



**Subject Property/Parcel Number:** 3555 Mercer University Dr. / N083-0132

To Whom It May Concern:

In response to your request for information regarding the above-referenced property, we have researched our files and present the following:

1. The current zoning classification for the subject property is C-2 General Commercial.  
The future land use plan suggests the following land use category Community Commercial.

Land Use Category definition: Retail sales, office and service uses with the largest establishments being intended to serve regional needs (i.e., large retailers and services whose intended market may exceed the population of the Macon-Bibb County area).

- ☐ Permitted Use by Right  
☒ Permitted Use by Conditional Use Permit (see comments, or attached approval documentation)  
☐ Legal Non-Conforming Use  
☐ Non-Permitted Use

See chapter 13 and or Section 13.04[30] of the Macon-Bibb Comprehensive Land Development Resolution for the complete list of permitted and conditional uses in this zoning district (copy attached).

Comment: Section 13.04 Conditional uses [30] Shopping centers, provided that the shopping center guidelines contained in Section 23.12 governing the construction of shopping centers are met. (see attached)

3. Adjacent property zoning designation:
- North: R-1A Single-family Residential
  - East: R-1 Single-family Residential; C-2 General Commercial
  - South: R-1 Single-family Residential; C-2 General Commercial
  - West : PDR Planned Development Residential; C-2 General Commercial; R-3 Multi-family Residential

4. Conformance: The structure current status is: (if applicable)

- ☒ Legal Conforming (permitted or conditional use, or is otherwise exempt from, applicable zoning regulations)  
☐ Legal Non-Conforming  
☐ Unable to determine without updated survey.

Comment: A conditional use zoning compliance #86-0536 was issued to 3505 Mercer University Dr. (a pre-existing larger parcel containing the current-day subject property) for a shopping center. All records have been destroyed due to the age of construction. Several permitted use compliances have been issued ever since for different kinds

of commercial. (example see attached)

5. Variances & Conditions related to the subject property:

- ☒ No, there does not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.  
☐ Yes, see the comment below for information regarding variances and or special permits/exceptions:

Comment: \_\_\_\_\_



6. Code Violations Information:

- ☒ There does **NOT** appear to be any outstanding/open zoning violations that apply to the subject property.
- ☐ The following outstanding/open zoning violations apply to this property

Comment: Questions related to building codes or building code violations should be directed to the Office of Building and Fire Safety;  
questions related to property maintenance should be addressed to Code Enforcement.

7. Zoning Compliance (required for the use, operation and occupancy of the subject property), status:

- ☐ A valid Zoning Compliance has been issued for the subject property **and is attached**.
- ☒ A valid Zoning Compliance has been issued for the subject property (approximate issuance date 1986);  
However, we are unable to locate a copy in our records. The absence of a Zoning Compliance will not give rise  
to any enforcement action affecting the property
- ☐ A valid Zoning Compliance has not been issued for the subject property.

Comment: A conditional use zoning compliance #86-0536 was issued to 3505 Mercer University Dr. for a retail shopping  
center. All records have been destroyed due to the age of construction.

A new Zoning Compliance will be required for a change in use or a change in ownership. Change in ownership compliances are considered a permitted use.

Further comments regarding the subject property:

The subject property was rezoned from R-1A Single-family Residential to C-2 General Commercial per rezoning fine #1484 in 1986 as a part of larger rezoning attempt to develop a shopping center with retail uses. (conditions and maps see attached)

There are several signage zoning compliances issued to the subject property, usually attached to a new retail business. (example see attached)

Our record does not have a site plan attached to the subject property.

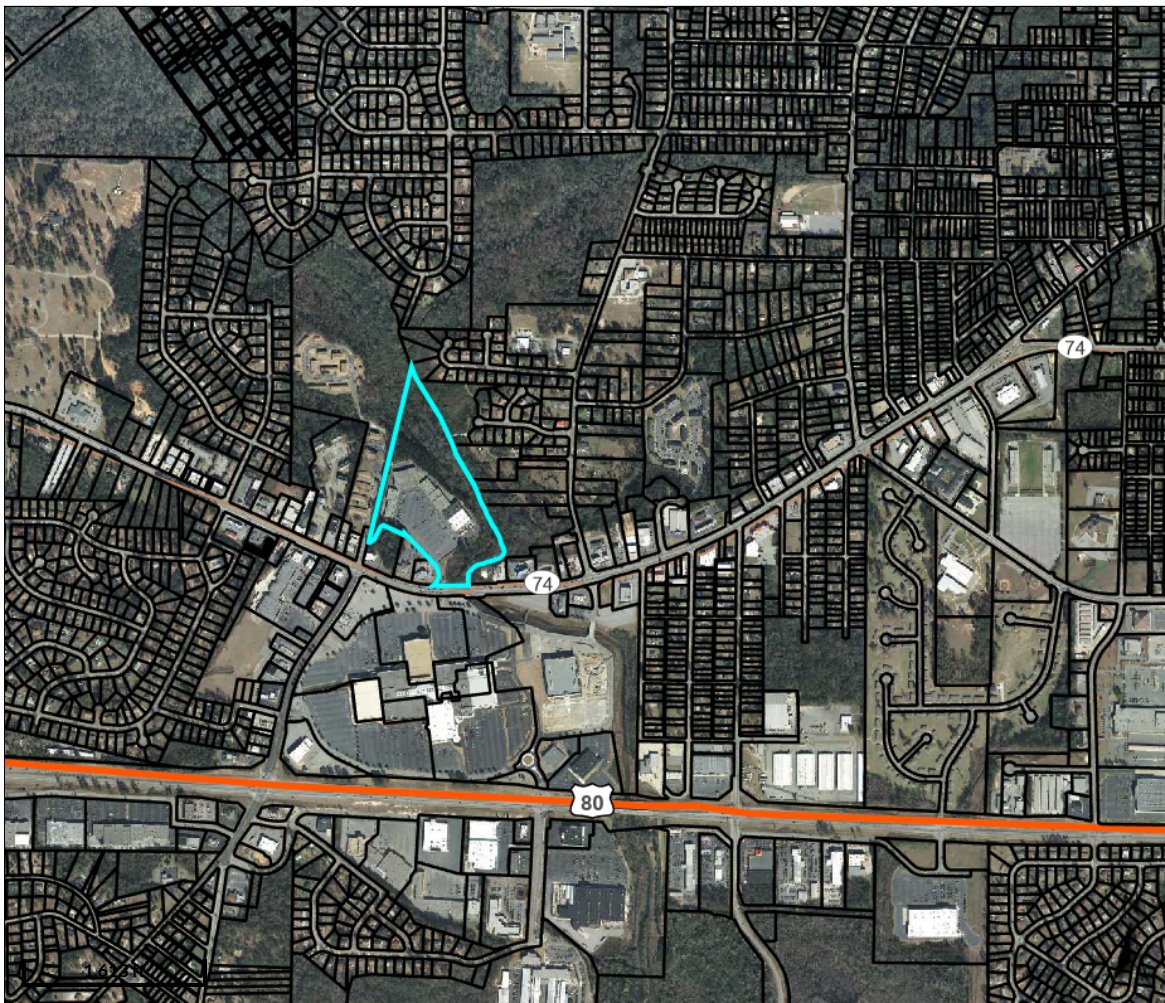
Our record indicates that the subject property is not located in any special, restrictive, or overlay district.

This information was researched on 1.8.2024, by the undersigned, per request and as a public service. The undersigned certifies that the above information contained herein is believed to be accurate and is based upon or relates to the information supplied by the requester. The Authority assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

The Macon-Bibb Planning & Zoning Commission:

By: Hantao Sun

Signed: Hantao Sun



Overview



Legend

-  Parcels
-  Roads

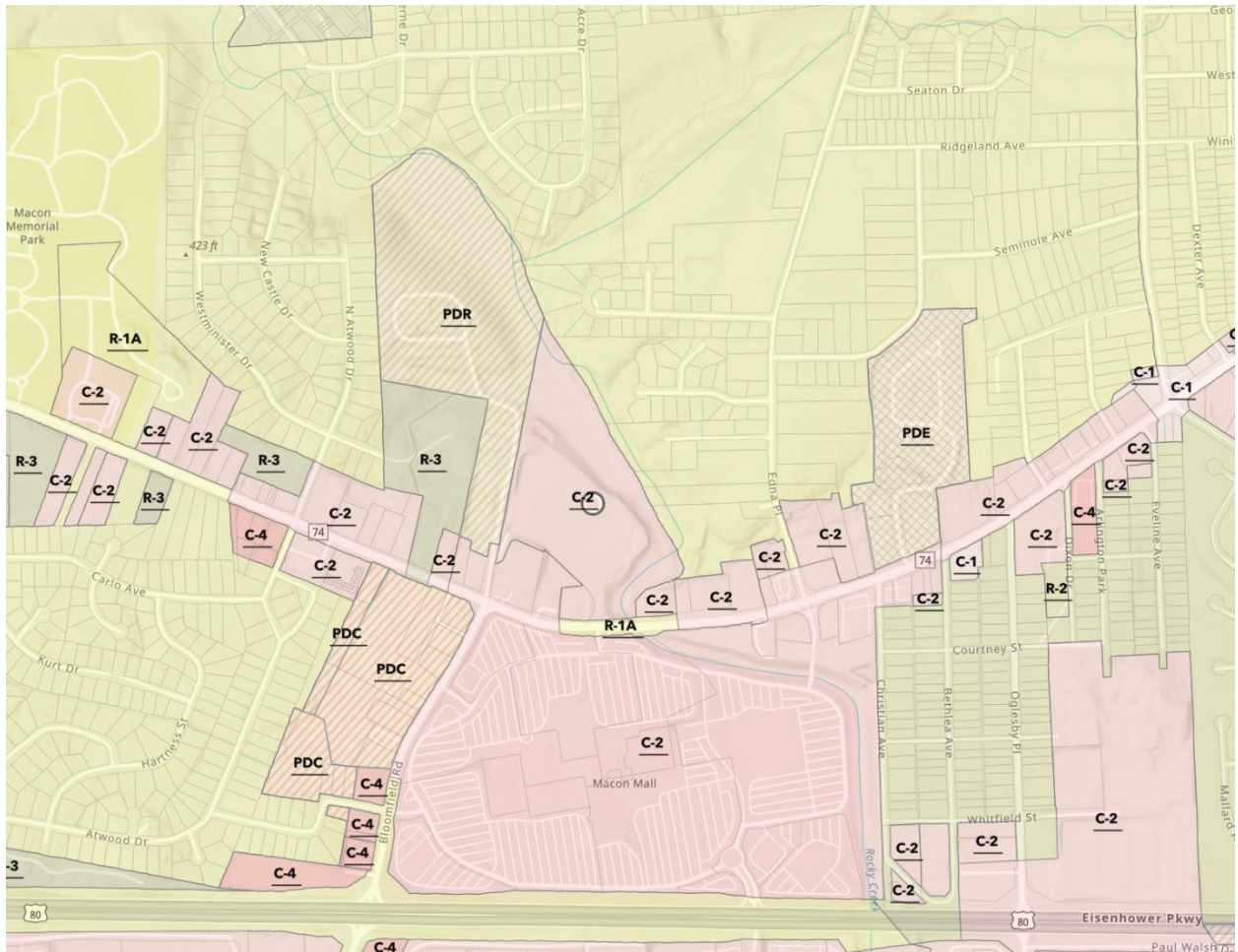
|                 |            |                  |                              |              |          |        |      |
|-----------------|------------|------------------|------------------------------|--------------|----------|--------|------|
| Parcel ID       | N0830132   | Owner            | MERCER CROSSING SHOPPING CEN | Last 2 Sales |          |        |      |
| Class Code      | Commercial |                  | 6961 PEACHTREE INDUSTRIAL BO | Date         | Price    | Reason | Qual |
| Taxing District | MACON-BIBB |                  | SUITE 101                    | 11/14/2014   | 0        | CT     | U    |
|                 | BIBB       |                  | NORCROSS, GA 30092           | 12/31/2009   | \$260000 | GE     | U    |
| Acres           | 23.01      | Physical Address | 3555 MERCER UNIVERSITY DR    |              |          |        |      |
|                 |            | Assessed Value   | Value \$2923752              |              |          |        |      |

(Note: Not to be used on legal documents)

Date created: 1/8/2024  
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Developed by 

## Current Zoning



## **Chapter 13**

### **C-2—GENERAL COMMERCIAL DISTRICT<sup>1</sup>**

#### **Section 13.01. Intent.**

The C-2 Commercial District is intended to promote general commercial activity by concentrating in appropriate locations all types of commercial and miscellaneous service activities in beneficial relation to one another. Development of strip commercial areas is not encouraged.

(Added August 14, 1997, ZA97-08-01)

#### **Section 13.02. Required conditions.**

Retail sales, displays of merchandise, and storage must be within a completely enclosed building, except that the Commission may grant an exception to this requirement (as a conditional use) where it finds that enforcement would create an unreasonable hardship.

(Added August 14, 1997, ZA97-08-01)

#### **Section 13.03. Permitted uses.**

- [1] All permitted uses in a C-1 Neighborhood Commercial District.
- [2] Bottling works for soft drinks.
- [3] Printing, blueprinting, bookbinding, photostating, lithography, and publishing establishments.
- [4] *Reserved.*
- [5] All uses of a predominantly retail nature, including:
  - (a) Electrical supplies;
  - (b) Heating and plumbing equipment;
  - (c) Dairy products;
  - (d) Bakeries;
  - (e) Tires, batteries, and other automotive accessories, including the installation of accessories sold;
  - (f) Sporting goods;
  - (g) Farm and garden supplies;
  - (h) Real estate offices; and
  - (i) Home building supplies, provided the entire storage area is screened as provided in Section 4.08, or screened to a greater height as required to adequately screen such areas.
- [6] Bars, taverns, saloons, and restaurants with alcohol.
- [7] Newspaper publishing establishments.

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<sup>1</sup>Editor's note(s)—Amendment No. ZA97-08-01, § 2, adopted August 14, 1997, deleted Ch. 13, §§ 13.01—13.09 in its entirety and added a new Ch. 13, §§ 13.01—13.09, to read as herein set out.

- [8] Dry cleaning and laundry establishments.
- [9] Theaters, except for drive-in theaters.
- [10] Private clubs, and fraternal orders or lodges.
- [11] Bowling alleys and billiard rooms.
- [12] Office buildings.
- [13] Radio and television broadcasting studios.
- [14] Telephone offices or communications centers.
- [15] Accessory buildings and uses located either on the same lot or parcel of land as the main structure or an adjoining lot or parcel of land under the same ownership and customarily incidental to the permitted or conditional use, provided that the requirements of Section 4.07 are met.
- [16] Communication antennas subject to the requirements of Section 23.27. (Added October 13, 1997, ZA97-10-01)
- [17] Day care home, provided the requirements of Section 23.30 are met. (Added July 23, 2007, ZA07-07-03)

(Added August 14, 1997, ZA97-08-01)

#### **Section 13.04. Conditional uses.**

- [1] Ice plants.
- [2] Drive-in theaters, provided acceleration and deceleration lanes of at least two hundred (200) feet in length are provided for the use of vehicles entering or leaving the theater and the volume or concentration of traffic will not constitute a safety hazard or unduly impede highway traffic movement and provided the face of the screen is not visible from any expressway, freeway, or arterial or collector streets within two thousand (2,000) feet of such screen.
- [3] Public utility structures and buildings, excluding communication towers and antennas, provided that the installation is properly screened and serves the immediate area. No office shall be permitted, and no equipment shall be stored on the site. (Amended October 13, 1997, ZA97-10-01)
- [4] Churches and other places of worship with attendant educational and recreational buildings.
- [5] Colleges, private and public schools, and libraries.
- [6] Kindergartens, playschools, and day care centers, provided the requirements in Section 23.13 are met. (Amended July 23, 2007, ZA07-07-03)
- [7] Golf swimming, tennis, or country clubs, public and private community clubs or associations, athletic fields, parks and recreational areas. The size and intensity of the proposed use as it relates to adjacent land uses shall be a determinative factor.
- [8] Hospitals, clinics, sanitariums, or convalescent and nursing homes.
- [9] Motels and hotels.
- [10] Commercial parking garages or lots, provided that no entrance or exit is located on the same side of the street and within the same block as a school and that curb breaks be limited to two (2) for each one hundred (100) feet of street frontage, each curb break not exceeding thirty (30) feet in width and not located closer than twenty (20) feet to a street intersection.
- [11] *Reserved.* (Deleted March 23, 2009, ZA09-03-01)

- [12] Food locker plants where lockers are rented for the storage of food, including sale at retail, delivery, and the cutting, and packaging of meat but not including slaughtering.
- [13] Automobile, travel trailer, and mobile home sales, which need not be enclosed, but any mechanical or body repair must be conducted entirely within an enclosed structure which may not have any openings, other than a stationary window, facing a residential district if such structure is located within one hundred (100) feet of a residential district. No parts or waste material may be stored outside such structure.
- [14] Bus, railroad, and air terminal facilities.
- [15] Drive-in restaurants.
- [16] Automobile laundries or car washes, provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process sufficient to contain the number of vehicles (at two hundred (200) square feet per vehicle) equal to one-third ( $\frac{1}{3}$ ) of the practical hourly capacity of the washing machines, and in addition, that curb breaks be limited to two (2), each not to exceed thirty (30) feet in width and located no closer than twenty (20) feet to a street intersection.
- [17] Milk bottling and distribution plants and ice-cream manufacturing.
- [18] Places of assembly including auditoriums, stadiums, coliseums, dance halls, and nightclubs.
- [19] Produce and farmers' markets.
- [20] Wholesale warehouses.
- [21] Garages, tire retreading and recapping establishments, provided that no buildings for such use located within one hundred (100) feet of a residential district shall have any openings, other than stationary windows or doors for pedestrian (nonvehicular) ingress and egress, facing such residential district.
- [22] Veterinary hospitals or clinics, provided any structure used for such purpose shall be a minimum of one hundred (100) feet from any residential district, and provided further that such use shall not adversely affect adjacent uses.
- [23] Recreational, amusement, or entertainment facilities.
- [24] Trade shops including sheet metal, roofing, upholstering, electrical, plumbing, Venetian blind, cabinet malting and carpentry, rug and carpet cleaning and sign painting shops, provided that all operations are conducted entirely within a building which shall not have any openings, other than stationary windows or doors for pedestrian ingress and egress, facing a residential district within one hundred (100) feet of any such district.
- [25] *Reserved.* (Deleted March 23, 2009, ZA09-03-01)
- [26] Trade or business schools.
- [27] Group personal care homes and supportive living homes.
- [28] Bakeries.
- [29] Fueling centers, provided that the requirements of Section 23.11 are met. (Amended January 24, 2022, ZA21-002)
- [30] Shopping centers, provided that the shopping center guidelines contained in Section 23.12 governing the construction of shopping centers are met.
- [31] Self-service storage facility, subject to the following conditions:
  - (a) Shall be limited to storage only.
  - (b) All storage shall be within the building area.
  - (c) No auctions or commercial sales or uses shall be conducted on the site.

- (d) A fencing and landscaping plan shall be approved by the Commission. (Amended July 12, 2021, ZA21-001A)

[32] Retail sales, displays of merchandise, and storage pursuant to Section 13.02.

[33] Museums and institutions of a similar nature.

[34] Auction houses.

[35] *Reserved.* (Deleted March 23, 2009, ZA09-03-01)

[36] Undertaking or mortuary establishments and ambulance services.

[37] Communication towers and antennas subject to the requirements of Section 23.27. (Added October 13, 1997, ZA97-10-01)

[38] Self service ice machines provided the standards in Section 23.29 are met. (Added July 9, 2007, ZA07-07-01)

[39] Micro-breweries. (Added January 24, 2022, ZA21-003)

[40] Micro-distilleries provided they meet the requirements of Section 23.32. (Added January 24, 2022, ZA21-003)

(Added August 14, 1997, ZA97-08-01)

### **Section 13.05. Lot and area requirements.**

None.

(Added August 14, 1997, ZA97-08-01)

### **Section 13.06. Yard requirements (building setback distance).**

The following minimum building setback requirements shall be provided for all buildings and structures, as measured from (except for residential uses which are governed by Section 13.04[27]):

[1] *Arterial and collector street right-of-way lines:*

- (a) Front yard—35 feet
- (b) Rear yard—35 feet
- (c) Side yard—35 feet

[2] *Minor street right-of-way lines:*

- (a) Front yard—25 feet
- (b) Rear yard—25 feet
- (c) Side yard—25 feet

[3] *Interior lot lines:*

- (a) Front yard—None, except when abutting a residential district, in which case it shall be twenty (20) feet (where applicable).
- (b) Rear yard—None, except when abutting a residential district, in which case it shall be twenty (20) feet.
- (c) Side yard—None, except when abutting a residential district, in which case it shall be ten (10) feet.

[4] *Special setbacks* see § 32.09

(Added August 14, 1997, ZA97-08-01)

### **Section 13.07. Building height requirements.**

The maximum permitted height for buildings and structures shall be thirty-five (35) feet except as allowed by Section 4.03. The Commission may, however, allow construction and erection of buildings or structures exceeding thirty-five (35) feet in height, except that any application to exceed the maximum permitted height shall be treated as an application for a conditional use.

(Added August 14, 1997, ZA97-08-01)

### **Section 13.08. Off-street parking and loading space regulations.**

Spaces for off-street parking and provisions for loading and unloading spaces shall be provided in accordance with the provisions of Chapter 26.

(Added August 14, 1997, ZA97-08-01)

### **Section 13.09. Signs.**

Signs as allowed in this zoning district shall comply with the provisions of Chapter 25.

(Added August 14, 1997, ZA97-08-01)

## **Section 23.12. Shopping center design criteria.**

- [1] *Purpose for Criteria.* Shopping centers are intended to provide for the grouping of commercial buildings on a single parcel of land in such a manner as to create a harmonious, efficient, and convenient retail shopping environment. Such a center also should assure safety and convenience of traffic movement, both within the development and in relation to adjacent access thoroughfares and should foster a compatible land use and design relationship within the center and with contiguous developments. It is further the intent of such centers to encourage innovation in building design and land development techniques so that the growing demands of the community may be met, while at the same time providing for the most amenable use of such lands.
- [2] *Design Criteria.* The following criteria shall control the design and development of all shopping centers:
  - (a) *General criteria.* Development proposals shall be consistent with the following design criteria:
    - (i) Planned exterior design compatibility of all commercial buildings;
    - (ii) Provision for adequate but unobtrusive parking areas, well related to the uses served and to adjoining thoroughfares; and
    - (iii) Convenient customer walkways, separated and protected from vehicular movements.
  - (b) *Specific building design criteria:*
    - (i) Both new construction and rehabilitation of existing structures shall be designed in harmony with the entire center, as to height, bulk, location, and use of exterior materials;
    - (ii) The location of individual buildings not planned as part of the original project (i.e., spin-off sites) shall be determined in relation to the overall center design such that the established character of the entire project will be cohesively tied together;
    - (iii) Sides of all buildings viewed from the public right-of-way shall be given treatment comparable in attractiveness to their principal frontage. Off-street loading and waste storage areas shall be adequately screened; and
    - (iv) Appurtenances to both new and existing structures, such as signs, canopies, and exterior lighting, shall be carefully designed with respect to size, graphics, color, and material in order to provide an attractive atmosphere.
  - (c) *Specific design criteria for pedestrian walks and open spaces:*
    - (i) Pedestrian walks, plazas, and open spaces shall be located to provide maximum accessibility among the various buildings in the shopping center. Conflicts in pedestrian and vehicular movements shall be avoided to the greatest practicable extent. All walks shall be appropriately lighted in an attractive manner.
    - (ii) Open spaces shall be located so as to provide for maximum usability by customers and so as to create a harmonious relationship between buildings and exterior spaces throughout the center.
    - (iii) All pedestrian walks and open spaces shall be appropriately landscaped and/or paved. Materials for paving, retaining walls, fences, curbs, benches, etc., shall be attractive, durable, and easily maintained.
  - (d) *Specific design objectives for interior drives and parking areas:*
    - (i) Interior drives shall be designed only for access to buildings, parking, and loading areas, and shall not be so situated as to invite through traffic or to interfere with pedestrian movements.

- (ii) Parking areas shall be designed with careful regard to their relationship to uses served, ease of access to and from traffic arteries, and the topography of the site.
  - (iii) Parking areas shall be made unobtrusive by appropriate screening and landscaping, and large parking areas shall be subdivided into smaller areas by landscaped divider strips or landscaped pedestrian walkways. Any lighting to be provided shall be directed away from property lines so that no glare will extend to adjacent properties.
- (e) *Specific landscape design objectives:*
  - (i) Landscaping of all sites in the center shall be coordinated to provide an integrated treatment of all open spaces, pedestrian walkways, plazas, and parking areas.
  - (ii) Primary landscape treatment shall consist of shrubs, ground cover, and trees as appropriate to the site.

(f) *Parking layout criteria:* The following space dimensions at various parking angles shall be required:

| <i>Parking Angle<br/>(Degrees)</i> | Stall Width | Stall to Curb | Aisle Width | Curb Length | Center to Center Width of Two-Row Parking With Access Road Between |
|------------------------------------|-------------|---------------|-------------|-------------|--------------------------------------------------------------------|
|                                    | 9'0"        | 9'0"          | 12'0"       | 23'0"       | 30'0"                                                              |
| 0°                                 | 9'6"        | 9'5"          | 12'0"       | 23'0"       | 31'0"                                                              |
|                                    | 10'0"       | 10'0"         | 12'0"       | 23'0"       | 32'0"                                                              |
|                                    | 9'0"        | 17'3"         | 11'0"       | 18'0"       | 45'6"                                                              |
| 30°                                | 9'6"        | 17'8"         | 11'0"       | 19'0"       | 46'6"                                                              |
|                                    | 10'0"       | 18'2"         | 11'0"       | 20'0"       | 47'4"                                                              |
|                                    | 9'0"        | 19'8"         | 13'0"       | 12'7"       | 52'6"                                                              |
| 45°                                | 9'6"        | 20'1"         | 13'0"       | 13'4"       | 53'2"                                                              |
|                                    | 10'0"       | 20'5"         | 13'0"       | 14'1"       | 54'0"                                                              |
|                                    | 9'0"        | 21'0"         | 18'0"       | 10'4"       | 60'0"                                                              |
| 60°                                | 9'6"        | 21'2"         | 18'0"       | 11'0"       | 60'4"                                                              |
|                                    | 10'0"       | 21'5"         | 18'0"       | 11'5"       | 61'0"                                                              |
|                                    | 9'0"        | 19'0"         | 24'0"       | 9'0"        | 62'0"                                                              |
| 90°                                | 9'6"        | 19'0"         | 24'0"       | 9'5"        | 62'0"                                                              |
|                                    | 10'0"       | 19'0"         | 24'0"       | 10'0"       | 62'0"                                                              |

(g) *Reduction of stall sizes.* Upon approval by the Commission, twenty-five (25) percent of the spaces may be reduced to eight (8) feet by sixteen (16) feet stall sizes to accommodate small cars; and shall be designated as a small car parking area.



## Zoning Compliance

|                          |                                           |                           |
|--------------------------|-------------------------------------------|---------------------------|
| PERMIT NO: ZC-2023-2508  | PERMIT TYPE: Permitted Use                | DATE OF ISSUE: 10/26/2023 |
| ISSUED TO NAME:          | Christine House<br>Suther'n Folke Kitchen |                           |
| PROPERTY OWNER'S NAME:   | MERCER CROSSING SHOPPING CEN              |                           |
| PROPOSED USE:            | New Business Application<br>Restaurant    |                           |
| ADDRESS OF PROPOSED USE: | 3555 MERCER UNIVERSITY DR<br>Suite 106-2  |                           |
| NEW CONSTRUCTION:        | No                                        |                           |
| MAP/PARCEL:              | N083-0132                                 | ZONING DISTRICT: C-2      |

### PERMIT ISSUED SUBJECT TO THE FOLLOWING CONDITIONS

As per application, approval is granted to operate a restaurant (Suther'n Folke Kitchen) in an existing multi-tenant commercial building. Approval is granted subject to approval from the Macon Water Authority. No outside storage or sales authorized. No signage authorized by this permit; signage shall require a separate zoning permit. Please review the NOTICE information below for additional instruction.

NOTE: THIS PERMIT IS NULL & VOID IF CONSTRUCTION OR USE HAS NOT BEGUN BY 10/26/2024

APPROVED BY: Thomas Neaves

### NOTICE

This permit or certificate of appropriateness necessary to allow construction or other work on land or a structure shall be displayed at the site of and during such construction or work. Where a use requires a business license, this zoning permit must be displayed on the premises together with the business license. This permit is issued subject to the rules and regulations of the Macon-Bibb County Health Department, the Macon-Bibb County Engineering Department, the Macon-Bibb County Fire Department, the Macon-Bibb County Traffic Engineering Department, the Macon Water Authority, the Office of Building and Fire Safety, and any other governmental agency whose regulations may be applicable. All construction or use relating to this permit must strictly comply with site plans submitted to the Macon-Bibb County Planning and Zoning Commission. Permits are specific to the property for which the permit is issued as well as the person to whom it is issued. Other than permits for single family homes or duplexes, any change in the person engaging in the use allowed by such permit shall require that the new person engaging in such use file a change of ownership form with the Commission, provided that change of ownership forms shall not be required for variances or certificates of appropriateness. The new holder of any permit shall be subject to all conditions attached to the original permit.



## Zoning Compliance

|                          |                                 |                           |
|--------------------------|---------------------------------|---------------------------|
| PERMIT NO: ZC-2023-2448  | PERMIT TYPE: Permitted Use      | DATE OF ISSUE: 12/20/2023 |
| ISSUED TO NAME:          | Levar Kinte White               |                           |
|                          | Klean Kut Babershop             |                           |
| PROPERTY OWNER'S NAME:   | MERCER CROSSING SHOPPING CEN    |                           |
| PROPOSED USE:            | 1 Sign Change<br>change of face |                           |
| ADDRESS OF PROPOSED USE: | 3555 MERCER UNIVERSITY DR       |                           |
| NEW CONSTRUCTION:        | No                              |                           |
| MAP/PARCEL:              | N083-0132                       | ZONING DISTRICT: C-2      |

### PERMIT ISSUED SUBJECT TO THE FOLLOWING CONDITIONS

As per application, ZC-2023-2453 and site plan/sketch, approval is granted to change the face of an existing sign. Signage is issued subject to the requirements of Chapter 25 of the Macon-Bibb Comprehensive Land Development Resolution and subject to the requirements of the Office of building and Fire Safety. Please review the NOTICE information below for additional instruction.

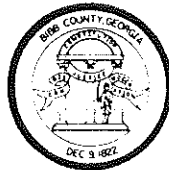
NOTE: THIS PERMIT IS NULL & VOID IF CONSTRUCTION OR USE HAS NOT BEGUN BY 12/20/2024

APPROVED BY: Butch Sementilli

### NOTICE

This permit or certificate of appropriateness necessary to allow construction or other work on land or a structure shall be displayed at the site of and during such construction or work. Where a use requires a business license, this zoning permit must be displayed on the premises together with the business license. This permit is issued subject to the rules and regulations of the Macon-Bibb County Health Department, the Macon-Bibb County Engineering Department, the Macon-Bibb County Fire Department, the Macon-Bibb County Traffic Engineering Department, the Macon Water Authority, the Office of Building and Fire Safety, and any other governmental agency whose regulations may be applicable. All construction or use relating to this permit must strictly comply with site plans submitted to the Macon-Bibb County Planning and Zoning Commission. Permits are specific to the property for which the permit is issued as well as the person to whom it is issued. Other than permits for single family homes or duplexes, any change in the person engaging in the use allowed by such permit shall require that the new person engaging in such use file a change of ownership form with the Commission, provided that change of ownership forms shall not be required for variances or certificates of appropriateness. The new holder of any permit shall be subject to all conditions attached to the original permit.

CATHEY A. SMITH, CHAIRMAN  
JOHN F. ROGERS, JR.,  
VICE CHAIRMAN

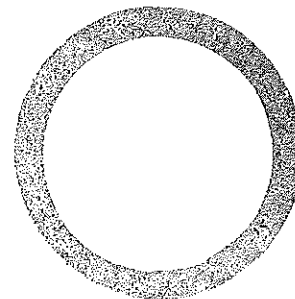


NEIL M. CULLINAN  
D. W. PIPPIER  
HAROLD R. INGRAM

## MACON - BIBB COUNTY PLANNING & ZONING COMMISSION

VERNON B. RYLE III, EXECUTIVE DIRECTOR

### MEMORANDUM



TO: Planning and Zoning Commissioners

FROM: Planning Staff

RE: Development Review

APPLICANT: Tribble & Richardson, Inc.-Agents for Bersel-Moss, Inc.  
and William M. Clifton, Jr.

LOCATION: 3505-3575 Mercer University Drive

PROPOSED REZONING ACTION: R-1A, Single-Family Residential District  
to C-2, General Commercial District

PROPOSED USE: Obtaining a zoning classification which would permit  
the construction of a shopping center with retail use as permitted  
in a C-2 District. (110,500 sq. ft.; 695 parking spaces)

DATE OF HEARING: January 13, 1986

DATE OF REVIEW: January 6, 1986

## SUMMARY

1. The applicant is requesting a zoning change from R-1A to C-2 at 3505-3575 Mercer University Drive (across from Macon Mall) to allow the construction of a 110,500 square foot shopping center with retail use as permitted in a C-2 District.
2. A single-family dwelling currently occupies the extreme southern portion of the site, with the remainder of the 26.75 acre tract being heavily wooded. The site is adjacent to several multi-family residential developments, general commercial uses, and single-family subdivisions. The Rocky Creek floodplain provides a natural buffer between the proposed shopping center and the single-family residential uses to the north and east. On the other side, however, there is a fifty (50) foot buffer between the requested use and the road which serves the apartment complexes.
3. The Comprehensive Land Use Plan recommends general commercial uses for the proposed rezoning site.
4. Mercer University Drive is classified as an arterial highway; those which are used primarily for fast or heavy through traffic. At this location, Mercer University Drive is slightly above its design capacity. Though the proposed shopping center is expected to generate a significant number of trips (+ 7,300 per day; 630 during peak hours), most of the trips are anticipated to come from attractions in the immediate vicinity of the site, i.e. Macon Mall, Summit Shopping Center, Bloomfield Village Shopping Center, etc.

The greatest traffic concern is the ingress/egress. The preliminary site plan shows three points of ingress/egress. The first one is located directly across the Mercer University Drive entrance to the Macon Mall. This is presently a signalized intersection, and would be the main entrance to the shopping center. On the egress portion of the intersection, a separate right- and left-hand turning lane will be provided. Based on an analysis by the Traffic Engineering Department, using estimated peak-hour volumes and turning movements generated by the proposed development, the intersection is expected to operate at service level C; considered acceptable from a traffic engineering standpoint. The second ingress/egress being requested is a right-turn in/ right-turn out intersection to be located between the one described above at the intersection of Bloomfield Road and Mercer University Drive. This access has been denied by Georgia DOT. The final ingress/egress point shown on the site plan is situated on the access road between the hardware store and the fire station, near Macon Gardens Apartments. Chief B. E. Beasley of the Macon-Bibb County Fire Department has expressed concerns about this proposed access. In his January 2, 1986 letter, he states, "At times during fire calls, we

have had trouble getting out of the station because of the traffic from the apartments. -----Any more congestion could slow down the response time to an emergency.-----If another roadway could be provided we would greatly appreciate it."

5. Adequate water service is available to the site. The sanitary sewers are tributary to the Rocky Creek Wastewater Treatment Facility.

## RECOMMENDATION

The staff recommends that the application for rezoning be approved for the following reasons:

1. The proposed change would be compatible with the predominate general commercial land use pattern in the area.
2. The proposed change would be consistent with the recommendation of the Comprehensive Plan.
3. The proposed change would not create an isolated district unrelated to adjacent districts since it is bordered by and across from C-2 districts.
4. The proposed change would not significantly increase the load on existing public facilities.
5. Changing conditions (development of several large commercial centers) make the passage of the proposed amendment necessary.
6. The buffers indicated on the preliminary site plan should substantially reduce any adverse influence the proposed use will have on living conditions in the nearby residential areas.
7. The proposed change to a general commercial use should not create or excessively increase traffic congestion.
8. The proposed change should not deter the improvement or development of adjacent property in accordance with existing regulations provided the buffer is maintained as shown on the preliminary site plan.
9. Because of the presence of C-2 zoning immediately adjacent to the property in question, the proposed change will not constitute a granting of a special privilege to the individual owner as contrasted to the public welfare.
10. The surrounding commercial development has probably changed land economics in the area to the extent where the construction of single-family residential uses would be impractical.

The staff also recommends that the proposed drive emptying onto the access road to Macon Gardens Apartments be withdrawn from further consideration because of the following factors:

- a. More congestion could slow down response time to an emergency, and have an adverse impact on public safety. Chief

B. E. Beasley has clearly expressed his desire that another roadway be provided; and

b. The remaining access point would adequately serve the proposed shopping center without creating a traffic safety problem as shown by the Traffic Engineering Department analysis.

### Site Analysis

Several site considerations must be addressed for this project:

- 1) An undisturbed 50-foot buffer should be maintained on the western property line.
- 2) The floodway of Rocky Creek encroaches on a portion of the site. Some of the parking appears to be in the floodway which is permissible, however, no additional fill dirt can be placed in the floodway. When the applicant comes back to the Commission for final site plan approval, the floodway situation needs to be addressed.
- 3) There are more parking spaces than required. The staff would prefer more landscaping in the parking areas and fewer spaces.

## BACKGROUND DATA ON THE PROPOSED REZONING

### Existing Land Use and Zoning

The proposed rezoning site is a heavily wooded 26.75+ acre tract. A single-family dwelling is located at the southern portion of the site. It is surrounded by multi-family developments (zoned C-2, R-3, and PDR) and general commercial uses (zoned C-2) to the west, the Macon Mall (zoned C-2) to the south, and single-family residential development (zoned R-1A) to the north and east. The floodplain of Rocky Creek requires the eastern and northern portions of the site be left undisturbed, thus providing a significant natural buffer between the proposed shopping center and the residential subdivisions in the R-1A District. There is a 50-foot buffer between the requested use and the road serving the apartment complexes. (See attached map.)

### Comprehensive Development Land Use Plan

The Comprehensive Development Land Use Plan recommends general commercial uses; consultive services, financial institutions, business services, general office facilities, community/arterial retail, etc. for the proposed rezoning site.

# EXISTING LAND USE AND ZONING MAP

