



STAFF REPORT

MORGAN COUNTY PLANNING COMMISSION

PETITION FOR: CONDITIONAL USE (AMENDMENT TO EXISTING)

Property location:	1881 Monticello Highway
Property tax parcel:	037D-014, 038-002A & 038-003A
Acreage:	Approximately 395 acres
Applicant:	The Georgia Zoo LLC, 1880 Monticello Highway
Applicant's Agent:	William Killmer, CEO
Property Owner:	J&J Family Farm LLC, PO Box 591, Madison
Existing Use:	Approved for zoo and safari park, currently used as ag land
Proposed Use:	Zoo, Safari Park, Event Facility, Lodging

Summary

The Georgia Zoo LLC has requested to amend their existing conditional use approval to add lodging and amusement rides. These amenities were not part of the Zoo Facilities language when the Georgia Zoo was approved in April 2014. This application is contingent on the approval of the text amendment proposal to modify Chapter 7.34 to add lodging and amusement rides to the language.

Minutes excerpts

From the March 27, 2014 Minutes of the Morgan County Planning Commission:

- I. Michael Vaden is requesting a conditional use permit to operate a zoo on property located on Highway 83, south of Interstate 20 (Tax Parcel 037D-014), and extending back to Clack Road (Tax Parcel 038-003A and a portion of Tax Parcel 038-002A).

Chuck Jarrell presented the staff report on behalf of Morgan County and stated that the conditional use would be contingent on the approval of the previous rezoning application. He also stated that, if approval was given for this location, the approval given for the 2013 location would be voided, so the applicant would only have one zoo location. The proposed phased plan was shown and it was noted that Georgia Civil was working with DOT on the applicant's behalf. Mr. Jarrell explained that the applicant had stated that there would be no public access from Clack Road. He described the reasons why a DRI had not been submitted for the project and how staff would assess the property during the upcoming Comprehensive Plan update to determine if the Future Land Use Map should be changed. He reviewed the conditions requested by the applicant and those suggested by staff. The Planning Commission asked about state waters present on the property and the size required for trees in a buffer.

Michael Vaden (1021 River Farm Run), Bill Killmer (2001 Little River Road) and Robert Tucker (New York) spoke in support of the application (the three are partners in the project). Mr. Killmer explained that they were approached by Mr. Conrads during last year's conditional use process regarding the proposed property. Both he and Mr. Vaden stressed that they wanted to leave the land as unchanged as possible. The pair described their plan for buffers surrounding the project and addressed concerns regarding fencing at length. Mr. Vaden submitted copies of approximately 170 support letters to Vice-Chairman Craft.

Dr. Ed Price (1921 Clack Road) spoke in favor of the application. He noted the location of his home and stated that he felt the regulations put in place were good and that the applicant had illustrated a good plan. He stated that he preferred the "managed terrain" of a zoo to the possibility of a subdivision in that location.

Sandy Cawley (1150 Rawlings Drive) spoke in favor of the application, particularly regarding the educational opportunities for students and career opportunities for local residents.

Dr. Fred Bell (1461 Jim Thomas Road) spoke against the application and stated repeatedly that he felt the zoo would be a "travesty" for Madison. He spoke about a zoo he lived near when he was a child and the noise that the zoo produced. He stated that the zoo would damage Morgan County's water supply and was a dangerous venture. He cited animal escapes from zoos during hurricanes in Florida. He stressed that everything proposed should be submitted in writing. Ms. Booth shared her knowledge of a zoo in North Carolina where the neighbors heard no noise from the zoo and felt it was an advantage to their community. Dr. Bell stated that a zoo was "OK for Greensboro, North Carolina, but not for Madison."

Mr. Vaden explained what types of animals he intends to have in the zoo and how they are handled during inclement weather. He addressed water concerns and noted that the zoo's water usage would be significantly less than a subdivision. He and Mr. Killmer described a meeting with school officials to discuss educational benefits.

Mary Kay Blalock (1411 Apalachee Woods Trail) spoke in favor of the application. She stated that she had previously worked for DNR and had issued permits to zoo facilities for wild or non-native animals. She stated that the proposed zoo project went "above and beyond" what was required.

The Planning Commission inquired about animal procurement and whether they would work with rescued animals. A lengthy discussion on buffers followed, with Mr. Vaden and Mr. Killmer answering questions from the Planning Commission regarding buffer deferment and installation.

Motion: Mr. Campbell made a motion to recommend approval of the conditional use application with the following conditions:

1. Exemption from paving materials; allow use of pervious materials;
2. Elimination of the barbed wire requirements for the perimeter fence;

3. Allow use of regular cattle fence where domestic animals will be kept;
4. Allow the use of existing buffers not located on the applicant's property;
5. Allow planting of buffers as phases develop; allow use of seedlings. If seedling size is not compliant when a new phase opens, the buffer must be brought into compliance.
6. No public entrance be allowed on Clack Road;
7. Written permission be given from neighbors regarding the use of buffers;
8. Amend the emergency plan to include notification to City of Madison authorities in the event of an animal escape.

Second: Ms. Booth

Vote: 8:0 The motion to recommend approval of the conditional use application with 8 conditions was approved.

From the April 1, 2014 Minutes of the Morgan County Board of Commissioners

1. Michael Vaden is requesting a conditional use permit to operate a zoo on property located on Highway 83 south of Interstate 20 (Tax Parcel 037D-014), and extending back to Clack Road (Tax Parcel 038-003A and a portion of Tax Parcel 038-002A).

Tara Cooner, Senior Planner, stated the zoo is proposed for 395 acres between Highway 83 and Clack Road. The applicant understands that if approval is given for this location the previous approval for the location on south Highway 83 will be voided. The concept is to have a walk through zoo and botanical park at the entrance on Highway 83, with the remaining 300 acres used as a safari park and support areas. Georgia Civil is working with DOT on the applicant's behalf regarding entrances and potential turn lanes. The Zoning Ordinance regulations for a zoo were reviewed, as well as the conditions requested by the applicant and those suggested by staff. Fencing and buffers were discussed at length. Mike Vaden, Bill Killmer and Robert Tucker spoke in favor of the application and presented additional information regarding buffers and fencing. Ed Price and Sandy Cawley spoke in favor of the application. Dr. Fred Bell spoke in opposition, citing noise from a zoo he lived near as a child. Mary Kay Blalock spoke in favor of the application and stated that she used to work for DNR and was involved with permitting for zoo facilities. She stated that the applicant's proposal was above what is required. We received one letter in opposition from Cornelius Vason, two letters of support from the Chamber of Commerce and the Madison Morgan Conservancy, and Mr. Vaden presented letters of support at the Planning Commission meeting. The Planning Commission voted unanimously to recommend approval of the conditional use application with the following conditions:

Applicant requested conditions:

1. Exemption from paving materials; use of pervious materials;
2. Elimination of the barbed wire requirements for the perimeter fence;
3. Allow use of regular cattle fence where domestic animals will be kept;
4. Allow the use of existing buffers not located on the applicant's property;
5. Allow planting of buffers as phases develop; use of seedlings. If seedling size is not compliant when a new phase opens, the buffer must be brought into compliance.

Staff suggested conditions:

1. No public entrance be allowed on Clack Road;

2. Written permission be given from neighbors regarding the use of buffers; (Phillip von Hanstein and Mr. Conrad, if the Board is amenable to the clarification request)
3. Amend the emergency plan to include notification to City of Madison authorities in the event of an animal escape.

Chairman Ainslie allowed proponents to speak.

Michael Vaden, Bill Killmer, and Robert Tucker were present to answer questions about the zoo.

Mike Torino, 520 East Avenue, Madison spoke in favor stating that the zoo would support other activities, bring growth in a modest fashion and provide educational growth.

Bob Hughes, 115 East Jefferson Street, Madison spoke in favor stating the zoo would turn Madison into a destination which would help restaurants and other businesses.

Dave Belton, 1471 Morgan Drive, Madison spoke in favor stating the zoo would bring quality growth and educational opportunities.

Chairman Ainslie allowed opponents to speak. There were no opponents.

MOTION by Comm. Warren, seconded by Comm. Harris to approve the request for a conditional use permit to operate a zoo on property located on Highway 83, south of Interstate 20 (Tax Parcel 037D-014), and extending back to Clack Road (Tax Parcel 038-003A and a portion of Tax Parcel 038-002A) with eight stipulations, two of which are modifications of Planning Commissioners recommendation.

Unanimously Approved.

Conditions for Commissioners Approval of Zoo on property located on Highway 83, south of Interstate 20 (Tax Parcel 037D-014), and extending back to Clack Road (Tax Parcel 038-003A and a portion of Tax Parcel 038-002A).

1. Exemption from paving materials; allow use of pervious materials;
2. Elimination of the barbed wire requirements for the perimeter fence;
3. Allow use of regular cattle fence where domestic animals will be kept;
4. Allow the use of existing buffers not located on the applicant's property; if existing buffers are removed, a compliant buffer must be installed immediately;
5. Allow planting of buffers as phases develop; allow use of seedlings. If seedling size is not compliant when a new phase opens, the buffer must be brought into compliance. The buffer installation between the zoo property and the adjacent property (037D-014Z) may wait until the adjacent property is sold or developed (with the exception of Phase 1).
6. No public entrance be allowed on Clack Road;
7. Written permission be given from neighbors regarding the use of buffers; (Phillip von Hanstein and Mr. Conrad, if the Board is amenable to the clarification request)
8. Amend the emergency plan to include notification to City of Madison authorities in the event of an animal escape.



The circle shows the approximate location of the proposed lodging, as identified in previous conversations with Zoo personnel. The most logical entrance to this area would be from Clack Road, however, a condition of approval in April 2014 was that there could be no public entrance off of Clack Road. Traffic going to and from the lodging would be considerably less than zoo visitor traffic, but the condition stated no entrance for the public (#6 in the approved conditions). When this issue was discussed with Zoo staff, they said it could be possible to provide a shuttle service from the main entrance to the lodging and negate the need for a public entrance on Clack Road for the lodging component. While that would be a way around the Clack Road entrance, it could create an issue if guests wanted access to their vehicles, either to retrieve an item or to go into Madison. It could also be uncomfortable to shuttle guests across 200 acres in inclement weather.

The applicant's letter states the types of amusement rides they are seeking, which are in line with the rides listed in the accompanying text amendment. The applicant is vague when describing the lodging options under consideration and does not identify the proposed number of units. The text language eliminates any structure attached to trees and provides stipulations for lodging types. The letter also mentions facilities to accommodate overnight programs for education. Such programs (including camps) were part of the original Zoo Facilities ordinance and would include lodging for those programs.

Criteria for Consideration

(Please note that the criteria below are bulleted in the Morgan County Zoning Ordinance. They are numbered here for ease of use.

1. Adequate provision is made by the applicant to reduce any adverse environmental impacts of the proposed use to an acceptable level.
2. Vehicular traffic and pedestrian movement on adjacent streets will not be substantially hindered or endangered.
3. Off-street parking and loading, and the entrance to and exit from such parking and loading, will be adequate in terms of location, amount and design to service the use.
4. Public facilities and utilities are capable of adequately serving the proposed use.
5. Granting the request would not be an illogical extension of a use which would introduce damaging volumes of (1) agricultural, (2) commercial, (3) industrial, or (4) high density apartment use into a stable neighborhood of well-maintained single family homes, and likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, and additional requests of a similar nature which would expand the problem.
6. Granting the request would not lead to congestion, noise and traffic hazards or overload public facilities, current or planned.
7. Granting the request would conform to the general expectation for the area population growth and distribution according to the Comprehensive Land Use Plan.
8. Granting the request would not lead to a major negative change in existing (1) levels of public service, (2) government employees or (3) fiscal stability.
9. Granting the request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Land Use Plan.

Staff Comments

The Planning Commission should consider whether or not the prohibition on a public entrance on Clack Road should be revised for the lodging component, or if guests should be shuttled across the safari park. If a decision to recommend a public entrance is made, Staff would suggest that the entrance to the lodging area be dedicated and separate from service entrances. Staff recommends that the prohibition on regular zoo visitor traffic from Clack Road remain intact.

Staff also suggests that a maximum number of lodging units be established. (Safari West in Santa Rosa, CA has 32 guest units, to give you an idea of the number of units available at a US zoo offering lodging.) If the lodging proves so successful that additional units are desired in the future, the applicant can request to increase the maximum number of units at that time.



August 26, 2015

To Whom It May Concern:

This letter serves as the official request to amend the original conditional use permit for the Georgia Zoo & Safari Park to allow for lodging and amusements to be developed on the property. We are making this request in conjunction with the proposed texts amendments that will allow lodging and certain amusements and will follow the rules and regulations set forth accordingly.

The amusements we are looking to incorporate into the project will include stationary attractions such as a carousel, rock climbing walls, a ropes course, zip line and possibly one or several splash pads near the children's play area. We also have plans for a small train (or tram) that will carry guests along a preset path through the park. The addition of these attractions will not only provide additional streams of revenue for the project, but are in line with current industry trends and will have a positive impact on the overall visitor experience at the zoo.

Our master plan for the development of overnight stay options includes various types of lodging whose structures may vary depending on the type of overnight stay. Lodging may be built within the tree canopy or at ground level. We also plan to include permanent tented structures for a glamorous camping or "glamping" experience, as well as other types of structures and facilities to accommodate overnight programs offered through the education department.

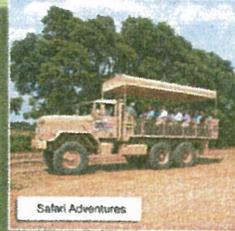
We believe the addition of the above mentioned attractions and lodging is essential to creating a truly unique zoo experience that will establish the Georgia Zoo & Safari Park as a premier destination for the region. Also enclosed with this application are copies of the current site plan for phase 1 of the walk-through zoo, and of the recorded plat.

Please do not hesitate to contact us if we can provide any additional information or assist you in any way.

Sincerely,

A handwritten signature in black ink, appearing to read "William Killmer", is written over a printed name and title.

William Killmer
Chief Executive Officer



Safari Adventures



Animal Encounters



Conservation Programs

Highway 83 (Mondicoko Road) To I-20 (0.8 Mi) and Madison Town Center (4Mi.)

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