

LOWNDES COUNTY BOARD OF COMMISSIONERS  
AGENDA ITEM

SUBJECT: Rezoning Case REZ-2016-23

DATE OF MEETING: January 10<sup>th</sup> 2017

BUDGET IMPACT:

FUNDING SOURCE:

Annual     SPLOST     Capital     N/A

Regular Meeting (x)  
Work Session (x)  
Recommendation (x)  
Policy/Discussion ( )  
Report ( )

ACTION REQUESTED ON:

REZ-2016-23 Branham Project, 2480 Copeland Rd  
R-1 to R-21 Water/Sewer, 18.04 acres

**HISTORY, FACTS AND ISSUES:**

This request represents a change in zoning on an ~18 acre property from Low Density Residential (R-1) zoning to Medium Density Residential (R-21) zoning. The motivation for the zoning change is aimed at allowing for the subject property to be developed at a greater residential density i.e. ½ acre lots instead of 1 acre lots. The subject property possesses road frontage on Copeland Rd and Lester Rd. Copeland Rd is a county-maintained major collector. Typical traffic flow capacity of a major collector road is between 3,000 and 6,000 Annual Average Daily Traffic (AADT). Lester Rd is a county-maintained unimproved local road. Typical traffic flow capacity of a local road is less than 750 AADT. Per GDOT definition the Annual Average Daily Traffic (AADT) is the average number of vehicles that pass by a counter during a 24-hour period in a certain year. Concerning the 2030 Comprehensive Plan Future Development Map the subject property is within the Urban Service Area and depicted as a Suburban Area. Per Comprehensive Plan guidance R-21 zoning is listed as a permitted zoning within that area. With this request the following factors should be considered: the previous successful rezoning to R-1 (REZ-2007-16), the previous denial of R-21 zoning (REZ-2015-17<sup>1</sup>), the recent delivery of water and sewer to this area, the nearby existing school campus (Lowndes Middle School), the adjacent undeveloped Lowndes County School owned property, and the developers plans to utilize solar power infrastructure. Ultimately, Planning found this request overall consistent with the Comprehensive Plan. The TRC reviewed this application and recommended the following:

Division with Recommendation	Planning	Zoning	Engineering	Utilities
	Approval with 1 Condition	Approval	Approval with 2 Conditions	Approval
	Board of Health	Fire/Rescue	Inspections	
	Approval	Approval	Approval	

<sup>1</sup> REZ-2015-17 was ultimately denied by the LCBOC on October 13<sup>th</sup> 2015. Within that case, the TRC recommended for approval with 2 conditions (Frontage and Paving) and the GLPC recommended for its denial by a 5-1 vote. Planning Commissioner Hall voted against the motion. During the GLPC public hearing the applicant’s agent spoke for the request and one adjacent neighbor spoke against it. It should be noted that while the neighbor spoke against the request he was allowed to let those in the audience against the request stand. Approximately 8-10 people stood up against the case at that time. During the LCBOC public hearing the applicant spoke for the request and the three individuals spoke against it. Between both public hearings opposition to the case seemed to focus on the proposed increase in density from 1 acre to ½ acre lots, adding to the traffic congestion in the area associated with Lowndes Middle School, and other effects of additional population in the area e.g. noise, decreased privacy, potential negative effects on wildlife in the area, etc.

TRC Recommended Conditions with (Source)	<ol style="list-style-type: none"> <li>1. All lots, except the lot encompassing the existing residence, shall front interior roads. (Engineering)</li> <li>2. If there are any proposed entrances off of Lester Road then the developer will be required to pave Lester Road from the entrance to Copeland Road. The Developer will also be responsible for the design, any acquisition of necessary right-of-way, relocation of utilities, and construction costs for the paving of Lester Road from the developments southernmost entrance to Copeland Road. (Engineering)</li> <li>3. Language and direction are still being considered for a potential condition concerning pedestrian crossing/infrastructure related to Lowndes Middle School. (Planning)</li> </ol>
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At their November regular meeting the GLPC reviewed this request and ultimately recommended for its approval by a 6-2 vote. Commissioners Raker and Willis voted against the motion. The applicant spoke for the request and two individuals spoke against it (1 Adjacent Neighbor – 1 Nearby Neighbor). During the December 13<sup>th</sup> LCBOC meeting the applicant spoke for the request and two individuals spoke against it (2 Nearby Neighbors). Ultimately, the LCBOC recommended to table the request by a 3-1-1 vote. Commissioner Marshall abstained from the vote. Updates to the current case materials include a copy of the opposition petition turned in December 12<sup>th</sup> and a map of the petition signatures. Updates to the overall case status include additional communications with the Developer through e-mail, open records, and phone conversations. Part of those communications included requests to clarify and provide additional information about the developer’s plans for the subdivision to the LCBOC.

For future reference, the TRC did want the applicant to be aware of the following: With the delivery of County Water and Sewer please expect to connect to both services, Please expect the County Engineer to require a non-encroachable buffer strip for all applicable lots (ULDC – 4.04.03(E)), Planning would like to encourage the Developer to consider planting trees along portions of the borders of the subject property in order to increase the privacy between the existing residences and the proposed future residences, Subdivision roads shall be built to Lowndes County standards and specifications found in the Technical Standards Manual (Thoroughfare Plan) (ULDC – 6.01.02 (B)), Cul-de-sacs shall be limited in length so that each cul-de-sac serves as street access for no more than twenty-four (24) Lots (ULDC – 6.01.02 (F), 2, a), each lot within a subdivision shall front a paved public street a minimum width of sixty (60) contiguous feet (ULDC – 6.01.02 (D), 1), and the subject property is within the drastic groundwater recharge area and the Valdosta Airport (VLD) Overlay.

OPTIONS: 1. Approve 2. Approve with Conditions 3. Table 4. Deny

RECOMMENDED ACTION: TRC Recommendation: Various (Please See Table Above)  
GLPC Recommendation: Approval

DIVISION: Planning

County Planner: Jason Davenport 

  
County Manager

Action by the Board: \_\_\_\_\_