OWNER/APPLICANT: Kimberly LaShawn Robertson-Thomas

LOCATION: 1141 Gillionville Rd.

CURRENT ZONING/USE:
Zoning: C-6 (Transitional Business District)
Use: Group Day Care (7-18 Children)

PROPOSED ZONING/USE:
Zoning: C-5 (Office-Institutional-Residential District)
Use: Day Care Center (Over 18 Children)

ZONING/ADJACENT LAND USE:
North: Zoning: C-R (Community Residential Multiple-Dwelling District)
Land Use: Single Family Dwellings (Wildcross Subdivision)
South: Zoning: C-3 (Commercial District)
Land Use: Various Commercial, Warehouses
West: Zoning: C-6 (Transitional Business District)
Land Use: Apartments, Vacant property
East: Zoning: C-2c (General Mixed-Use Business District Conditional)
Land Use: Auto Broker/Car Sales Lot

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 0.63-acre parcel from C-6 (Transitional Business District) to C-5 (Office-Institutional-Residential District). An approved rezoning will allow the applicant to operate a Day Care Center for over 18 children; currently, the applicant operates a Group Day Care, which allows 7 to 18 children. The C-6 District does not allow for Day Care Centers over 18 children.

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 Gillionville Rd. at its southern boundary.

RELEVANT ZONING HISTORY

Planning Department records indicate that the subject property was rezoned from C-R to C-6 in 1996. The adjoining property to the east (1135 Gillionville Rd.) was rezoned from C-5 to C-2c (General Mixed-Use Business District Conditional), October 2018. The residential area to the north (Wildcross Subdivision) has retained its original C-R designation since the City adopted zoning (1970).

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?*

   The property is currently utilized as a Group Day Care facility for up to 18 children; rezoning will allow the applicant to expand the number of children that can be served to over 18. The continued use of a day care should be compatible with adjacent commercial, office, and residential uses.

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

   Expansion of the day care operation to accommodate more than 18 children should not have an adverse affect on adjacent residential properties. Apartments adjoin the western boundary of the property; an alley separates the day care from the residential neighborhood to the north. The proposed day care should not affect the usability of adjacent commercial properties.
3. Does the property to be affected by the rezoning proposal have a reasonable economic use as currently zoned?

The current C-6 designation allows for the existing day care (7-18 children), a variety of office type uses, and fraternal organizations, which provide an economic use for the property. The C-5 designation will allow the existing day care to serve more than 18 children.

1. 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:

**Road Capacity:**

<table>
<thead>
<tr>
<th>Road</th>
<th>Traffic Capacity</th>
<th>ADT (2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gillionville Rd.</td>
<td>24,753</td>
<td>17,700</td>
</tr>
<tr>
<td>(Gillionville @ Magnolia)</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 1,200 sq. ft. facility could generate about 58 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:** Gillionville Rd. (SR 234) is classified as an Urban Minor Arterial Road. Access must be approved by the Georgia Department of Transportation.

**Public Transit Routes:** Albany Transit (Gray and RAM RUSH Lines) serves this area with the closest stop at Magnolia St. and Gillionville Rd., which is about .6 of a mile west of the subject property.

**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 commercial development for the Gillionville Rd. corridor. The request to rezone to C-5 to allow for an existing day care center to expand its operation to serve over 18 children is consistent with this land use recommendation.

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?

Staff did not identify any other existing or changing conditions that support the approval or disapproval of the rezoning application.

RECOMMENDATION

Staff recommends approval to rezone to C-5 (Office-Institutional-Residential District).
20-017 Rezoning C-6 to C-5
1141 Gillionville Rd.
Owner: Kimberly Robertson-Thomas
Applicant: Kimberly Robertson-Thomas

Disclaimer: Albany GIS makes every effort to produce the most accurate information possible. No warranties, expresses nor implied, are provided for the data herein, its use or interpretation. All data is subject to change.
EXHIBIT "A"

All that tract or parcel of land lying and being in the City of Albany, Dougherty County, Georgia and being all of Lot 22 and the east half of Lot 23 of Wildcross (Wilders Crossing), according to a map or plat of said subdivision as same is recorded in Plat Dook 1, Page 195, in the office of the Clerk of Superior Court of Dougherty County, Georgia, and being more particularly described as follows:

Commence at the northwest corner of the intersection of Gillionville Road with Eva Street, and run thence westerly along the north right of way line of said Gillionville Road a distance of 350 feet to the POINT OF BEGINNING; continue thence westerly along the north right of way line of said Gillionville Road a distance of 105 feet to a point; run thence northerly on a line parallel to the east line of said Lot 23 a distance of 160 feet to the south margin line of an alley; run thence easterly along the south margin line of said alley, and along the north line of Lots 23 and 22 of said subdivision, a distance of 105 feet to the northeast corner of said Lot 22; run thence southerly along the east line of said Lot 22 a distance of 160 feet to the point of beginning.
Please forward the recorded document to:
Hill, Williamson & Hart, P.C.
P.O. Drawer 70639
Albany, GA 31708-0639

WARRANTY DEED

STATE OF GEORGIA,
COUNTY OF DOUGHERTY.

THIS INDENTURE is made this [day of ] day of [ ], 2019, by
LUCILE ANNE DIXON REYNOLDS AND CHANDLER L. DEAS, of the County of
Dougherty, State of Georgia, hereinafter collectively referred to as "GRANTOR", for and in
favor of KIMBERLY ROBERTSON-THOMAS, of the County of Dougherty, State of
Georgia, hereinafter referred to as "GRANTEE".

WITNESS

For and in consideration of the sum of Ten Dollars ($10.00) and other
valuable considerations, in hand paid at and before the sealing and delivery of these presents,
the receipt and sufficiency thereof being hereby acknowledged, Grantor has granted,
bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain,
sell, alien, convey and confirm unto the Grantee,

All that tract or parcel of land situate, lying and being in Dougherty County, City of
Albany, Georgia, which property is described as follows: A

All of Lot No. 22, and the east one half of Lot 23 in Block "E" of WILDCROSS (Wilders
Crossing) SUBDIVISION, according to a map or plat of said Subdivision as same is
recorded in Plat Book 1, Page 195, in the Office of the Clerk of the Superior Court of
Dougherty County, Georgia. EXCEPT that portion of said property contained in the Right
of Way Deed from Catherine Herron a/k/a Kathryn Herron, to the Department of
Transportation, dated December 13, 1979, and recorded in Deed Book 650, page 48, Dougherty County land records.

This conveyance is made subject to the public utility easements and other easements, visible and/or of record, affecting the conveyed property; to any valid and enforceable protective covenants and restrictions applicable to the property and to the valid and enforceable laws, ordinances and regulations governing and regulating the use of the conveyed property.

(The hereinabove described property is hereinafter referred to as the "SUBJECT PROPERTY").

TO HAVE AND TO HOLD the Subject Property together with each and all the rights, members and appurtenances thereof, to the same belonging, or in anyway appertaining, to the exclusive use, benefit and behalf of, KIMBERLY THOMAS, her heirs, successors and assigns, forever in FEE SIMPLE.

THE GRANTOR will warrant and forever defend the right and title to the Subject Property unto the Grantee, KIMBERLY THOMAS, her heirs, successors and assigns, against the claims of all persons whomsoever.

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

Signed, sealed and delivered this ____ day of ________,
2019, in the presence of:

Witness

Lucile Anne Dixon Reynolds (Seal)

Notary Public (Seal)

Signed, sealed and delivered State of Virginia
this 15th day of ________,
2019, in the presence of:

Witness

Chandler L. Dees (Seal)

Notary Public (Seal)

My Commission Exp 01/5/2022
APPLICATION TO AMEND THE ZONING MAP OF:  
Albany, Georgia  Dougherty County, Georgia

Property address: 1191 Gillonville Road  
Name of property owner(s): Kimberley Lesman Robinson-Thomas  
Mailing address: 915 Springfield Drive  

Name of applicant: Kimberley Lesman Robinson-Thomas  
Mailing address: 915 Springfield Drive  

Zoning Classification:  
Present zoning district: C-10  
Proposed zoning district: C-5

Current use: Daycare 18 or less  
Proposed use: Daycare more than 18 clients

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 5 day of March, 2020  
Signature of applicant: Kimberley Lesman Robinson-Thomas  
Notary Public: Diana Clark  
My commission expires: April 27, 2020

(Staff use)
Posting fee: Date paid: Receipt:
VERIFICATION OF OWNERSHIP

Name of all owners: Kimberly LaSheena Roberson-Thomas

Address: 615 Springfield Drive
City/State/Zip Code: Albany, GA 31721
Telephone Number: 229-881-0877

Property Location (give description if no address):
1141 Gillinville Road
Albany, GA 31707

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.

Kimberly LaSheena Roberson-Thomas
Owner Signature (all owners must sign)

Personally appeared before me Kimberly LaSheena Roberson-Thomas who has stated that the information on this form is true and correct.

Denise Clark
Notary Public
March 5, 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: ________________________________
Address: ________________________________
City/State/Zip Code: ________________________________
Telephone Number: ________________________________
The applicant filed on this date: March 5, 2020, to apply for a rezoning approval affecting described property as follows:

1141 Gillioveille Road Albany, Ga. 31707

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 5 day of March, 2020.

Signature of Applicant

Notary Public

Commission expires: April 27, 2020

PLANNING, DEVELOPMENT SERVICES & CODE ENFORCEMENT
P.O. Box 447 Albany, GA 31702 | Phone: 229-438-3903 | Fax: 229-438-3965 | www.albany.ga.us