OWNER: Gethsemane Worship Center
APPLICANT: Bishop Frederick Williams, Sr.

LOCATION: 608 11th Ave.

CURRENT ZONING/USE:
- Zoning: R-3 (Single & Two-Family Residential District)
- Use: Church Nursery

PROPOSED ZONING/USE:
- Zoning: C-5 (Office-Institutional-Residential District)
- Use: Day Care Center

ZONING/ADJACENT LAND USE:
- North: Zoning: C-5 (Office-Institutional-Residential District)
  Land Use: Aspire Behavioral Health & DD Services
- South: Zoning: R-3 (Single & Two-Family Residential District)
  Land Use: Vacant Property (Owned by Church)
- West: Zoning: R-3 (Single & Two-Family Residential District)
  Land Use: Single Family Dwellings
- East: Zoning: C-3 (Commercial District)
  Land Use: Gethsemane Worship Center

MEETING INFORMATION:
- Planning Commission: 11/05/20, 2:00 P.M., Robert Cross Multipurpose Facility, 3085 Martin Luther King, Jr. Dr.
- Public Hearing: 11/17/20, 8:30 A.M., 222 Pine Avenue, Rm.100

RECOMMENDATION: Approval
BASIC INFORMATION

The applicant requests to rezone a 0.21-acre parcel from R-3 (Single & Two-Family Residential District) to C-5 (Office-Institutional-Residential District). An approved rezoning will allow the applicant to utilize the property for a day care facility; currently, the applicant (Gethsemane Worship Center) utilizes the facility for a church nursery.

PHYSICAL CHARACTERISTICS AND INFRASTRUCTURE

This area is served by public water and sanitary sewer. The property does not lie within the 100-year floodplain; its topography is flat. Access is from 11th Ave; an alley along the south property line also provides access to the property.

RELEVANT ZONING HISTORY

Planning Department records indicate that the subject property has retained its original R-3 designation since the City adopted zoning (1970). The C-5 and M-1 (Restricted Industrial) Districts to the north of 11th Avenue have retained their original zoning designations. The 500 block of 11th Ave. (owned by the applicant) was rezoned from R-3 to C-3c in 2009; the condition of rezoning does not allow for body shops and warehouses.

PLANNING CONSIDERATIONS

Listed below are several issues for consideration in evaluating this rezoning application.

1. Will the rezoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?

Rezoning will allow the property to be utilized for a day care facility operated by Gethsemane Worship Center (applicant). Adjoining property to the east and south is owned by the applicant and used for parking. The proposed use should be compatible with the adjacent commercial and public institutional uses.

2. Will the rezoning proposal adversely affect the existing use or usability of adjacent or nearby property?

Staff is of the opinion that the location of the day care center, which adjoins property owned by the applicant to the east and south of the alley, should not impact adjacent residential properties. The zoning ordinance requires protective screening for commercial properties that are adjacent to residentially zoned properties. Screening will be required along the west side property line, which adjoins residential property.
3. *Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?*

The current R-3 designation allows for single and two-family housing, which provides an economic use for the property. The size of the property (9,148 sq. ft.) will support a single family residence (6,400 sq. ft.), but not a duplex, which requires 10,000 sq. ft. of property. The C-5 designation allows for residential use but also would allow for a day care facility.

4. *Will the rezoning proposal result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?*

- **Impact on Utilities:** The proposed use will not impact utilities.
- **Impact on the School System:** The proposed use will not impact the school system.
- **Impact on Transportation Network:** Staff estimates that the impact of the rezoning on the surrounding transportation network would be as follows:

<table>
<thead>
<tr>
<th>Road</th>
<th>Traffic Capacity</th>
<th>ADT (2018)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11th Avenue</td>
<td>8,500</td>
<td>1,700</td>
</tr>
<tr>
<td>(N. Monroe to Palmyra Rd.)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Trip Generation:** Based on information from *Trip Generation, 10th Edition, ITE, 2018*, it is estimated that a Day Care Facility generates approximately 48 trips per weekday per 1,000 sq. ft. of gross floor area. Based on this estimate, a 1,478 sq. ft. facility could generate about 70 daily weekday trips.

**Road Improvements:** According to the *FY 2018-2021 Transportation Improvement Program* and the *Dougherty Area Regional Transportation Study 2045*, no state or federally funded projects are proposed for the area.

**Road Classifications:** 11th Avenue is classified as an Urban Collector Road.

**Public Transit Routes:** Albany Transit (Silver Line) serves this area with stops on 11th Ave. between Jefferson St. and Palmyra Rd. The property is located on this bus route.

**Accident Information:** Information from the Albany/Dougherty Traffic Engineering Division indicates that the property is not near a high-accident location.
**Analysis:** No adverse impact to the surrounding transportation network is anticipated as a result of the proposed use.

5. *Is the rezoning proposal in conformity with the policy and intent of the Albany-Dougherty Comprehensive Plan for Development (2026)?*

The **Future Land Use Map** recommends medium-density (average of five units per acre) housing for the area south of 11th Ave. generally bounded by Monroe St to the east, toward Palmyra Rd. to the west, and 8th Ave. to the south. Public/Institutional and Industrial land uses are recommended to the north of 11th Ave. The proposed rezoning to C-5 to allow for a day care center is not consistent with the medium-density housing recommendation but is consistent with the recommended Public/Institutional use to the north of 11th Ave.

6. *Are there other existing or changing conditions affecting the use and development of the property that provide grounds for approval or disapproval of the rezoning proposal as submitted?*

The property is located in a transitional area representing commercial, industrial, and public institutional uses. The Future Land Use Map should be re-evaluated to determine appropriate course of development in this area.

Staff has not identified further changing conditions affecting the use and development of the property that provide grounds for approval or disapproval of the rezoning proposal as submitted.

**RECOMMENDATION**

Staff recommends **approval** to rezone to C-5 (Office-Institutional-Residential District).
20-014 Rezoning R-3 to C-5
608 11th Ave.
Owner: Gethsemane Worship Center
Applicant: Bishop Frederick Williams, Sr.

Disclaimer: Albany GIS makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. All data is subject to change.
20-014 Rezoning R-3 to C-5
608 11th Ave.
Owner: Gethsemane Worship Center
Applicant: Bishop Frederick Williams, Sr.

Disclaimer: Albany GIS makes every effort to produce the most accurate information possible. No warranties, express or implied, are provided for the data herein, its use or interpretation. All data is subject to change.
20-014 Rezoning R-3 to C-5
608 11th Ave.
Owner: Gethsemane Worship Center
Applicant: Bishop Frederick Williams, Sr.
WARRANTY DEED

GEORGIA, DOUGHERTY COUNTY.

THIS INDENTURE, made this 24th day of October 2006, between KATHY C. ETHRIDGE of the County of Dougherty, and State of Georgia of the first part, herein called "Grantor", and GETHSEMANE WORSHIP CENTER, INC., a Georgia Corporation of the second part, herein called "Grantee";

WITNESSETH: That the Grantor for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) AND OTHER 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 and conveyed and by these presents does grant, bargain, sell and convey unto the Grantee and the heirs, executors, administrators, successors and assigns of Grantee, the following described property:

All that tract or parcel of land lying and being in the City of Albany, Dougherty County, Georgia and being more particularly described as follows: Commencing at the point of intersection of the southern right-of-way line of Eleventh Avenue and the western right of way line of Madison Street, run thence westerly along the right-of-way line of Eleventh Avenue 181.27 feet to the point of beginning; from the point of beginning, continue westerly along the southern right-of-way line of Eleventh Avenue 65.00 feet to a point; run thence southerly and parallel to the western right-of-way line of Madison Street 140.0 feet to the point of beginning. The described tract is known as 608 Eleventh Avenue according to the present system of numbering of streets in the City of Albany, Georgia.

W1877-04.D07

GEORGIA, DOUGHERTY COUNTY,
I HEREBY CERTIFY that the above and foregoing is a true copy of the recorded instrument in this office.

EVONNE S. MULL, Clerk
BY: [signature]
Deputy Clerk
Date: January 16, 2006
Subject to visible easements and restrictions and easements of record.

Current year ad valorem taxes will be prorated between the parties hereto as of the date of this deed.

To have and to hold the said bargained premises, 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 Grantee and the heirs, executors, administrators, successors and assigns of Grantee, in fee simple.

And Grantor and the heirs, executors, administrators, successors and assigns of Grantor, warrant the title to the said bargained premises against the claim of all and every other person or persons whatsoever, and shall and will warrant and forever defend the title to said bargained premises by virtue of these presents.

IN TESTIMONY WHEREOF, Grantor has caused this deed to be properly signed and sealed the day and year first above written.

Signed, sealed and delivered in the presence of:

WITNESS

KATHY C. ETHRIDGE

L.S.

NOTARY PUBLIC

My Commission expires 01/11/10

AFFIX NOTARY SEAL

W1877-04 D07
APPLICATION TO AMEND THE ZONING MAP OF:

Albany, Georgia  Dougherty County, Georgia

Property address: 608 11th Ave
Name of property owner(s): Cathedral Worship Center  Bishop Frederick Williams
Mailing address: 339 10th Avenue, Albany Ga 31701

Name of applicant: Frederick Williams Sr
Mailing address: 4732 Clewiston Ln
City: Albany  State: GA  Zip code: 31705  Telephone:

Zoning Classification:
Present zoning district: R3
Proposed zoning district: R3-A-5
Current use: Church Nursery
Proposed use: Public Daycare

Please attach the following documents:
- A written legal description of the property giving the full metes and bounds description rather than plat reference.
- A copy of the deed verifying ownership status.
- Authorization by property owner form (if the property owner and applicant are not the same).
- A plat showing property lines with lengths and bearings, adjoining streets, locations of existing buildings, north arrow and scale (submit one copy of the plat if it is 11” x 17” or smaller. For larger plats, submit twenty copies).
- An 8” x 11” size map of the area (The map should be the same as the larger map).
- A disclosure of campaign contributions and gifts form.
- Filing fees should be paid when submitting the application. These fees are based on the zoning district that the applicant is applying for, and should be payable to the City of Albany.

This application must be filed by the 10th of the month to be considered for the Planning Commission meeting of the following month.

I hereby authorize the Planning & Development Services Department staff to inspect the premises of the above described property and to place a public notice sign on the premises as required by law. I also hereby depose and say that all statements herein, and attached statements submitted are true and accurate to the best of my knowledge and belief.

Sworn to and subscribed before me this 14th day of January 2023.

Signature of applicant: Frederick Williams Sr

Notary Public: Deborah Yvonne Harvey  My commission expires: 10/13/23

(Staff use)

Posting fee:  Date paid:  Receipt:
VERIFICATION OF OWNERSHIP

Name of all owners: Gethsemane Worship Center

c/o Bishop Frederick Williams Sr.

Address: 529 10th Avenue

City/State/Zip Code: Albany, Ga 31701

Telephone Number: 229-438-0388

Property Location (give description if no address): 608 11th Avenue

I am the owner of the property listed above, which is the subject matter of the attached application, as shown in the records of the City of Albany, or Dougherty County.

Frederick Williams

Owner Signature (all owners must sign)

Owner Signature (all owners must sign)

Personally appeared before me January 14, 2020, who has stated that the information on this form is true and correct.

Deborah Yvonne Harvey

Notary Public

Date January 14, 2020

In my absence, I authorize the person named below to act as the applicant in the pursuit of action for the attached application.

Name: Keturah Beckwith

Address: 194 Pine Summit

City/State/Zip Code: Leesburg Ga 31763

Telephone Number: 407 982 0346

PLANNING, DEVELOPMENT SERVICES & CODE ENFORCEMENT
CITY OF
Albany
GEORGIA

APPLICANT/AGENT DISCLOSURE
CAMPAIGN CONTRIBUTIONS
(Required by Title 36, Chapter 67A, Official Code of
Georgia Annotated)

The applicant filed on this date:_____________________, to apply for a rezoning
approval affecting described property as follows:

608 11th Avenue Albany Ga.

Yes ☐ No ☑

Within the last two years preceding the above filing date, the applicant has
made campaign contributions aggregating $250 or more to a member or members of the
City Commission or County Commission who will consider application number_______.

(Please list the name(s) and official position of the local government official; the dollar
amount; description, and date of each campaign contribution).

_________________________________________

_________________________________________

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

Sworn to and subscribed before me this 14th day of January, 2020.

Signature of Applicant

Notary Public

Commission expires: November 18, 2023