not Developed	City Owned	Undeveloped lots will need to hook up to city sewer and water

Staff Report

The applicant is requesting that the property at 3363 Highway 85 be rezoned from R-40 to GI In 2020, the Mayor and Council of the City of Senoia approved the Character map which is a guide for future development not a designation of zoning. The map show the future development for this property as commercial. The purpose of the GI district is to accommodate industrial development. The properties that are located within the city and are adjoining to this property are currently owned by the city.

Administrator's Report

The applicant is proposing to rezone the subject property from R40 to GI District. In consideration of this rezoning, the Planning Commission should consider the items under Section 3.9 of the Zoning Ordinance. The application is to rezone and subdivide the property for developing an additional single-family structures, the subject of this report consider the proposed plan.

1. The existing land uses and zoning classification of nearby property.
 - A. *The subject property is currently shown in the Character map as a future commercial use. The adjoining city property is owned by the city and the city is developing the future sewer plant at this location. The property on the western side of Ga Hwy 85 has residential properties developed. These properties are not facing Hwy 85 and the proposed project should not have an effect on the residential homes.*
2. The suitability of the subject property for the zoned purpose.
 - A. *The only other property in the city limits that is adjoining is the city sewer plant behind this property is an undeveloped lot that has a large area of flood plain and currently has no road access.*
3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.
 - A. *The staff does not believe there are diminished property values by the particular zoning restrictions.*

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.
 - A. *There is not a relative gain to the public.*
5. Whether the subject property has a reasonable economic use as currently zoned.
 - A. *The property is currently zoned R-40, being that is adjacent to the sewer plant the staff feels that GI will be a more conducive zoning to the uses adjoining this property*
6. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.
 - A. *The proposed zoning is reasonable with how this area is being developed. The only other property in the city limits that is adjoining is the city sewer plant behind this property is an undeveloped lot that has a large area of flood plain and currently has no road access.*
 - B.
7. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
 - A. *I do not see any adverse effects to adjacent properties. The only other property in the city limits that is adjoining is the city sewer plant behind this property is an undeveloped lot that has a large area of flood plain and currently has no road access.*
8. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.
 - A. *In the sense that the property is currently shown in the Character map as a future commercial use the city did not have a future vision for the location to be developed as residential. A portion of the property lies within the Commercial Corridor rezoning it to GI.*
9. Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing street, transportation facilities, utilities, or schools.
 - A. *No excessive use or burden is recognized in this application. The only access to this property will be from GA Highway 85.*
10. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.
 - A. *There is none.*
11. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.
 - A. *There are none.*
12. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.
 - A. *The development is not big enough to qualify.*



Members-

John. Wood –Chairman

Tom Nolan – Vice Chairman

Jordan Krabel – Secretary

Cam Williams- Commissioner

Allison Garrett- Commissioner

Jacqueline Smith - Alternate

Staff

Tracy Brady- Council Liaison

Dina Rimi- Community Development
Director

Workshop Information

1st Thursday of each month @ 6:00 pm

Meeting Information

3rd Tuesday of each month @ 7: 00
P.M

Meeting Location
City of Senoia Police Department
505 Howard Road
Senoia, GA 30276

**Planning Commission Meeting
January 18, 2022
Senoia Municipal Court
7:00 PM
Minutes**

I. Approval of Minutes from the November 2021 Meeting and January 2022 Workshop. T. Nolan asked for the statement to read as Commissioner Krebel asked if this was more competitive than the county's standards. D. Rimi agreed to amend the statement.

J. Krebel made a motion to approve. T. Nolan seconded the motion; approved 5-0.

II. Public Hearing

a. Rezoning 3363 Highway 85 from R40 to General Industrial.

Mr. Foust explained that his metal company is looking to grow his business to the Senoia area. The company does light industrial metal work along with having an office building. Mr. Foust currently has the 22 acres in the city limits under contract.

J. Wood asked if Mr. Foust asked if he was planning on being the only business at this location.

Mr. Foust stated at the time they are planning on that but they are not looking too far in to the future.

D. Rimi explained that the property is currently zoned residential.

Mr. Foust stated they wanted to make this similar to the Chick Fil A campus.

D. Rimi suggested that the commission make a requirement that the developer comply with the architectural guidelines for the Commercial Corridor Overlay.

Mr. Foust explained that the noise level is not loud from the outside of the building.

D. Rimi explain that the future character map shows this area as commercial and the sewer plant is being developed adjacent to this property.

D. Rimi suggested that one of the requirements can be a natural buffer.

R. Whatley stated that he has a concern regarding the use and the noise level

Mr. Foust explained that the noise will not be intrusive to the adjacent properties and there will be no impact to the creek.

T. Nolan asked if in the future Mr. Foust would work with the city in extending the multi-use trail through his property. Mr. Foust stated that he would be willing to work with the city.

T. Nolan made a recommendation to the Mayor and Council to rezone to GI with the following recommendations for undisturbed buffers, architectural guidelines to be in line with the Commercial Corridor Overlay and in the future when more land is acquired an access easement is granted for a multi-use trail. J. Smith seconded the motion; approved 5-0.

III. New Business

a. Site Plan and Landscape for corner of Seavy St and Barnes St.

S. Tigchelaar explained that the buildings will be two stories with commercial on the first and residential on the second story.

D. Rimi explained that the parking requirements will be the same as the applicant was held to for the building that houses Hillary's and Snap Fitness.

J. Krebel made a motion to approve the site plan. A. Garret seconded the motion; approved 5-0.

S. Tigchelaar explained that the landscaping will be similar to what he has done at the other locations he has developed in the city. He will also be constructed a fence at the property line with the adjacent property owners and maintain the fence.

A Garret made a motion to approve the landscaping plan. J. Smith seconded the motion; approved 5-0.

IV. Old Business

a. None

V. Staff Comment

a. None

VI. Adjourn J. Smith made a motion to adjourn the meeting. J. Wood seconded the motion; approved 5-0

APPLICATION TO AMEND THE
OFFICIAL ZONING MAP OF
THE CITY OF SENOIA



City of Senoia
P.O. Box 310
Senoia, GA 30276
770.599.3679

Name of Applicant Nicholas Fouts Phone No. 404-597-8665

Mailing Address 665 Highway 74 South, Ste. 100, Peachtree City, GA 30269

Name of Property Owner Samuel Sibley Fleming Phone No. _____
(Attach additional page if there is more than one owner)

Address of Property 3363 Highway 85, Senoia, GA 30276

Zoning Classification: Present R-40 Requested Industrial
Use of Property: Present Non-developed Requested Office & light industrial

____ If the requested change is to extend an existing adjacent zoning district to include this property, explain below why the proposed change should be made.
X If the requested change is not to extend an adjacent zoning district, explain below why this property should be placed in a different zoning district than all adjoining property. (How does it differ from adjoining property, and why should it be subject to different restrictions than those applying to adjoining property?)

This property is adjacent to the new wastewater treatment plant currently being constructed for the City of Senoia. This property also falls within the extent of commercial development on this section of Georgia Highway 85 that is existing, under construction or being planned. Adding office and light industrial manufacturing at this location for approximately 150 employees should fit within the growth plans for this part of the City.

Attach the following documents:

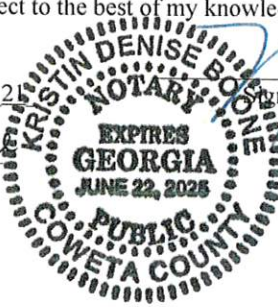
1. Written legal description of the property (copy of deed) – full metes and bounds description rather than plat reference.
2. Plat showing property lines and lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale. Submit 3 copies if the plat and a PDF of the plat.
3. List of adjacent property owners
4. Disclosure of Campaign Contributions and Gifts Form.
5. If Property Owner and Applicant are not the same, Authorization by Property Owner Form or Authorization of Attorney Form.
6. Filing fee (\$450) payable to the City of Senoia.
7. Letter of Intent, conceptual plan

I hereby authorize the staff of City of Senoia to inspect the premises of the above – described property. I hereby depose and say that all statements herein and attached statements submitted are true and correct to the best of my knowledge and belief.

Sworn to and subscribed before me

This 17th day of December, 20 21

Kristin Denise Boone
Notary Public EXP 6/22/25



Nicholas Fouts
Signature of Applicant

Planning Commission Action:

Date of Hearing:

Commission's Recommendation:

Conditions:

Mayor and Council of the City of Senoia:

Date of Hearing:

Council's Decision

Conditions required:

DOCH 002057
FILED IN OFFICE
2/6/2018 10:26 AM
BK:4659 PG:676-677
CINDY G BROWN
CLERK OF SUPERIOR COURT
COWETA COUNTY

AFTER RECORDING RETURN TO:
Jin H. Kim, Esq.
The Kim Firm, LLC
5755 North Point Parkway, Suite 50
Alpharetta, GA 30022
File No: 2017029410

Cindy G. Brown

STATE OF
COUNTY OF

EXECUTOR'S DEED

REAL ESTATE TRANSFER TAX
PAID: \$0.00 ✓

THIS INDENTURE, made this 10th day of January, 2018, by and between
PT-61-038-2018-000523

VIVIAN LEE MARTIN a/k/a VIVIAN PETTY MARTIN AND VIVIAN P. MARTIN, AS
EXECUTRIX OF THE ESTATE OF HENRY RAYMAKER, JR., DECEASED

as party or parties of the first part, hereinafter called Grantor, and

SAMUEL SIBLEY FLEMING

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations (\$10.00) Dollars 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,

See Exhibit A attached hereto and by this reference incorporated herein and made a part hereof.

This conveyance is made pursuant to the Last Will and Testament of Henry Raymaker, Jr., said will having been duly probated in Coweta County, Georgia on January 17, 2017.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in fee simple.

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

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

The Estate of Henry Raymaker, Jr.,
Deceased

By: *Vivian Lee Martin, exec*
Vivian Lee Martin a/k/a Vivian Petty
Martin and Vivian P. Martin,
Executrix

SIGNED, SEALED AND DELIVERED
In the presence of:
[Signature]
(Official Witness)
[Signature] (SEAL)
(Notary Public)
My Commission Expires: 3-16-2019

2/12/18

EXHIBIT "A"

✓ All that tract or parcel of land lying and being in Land Lot 309, 310 and 317 of the First Land District, Coweta County, Georgia, containing 97.5 acres, more or less, and being bounded as follows: on the North and East by Keg Creek; on the South by property of Miss Margaret McKnight and Grady Huddleston; and on the West by property of J. A. Nations, Sr. and State Highway No. 85.

Subject Property Address: 3363 Highway 85, Senoia, GA 30276

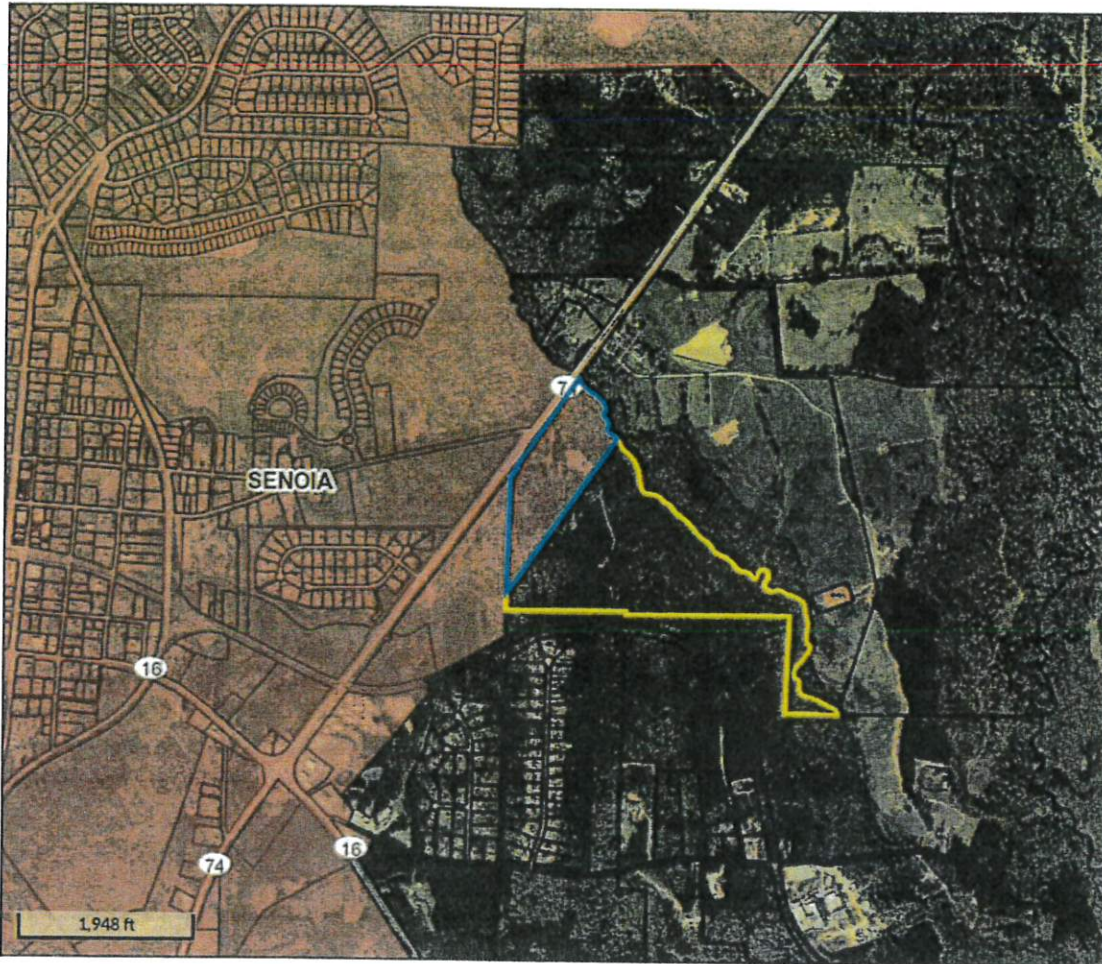
Parcel ID's: 167 1309 001 and 167 1309 002

PLAT OF PROPERTY

There is currently no certified copy of property plat on record at Coweta County as researched by W.D. Gray, a licensed land surveyor in the state of Georgia.

During the course of rezoning and property acquisition by Forza Group, Inc., a new plat will be created and submitted to Coweta County and City of Senola.

In lieu of plat, a copy of the Tax Assessor's map is attached hereto in three (3) copies.



Overview



Legend

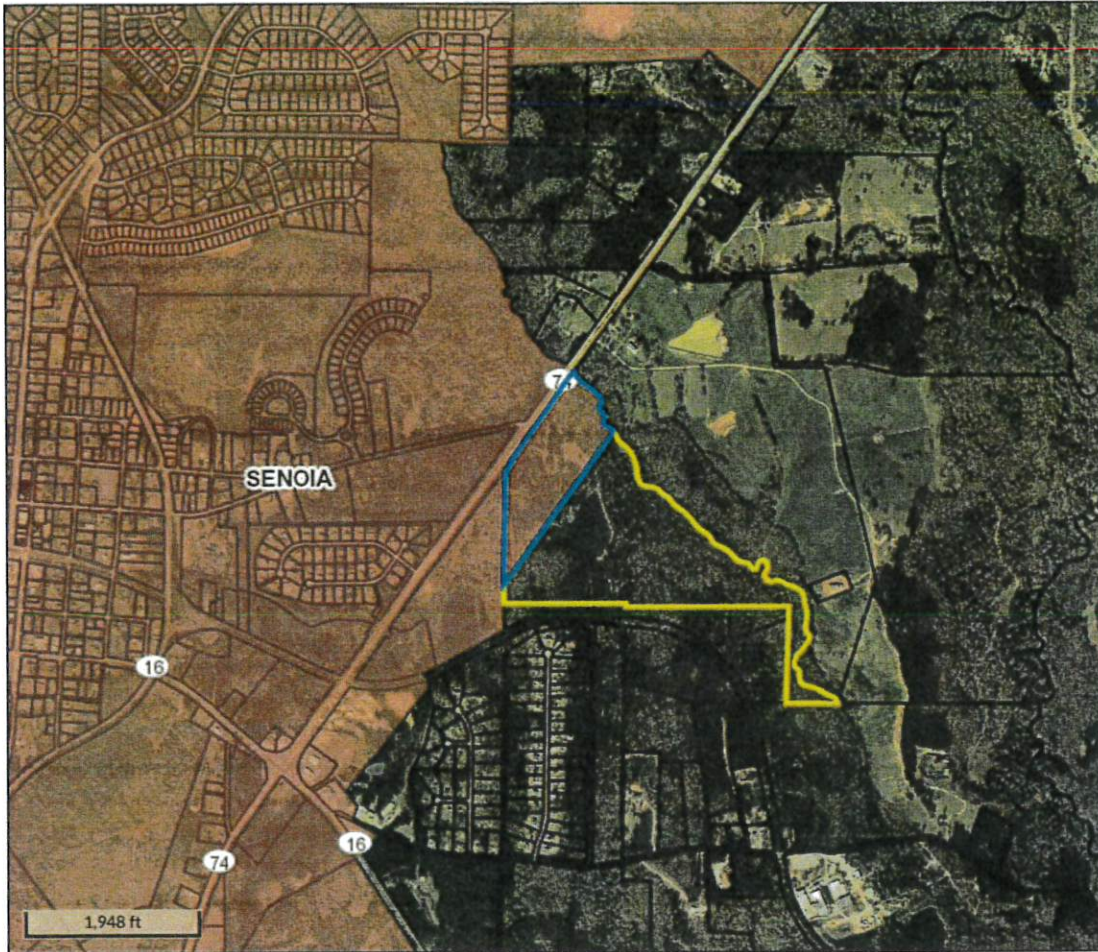
- Parcels
- Roads
- Municipalities**
 - CHATTAHOOCHE HILLS
 - GRANTVILLE
 - HARALSON
 - MORELAND
 - NEWNAN
 - PALMETTO
 - SENOIA
 - SHARPSBURG
 - TURIN

Parcel ID	167 1309 002	Owner	FLEMING SAMUEL SIBLEY	Last 2 Sales			
Class Code	Residential		7 LEIGHTON CT	Date	Price	Reason	Qual
Taxing District	SENOIA 09 ANNEX		ATLANTA, GA 30327	1/10/2018	0	04	U
Acres	22.77	Physical Address	3363 HIGHWAY 85	1/10/2018	\$247998	LR	U
		Assessed Value	Value \$286553				

(Note: Not to be used on legal documents)

Date created: 12/16/2021
 Last Data Uploaded: 12/16/2021 12:47:52 AM

Developed by Schneider
 GEOSPATIAL



Overview



Legend

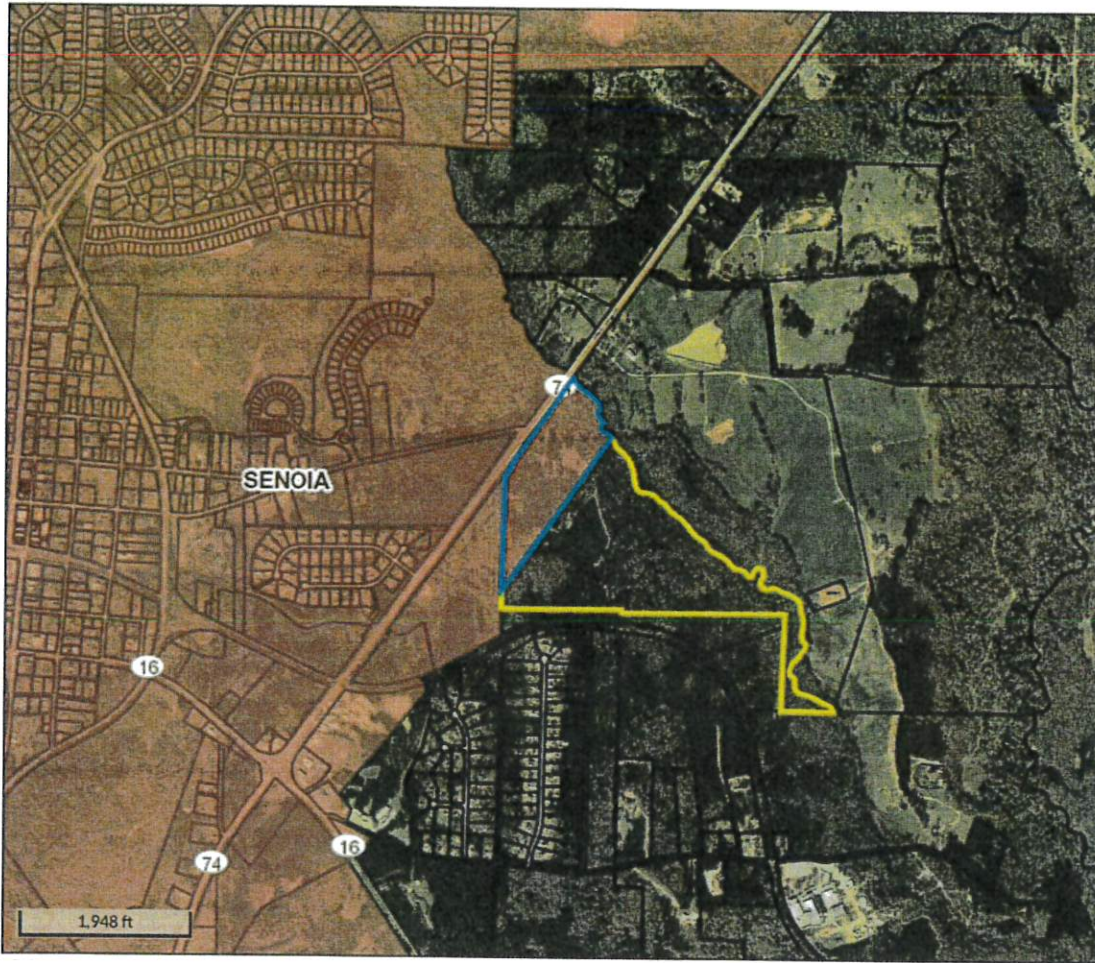
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Parcel ID 167 1309 002
 Class Code Residential
 Taxing District SENOIA 09 ANNEX
 Acres 22.77

Owner FLEMING SAMUEL SIBLEY
 7 LEIGHTON CT
 ATLANTA, GA 30327
 Physical Address 3363 HIGHWAY 85
 Assessed Value Value \$286553

Last 2 Sales			
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1/10/2018	0	04	U
1/10/2018	\$247998	LR	U

(Note: Not to be used on legal documents)

Date created: 12/16/2021
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Developed by Schneider
 GEOSPATIAL

List of Adjacent Property Owners

1. Immediately south:
 - City of Senoia Wastewater Treatment Facility
2. Immediately north:
 - Ronald H. & Susan Whatley
3481 Highway 85

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Reference: Application filed on December 17, 2021, to rezone real property described as follows:

3363 Highway 85
Senoia, GA 30276

Within two years preceding the above filing date, the Applicant has made campaign contributions aggregating \$250.00 or more to each member of the City Council of the City of Senoia who will consider the Application and is listed below. List (1) the name and official position of the local government official and (2) the dollar amount, description, and date of each such campaign contribution.

No contributions made to any person considering this Application in any amount within the two years preceding this filing date.

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.


Signature of Applicant

Sworn to and subscribed before me

This 17th day of December, 2021.

Kristin Denise Boone
Notary Public exp. 6/22/25



DISCLOSURE OF FINANCIAL INTERESTS
(Required by Title 36, Chapter 67A, Official Code of Georgia Annotated)

Reference: Application filed on December 17, 2021, to rezone real property described as follows:

3363 Highway 85
Senoia, GA 30276

_____ The undersigned official of the City of Senoia has a property interest (Note 1) in said property as follows:

_____ The undersigned official of the City of Senoia has a financial interest (Note 2) in a business entity (Note 3) which has a property interest in said property, which financial interest is as follows:

_____ The undersigned official of the City of Senoia has a member of the family (Note 4) having a property interest in said property of a financial interest in a business entity in said property, which family member and property interest or financial interest are as follows:

No City of Senoia officials are party to this venture in any way whatsoever.

Note 1: Property interests – Direct ownership of real property, including and percentage of ownership less than total ownership.

Note 2: Financial interest – All direct ownership interests of the total assets or capital stock of a business entity where such ownership interest is 10 percent (10%) or more.

Note 3: Business entity – Corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust.

Note 4: Member of family – Spouse, mother, father, brother, sister, son or daughter.

I hereby depose and say that all statements herein are true, correct and complete to the best of my knowledge and belief.



Signature of Applicant

Sworn to and subscribed before me
This 17th day of December, 2021.

Kristin Denise Boone
Notary Public exp 6/22/25



AUTHORIZATION OF PROPERTY OWNER
Application for Rezoning or Variance

I swear that I am the owner of the property, which is the subject matter of the attached application, as is shown in the records of Coweta County, Georgia.

I authorize the person named below to act as Applicant in the pursuit of rezoning or a variance of this property.

Name of Applicant Nicholas S. Fouts
Address 665 Highway 74 South, Ste. 100, Peachtree City, GA 30269
Telephone No. (404) 597-8665

Samuel S. Foy
Signature of Owner

Personally appeared before me

Samuel S. Fleming

Who swears that the information
Contained in this authorization is
True and correct to the best of
His or her knowledge and belief.

Kristin Denise Boone
Notary Public exp 6/22/25
12/16/2021
Date



AUTHORIZATION OF ATTORNEY
Application of Rezoning or Variance

I swear that as an attorney at law, I have been authorized by the owner to file the attached application.

NOT APPLICABLE

Signature of Attorney

Name

Address

City State Zip Code

Telephone Number

Letter of Intent & Conceptual Plan

The intent for purchase, rezoning and development of the 97 acre parcel of land at 3363 Highway 85 is to develop a corporate campus for the Forza Group, Inc. and its operating entities. Its operating entities consist of Patrylo, Inc., MetalTech Global, LLC, Forza Design, Forza Electric and Forza Façade. Of the 97 acres, approximately 22 acres are currently located within the Senoia city limits and the remaining 75 acres are in unincorporated Coweta County.

By rezoning the initial 22 acres from Residential R-4 to Industrial use, Forza will construct its main office building (approximately 20,000 sf as a two-story structure with 10,000 sf per level) and a fabrication shop for light industrial manufacturing (approximately 60,000 sf). Our manufacturing will consist of structural and miscellaneous steel fabrication, architectural metal forming, electrical panel fabrication and other light industrial manufacturing processes.

The remaining 75 acres will then be annexed into the city limits and then also re-zoned to Industrial.

Our immediate land use plans would include the office and manufacturing facilities described above, a truck route for deliveries and shipments via tractor trailer to the shop, employee parking, connecting walkways between buildings and from buildings to the lake, an employee gathering structure (pavilion) at the lake and a walking/exercise path around the lake.

Our initial concept will utilize approximately 10 acres and allow the remaining land to be incorporated into a Master Plan after the initial construction phase is completed.

