



Planning and Development Department Case Information

Case Number: Z22100004

Meeting Dates: Planning Commission 11-03-2022 – Tabled to 12-01-2022
Board of Commissioners 01-10-2023

Current Zoning: A1

Request: Rezone 2.90 acres from A1 to B1 for a gas station & retail stores

Address: 6495 Highway 20/Rosebud Road

Map Number: C0020021

Site Area: 2.90 acres

Character Area: Village Center

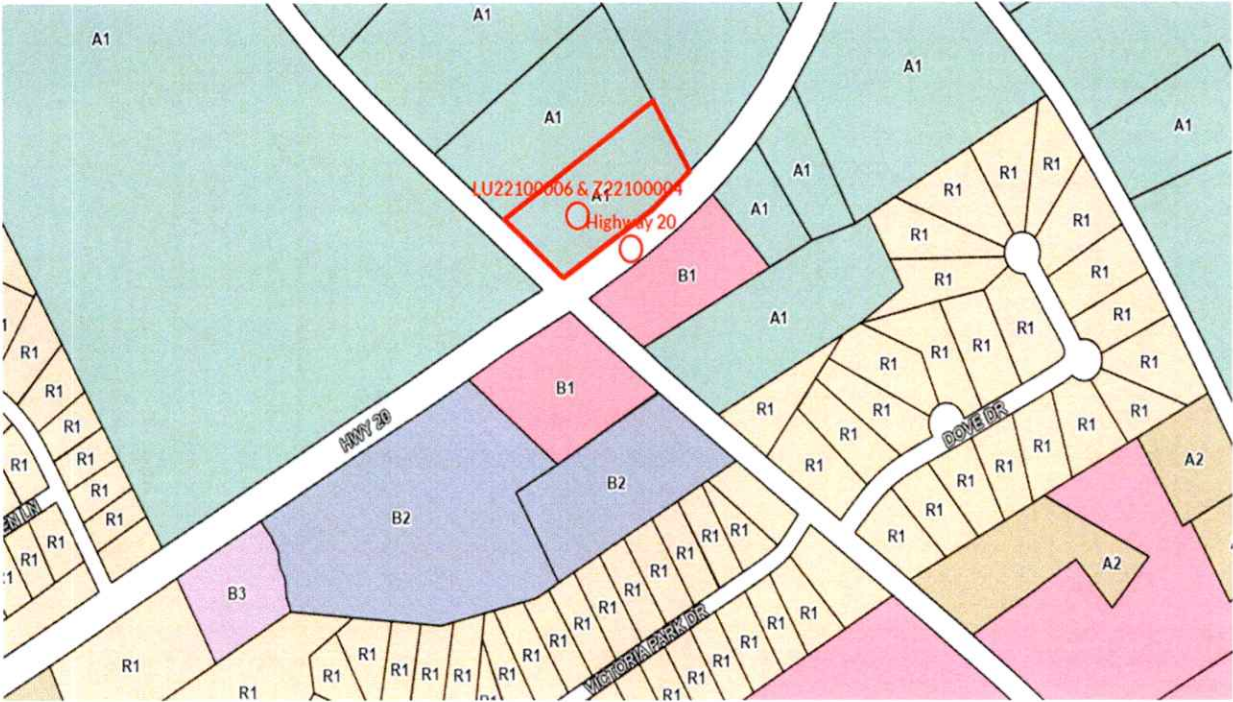
District 2: Commissioner – Mark Banks Planning Commission – Pete Myers

Applicant/Owner:
Georgia Investment Group LLC
3253 Bagley Passage
Duluth, Georgia 30097



Existing Site Conditions: This is a 2.90 acre property.

The surrounding properties are zoned A1 and B1.



Staff Comments/Concerns

History: No History

Comments and Recommendations from various Agencies:

Public Works: **Public Works has no issue with approval of this request.**

11/11/2022 Comment: **Public Works Recommends the Site may need to Install a Centerturn Land and Proper Adequate A-cell and De-cell Tapers for safe Ingress/Egress to Proposed Location from Rosebud Rd.**

Sheriffs' Department: **Walton County Sheriff's Office regularly checks businesses on main corridors twice per shift. This addition will increase service demand.**

Water Authority: This area is currently served by a 6" water main along Highway 20 and Rosebud Road. (static pressure: 50 psi, Estimated fire flow available: 600 gpm @ 20 psi). No system impacts anticipated

Fire Department/Fire Marshall: Shall comply with all current codes and ordinances set forth by NFPA, International Fire Code, and Walton County Ordinances. 26' fire access roads, fire hydrant within 500' of all points of building.

Board of Education: Will have no effect on the Walton County School District.

Development Inspector: No comment received.

DOT Comments: Will require GDOT coordination (Believe they have already reached out.)

PC ACTION 11/3/2022:

1. Land Use Change/Variance/Rezone – LU22100006 and Z22100004 – Land Use Change from Village Center to Highway Corridor; Rezone 2.90 acres from A1 to B3 for a gas station & retail space; Variance to reduce transitional buffer on north side from 50' to 5' for entrance– Applicant/Owner: Georiga Investment Group LLC -Property located on 6495 Hwy 20/Rosebud Rd-Map/Parcel C0020021 – District 2.

Before the Applicant presented the case, Charna Parker as Director of Walton County Planning & Development, advised the Planning Commission that a convenience store and retail space is allowed in B1 and the Character Area would not have to change because B1 is allowed in Village Center. She also stated that an entrance in the transitional buffer is allowed by the code therefore the Variance is not needed but if the board so desires and the applicant agrees, they could request trees be planted along that entrance in the transitional buffer.

Presentation: Tip Huynh with Alcovy Consulting Engineering and Associates LLC represented the case. Tip stated that he is representing the owner and he went on to apologize about the zoning stating that it was a misunderstanding of his reading the Walton county Ordinance. They would like to rezone property from A1 to B1 and have an entrance on Rosebud and Hwy 20 if allowed by GDOT. Tip stated that they would be willing to landscape according to the need around the entrance.

Speaking: Lee Dennis states that he lives in Rockdale County about ¾ of a mile from the Walton County line. He shops at Publix, Kroger and Ingles all in Walton County.

He is a member of Corinth Christian Church. He has two children that live in Walton County. One has a business in Walton County and the other works at the Board of Education. He has worked 60 years as a mason and he is there to represent his daughter. He stated the Dollar General has a big area where you can turn a tractor-trailer around but at this proposed gas station when tractor-trailers are delivering gas where are they going to turn around. His daughter lives about 100 feet away from septic tank drain field and the storm water pond, which takes in three of the setbacks. He stated GDOT is going to widen Hwy 20 in this area and he asked them to call the Planning Commission because he talked to them about this proposal. The intersection improvements will be done but for Walton County to give them a permit to build a gas station, this will not work. There is no red light between Loganville and Highway 20. He does not feel they will get access. There have been many accidents at this intersection. He feels that this will be a health hazard to the environment with fumes from the gas and from the dumpster. He would like for the Board to table or deny it until we can find out something from GDOT.

Roy Richard Davis owns the 16.9 acres next door. He lived there for 40 years. Traffic is bad now, they can hardly get out of the driveway and they have animals. He has a grandson that lives there now and he has three young children. He stated that GDOT is already planning a roundabout and are going to take part of his right of way. He stated that it is not the time for a gas station to go there and wait until they put the roundabout in. He would like to Board to Table or deny it at this time. He stated that later on when they widen the highway things will change.

Joannie Yancey Maughon spoke and stated that she lives at Windermere Drive and there are 197 houses in Hidden Creek. There are no turn signals there and there have been accidents at Dollar General. She stated that when the Dollar General was put in that they were promised that the store would be taken care of. She stated that the Dollar General looks awful. She said there is a gas station across the highway and one ¼ mile down the road.

Tip Huynh came back for rebuttal and stated that he is very familiar with Corinth Christian Church. They would like to do the right thing and if GDOT wants them to do a left turn lane, they will do whatever for the GDOT. He said he will reach out to GDOT before the Board of Commissioners Meeting. He went on to state that the dumpster is more than 100 ft. from Roy Davis. He went on to state that the layout is better than the Dollar General Store. He stated that they would work with GDOT on the driveway. As far as the Detention Pond location, this is conceptual and there is room to maneuver around. He stated what is so good right now is you can move things around and get it designed appropriately. He knows that residents do not like commercial but commercial is there.

Tim Hinton asked Tip if any opposition has reached out and Tip said that there was one woman that called and he explained to her what their proposal was. Timothy Kemp asked had he reached out to the community, and why put the convenience store there. He wanted to know if there was a need for a gas station there.

Nahidul Khan is the owner and spoke and stated that the reason is that he knows that there about 90,000 people in the community and it will continue to grow in another 10 to 12 years. He stated that Rivian is coming and will bring in about 17 billion dollars. Think about the population growth. He stated that in the year 2027 there would be many people and many businesses. Economy is there to develop the property.

Timothy Kemp brought up about everything going green instead of fuel and this goes back to 1998.

Tip stated that they would have both – charging station and gas.

Mr. Khan stated that it is favorable for some areas for conventional cars and EV cars. In California, many automobile manufacturers are making EV cars. He stated that Rivian is going into that market. He stated that here in the South it may be another 30 years before everything goes EV.

Timothy Kemp stated that he does not think gas will go away.

Tip stated that the plan shows four charging stations and they have room for nine more if expansion is needed.

Tim Hinton stated that the State DOT is over any State Highway and that will outweigh anything. The job of this Board is to see if what is being asked for in regard to zoning is suitable for the property and that they cannot do anything about traffic. Mr. Hinton stated that he would strongly recommend having a community meeting. If the case is tabled then when they come back for the Planning Commission Meeting in December there will be no discussion from applicant or people against this – It will be just for the Board to make a recommendation.

Recommendation: Pete Myers made a motion to table the case until the next Planning Commission Meeting in December to give time for the community meeting to take place with a second by John Pringle. The motion carried unanimously.

PC ACTION 12/1/2022:

1. **Rezone - Z22100004 – Rezone 2.90 acres from A1 to B1 for a gas station & retail space– Applicant/Owner: Georiga Investment Group LLC -Property located on 6495 Hwy 20/Rosebud Rd-Map/Parcel C0020021 – District 2.**

Presentation: Tim Hinton advised that since the Planning Commission heard from the applicant and the opposition at the last meeting on November 3, 2022 and also received correspondence from Thiep Huynh with Alcovy Consulting Engineering that the case is back only for a recommendation.

Speaking: No one

Recommendation: Brad Bettis made a motion to approve with the following conditions: Add additional trees in buffer on the north and west side and the number and species to be determined by Walton County Planning & Development with a second by Timothy Kemp. The motion carried unanimously.

Rezone Application # 222100004

Planning Comm. Meeting Date 11-3-2022 at 6:00PM held at WC Historical Courthouse Board of Comm. Meeting Room.
Board of Comm Meeting Date 12-6-2022 at 6:00PM held at WC Historical Court House
You or your agent must be present at both meetings

Map/Parcel C0020021

Applicant Name/Address/Phone #
Georgia Investment Group LLC
GA INVESTMENT GROUP, LLC.
3253 Bagley Passage
Duluth, GA 30097

Property Owner Name/Address/Phone
GA INVESTMENT GROUP, LLC.
3253 Bagley Passage
Duluth, GA 30097
(If more than one owner, attach Exhibit "A")

Phone # (770) 313-3755

Phone # (770) 313-3755

Location: 6495 Hwy 20 Loganville, GA 30052. Requested Zoning B-3 Acreage 2.90

Existing Use of Property: Residential Dwelling.

Existing Structures: Ex. house to be removed.

The purpose of this rezone is Requesting a change of zoning from A-1 to B-3 to allow for construction of a gas station and retail spaces.

Property is serviced by:

Public Water: X Provider: Walton County Water Department Well: _____

Public Sewer: _____ Provider: _____ Septic Tank: X

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

Nahidul Kher Signature Date 10/04/2022 Fee Paid \$ 450.00

Public Notice sign will be placed and removed by P&D Office
Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A1 Surrounding Zoning: North A1 South B1
East A1 West A1

Comprehensive Land Use: Village Center **DRI Required?** Y _____ N ✓

Commission District: 2-Banks Watershed: Big Haynes-Walton W-1

I hereby withdraw the above application _____ Date _____

ANALYSIS OF ZONING MAP AMENDMENT IMPACT

1. The existing uses and zoning of nearby property.

The existing uses of nearby property are General Business District (B-1, B-2 and B-3) to the South and southwest and A1 to the east, north and west of the subject property.

2. The extent to which the destruction of property values are diminished by the particular zoning restrictions.

The owner cannot develop their land in a similar fashion as nearby properties which are currently zoned B1, B2, and B3.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals and general welfare of the public;

The proposed land use change represents a fair balance. This area is emerging as a commercial/light industrial district, with surrounding tracts are already zoned B1, B2, B3, M1 and M2.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

If rezoned, the property will be developed in accordance with the B3 zoning standard, which will create additional jobs, promote growth of this region, and better meet the demand for commercial services of this region. The property cannot reasonably be used as a rural estate due to increasing land prices. The property also doesn't have a reasonable economic use in comparison to nearby property that is zoned B-1, B-2, B3, M-1 and M2.

5. The suitability of the subject property for the zoned purposes; and

The proposed zoning is consistent with the trend of nearby property. If approved, this property will be used as gas station with retail and restaurant like the property directly southwest of the subject property.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.

The property has been in its current state, which is being used as farm since 1963.

TO: Walton County Planning and Development
303 S Hammond Drive
Suite 98
Monroe, Georgia 30655

September 30, 2022

SUBJECT: Letter of Intent, 6495 Hwy 20 Loganville, GA 30052

To Whom It May Concern,

A change of existing zoning of A1 is requested for the subject property located at 6495 Hwy 20 Loganville, GA 30052. – Parcel number C0020002100 to B-3 to allow for the construction of a gas station and retail shops.

We look forward to developing this project in Walton County, as we feel it fits with the current development patterns in the area and will complement the needs of both Walton County and our client's proposed business.

For questions or further information please contact me 770-466-4002.

Sincerely,



Thiep Huynh
Consultant

A.C.E.
ALCOY CONSULTING ENGINEERS, LLC
1001 W. BROADWAY, SUITE 100
MARIETTA, GA 30067
770.426.2200
www.alcoy.com

STATE OF GEORGIA
SHERIFF'S OFFICE
WALTON COUNTY

VARIANCE REQUEST

**PROPOSED
HWY 20
FOOD MART**

PARCEL: 00020021
LAND LOT: 278
DISTRICT: 4TH
6485 HWY 20
WALTON COUNTY, GA

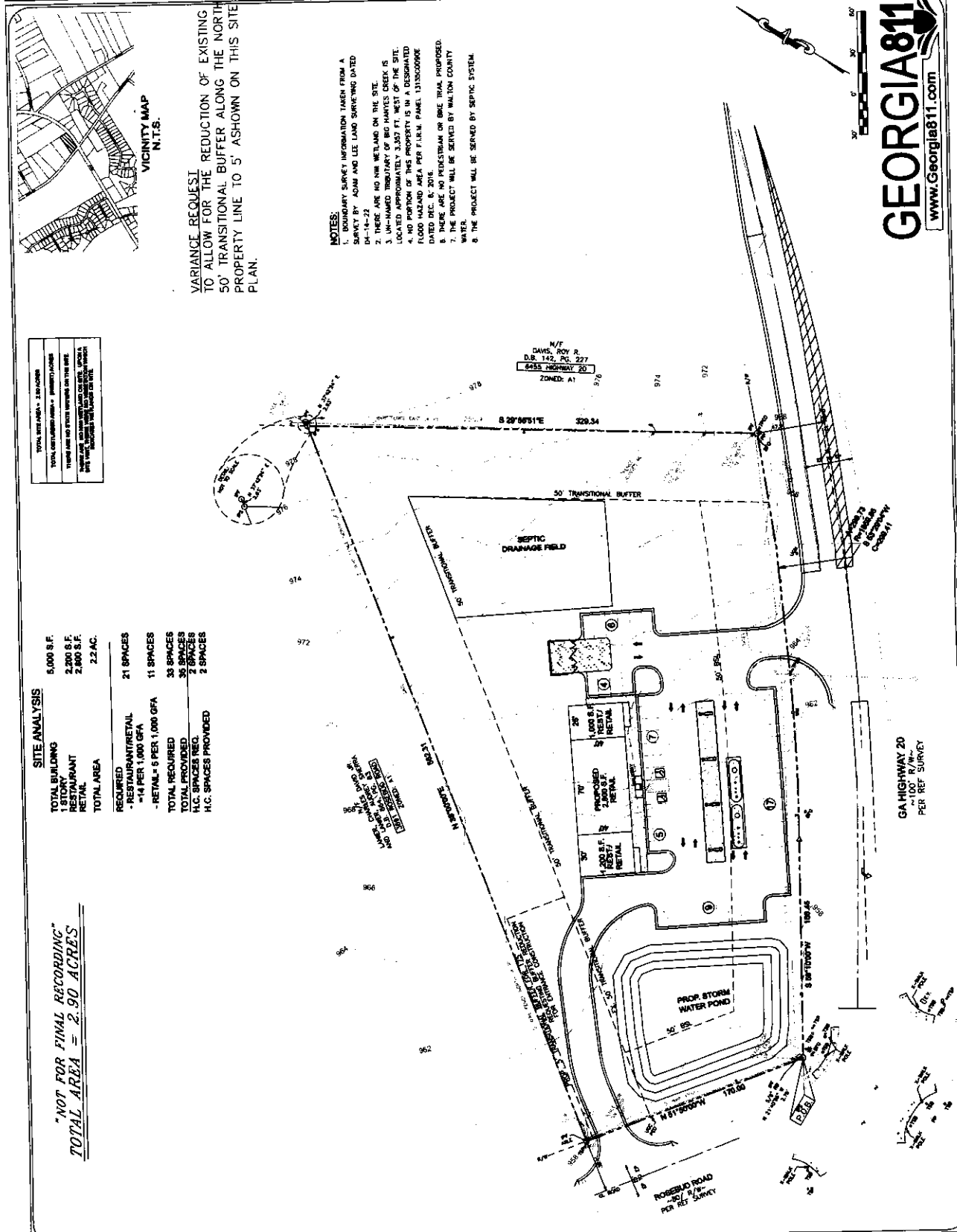
DATE: 10/1/2022
SCALE: 1"=20'

OWNER
CHRISTOPHER R. DENNIS &
JAMES E. DENNIS
1421 S. GLENVIEW RD
MARIETTA, GA 30068

DEVELOPER/PRIMARY PERMITTEE
GA INVESTMENT GROUP, LLC
2000 BARKLEY PASSAGE
MARIETTA, GA 30067
24 HOUR - EMERGENCY CONTACT
888.833.1111 (TOLL FREE)
www.gainvestgroup.com

NO.	DATE	DESCRIPTION

JOB No. 22-087
VR



Convenience Store with Gasoline Station (8)

- A. The use shall not exceed a gross leasable floor space of 5,000 square feet.
- B. The place of business shall not be within one hundred (100) yards of any school building, school grounds, or college campus or within one hundred (100) yards of an alcoholic treatment center owned and operated by this state or any county or municipal government therein. *Distances herein shall be measured along a straight line, which describes the shortest distance from the main customer entrance to the main entrance of the entrance of the establishments as listed above. (2-2-10)
- C. A gasoline service station/convenience store shall have a minimum frontage on the primary street of one hundred twenty (120) feet and a minimum lot area of twenty-five thousand five hundred (25,500) square feet. Canopies and gasoline pump islands shall be set back fifteen (15) feet from all right-of-way lines.
- D. Vehicular entrances or exists at a gasoline service station:
1. Shall contain an access width along the edge of the pavement of not more than forty (40) feet as measured parallel to the street at its narrowest point and shall not be located closer than ten feet to the adjoining property.
 2. Shall not have any two driveways any closer than twenty (20) feet at both the right-of-way line and the edge of the pavement along a single street.
- E. A Conditional Use Permit is required if three or more diesel fuel pumps are provided for a convenience store/ gasoline service station in the B2 or B3 zoning district. A convenience store/ gasoline service station with 3 or more diesel pumps shall be a use by right in the M1 and M2 zoning districts.
- F. Other Site Improvements. In addition to the above requirements, the following additional site improvements shall be adhered to:
1. A solid fence or wall six (6) feet in height shall be erected along the property lines which abut residential property.
 2. Exterior lighting with cut-off luminaries are required so that light it is directed away from adjacent properties.
- G. All flammable products shall be stored in compliance with State EPD regulations.