

LOWNDES COUNTY BOARD OF COMMISSIONERS
AGENDA ITEM

SUBJECT: Rezoning Case REZ-2015-08

DATE OF MEETING: April 14th 2015

BUDGET IMPACT:

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

FUNDING SOURCE:

() Annual () SPLOST () Capital (X) N/A

ACTION REQUESTED ON: REZ-2015-08 Edward Jennings, LLC., Madison Hwy/Lineberger Dr
R-10 to C-G, Well/Septic, ~ 0.70 acres

HISTORY, FACTS AND ISSUES:

This request represents a change in zoning from Suburban Density Residential (R-10) zoning to General Commercial (C-G) zoning. The motivation for the zoning change appears to be so that the subject property can be marketed for speculative commercial or non-residential uses. For reference, a comparison chart of the zonings in this case is attached. The subject property possesses road frontage on Madison Hwy and Lineberger Dr. Madison Hwy is a State maintained arterial road. Typical traffic flow capacity of an arterial road is greater than 6,000 AADT¹. Lineberger Dr is a county maintained local road. Typical traffic flow capacity of a local road is between 750 and 1,500 AADT. The future plans for Lowndes County in this area list it as within the Urban Service Area and as an Institutional Activity Center. Institutional Activity Centers do not list C-G zoning as a permitted zoning². With this request the following factors should be considered: the subject property is actually two separate lots and not one combined lot, the adjacent Heavy Manufacturing (M-2) zoning to the north, the potential encroachment of non-residential development into the residential neighborhood, the discrepancy and current inconsistency with the Comprehensive Plan Future Development Map (See Footnote #2 Below), and balancing the factors that make non-residential development of the property attractive e.g. traffic and visibility associated with Madison Hwy vs. the protection and consideration of the existing adjacent existing residences and the stability of the neighborhood. Planning found this request inconsistent with the Future Development Map but overall consistent with the Goals and Policies of the Comprehensive Plan. The TRC reviewed this request and recommended for its approval with two conditions by a 6-1 vote. The Zoning Division voted against the recommendation. Zoning was in favor of C-G zoning with condition #1 but not condition #2. The concerns with condition #2 related to disagreement regarding the end results of the condition and that the negative impacts of the condition were unlikely and therefore not necessary at this time. The GLPC heard this request at their March regular meeting and ultimately recommended for its approval with 5 conditions by a 5-4 vote. Commissioners McClendon, Bailey, Gladwin, and Raker voted against the motion. The applicant's representative spoke for the request and the adjacent neighbor to the east spoke against it (Please Also See Attached E-mail).

¹ 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.

² Institutional Activity Centers do list Neighborhood Commercial (C-N) zoning as permitted. The Lowndes County ULDC does not have a C-N category, presumably this category is within other cities zoning districts and was in fact a pre-ULDC Lowndes County zoning category. When the ULDC was adopted the four existing commercial zoning districts were consolidated into three commercial districts. Ultimately, C-G zoning is similar to a C-N zoning.

- Condition #1. The two subject properties shall be combined into one property.
- Condition #2. The store fronts of all proposed buildings shall only face Madison Hwy.
- Condition #3. All lighting directed downward and away from adjacent residential areas.
- Condition #4. A six foot (6') opaque fence on eastern boundary of the property proposed.
- Condition #5. Limit operating of hours to 6 am till 8 pm.

Although the following below requirements are not recommended as conditions of approval with the rezoning, they should at least be noted: Due to serious concerns about the size of the properties, if a well and septic tank is expected to be used on the subject property then when a proposed use is determined please contact the Board of Health (229) 245-2314; If the subject property is developed commercially per existing regulations the minimum buffer required on the eastern property line would currently be at least 15' wide and include a 6' tall opaque privacy fence, 3 shade trees per 100 linear feet, and 19 shrubs per 100 linear feet; The subject property is within the Valdosta Regional Airport Overlay District (VLD), specifically the Noise Protection Zone (Noise sensitive) and Horizontal Surface Zone (Height Sensitive); and it should also be noted that the construction of a new telecommunications tower is not recommended.

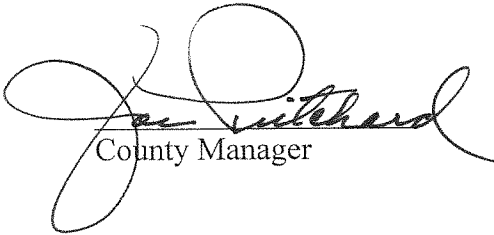
OPTIONS:

- 1. Approve
- 2. Approve with Conditions
- 3. Table
- 4. Deny

RECOMMENDED ACTION: Option #2

DIVISION: Planning

County Planner: Jason Davenport



County Manager

Action by the Board: _____