

**CHANGE IN ZONING CONDITIONS APPLICATION
ANALYSIS AND RECOMMENDATION
Planning and Development Department**

Case No.: 19-08-RZ

County: Barrow County

Applicant: Lensned, LLC

Owner: Lensned, LLC.

Location: 3705 Village Way/Corner of SR 211 and Village Way
Barrow County Tax Parcel BR018C 008 (Lot 5 in Liberty Village)

SITE CHARACTERISTICS

Existing Zoning: PUD (Planned Unit Development) with conditions

Proposed Zoning: *Applicant requests changes in the zoning conditions

Existing Land Use: under development, future commercial

Adjacent Land Uses: Commercial

Land Use Plan Recommendation: Not applicable. The intent of this request is not to change the land use for this property. The land use would continue as currently zoned for commercial

Intent: The applicant seeks change a zoning conditions that was originally placed on the property.

The original zoning condition required a 40 ft. buffer along S.R. 211 and Liberty Church Road. The applicant requests that the condition be revised for Lot 5 to allow for a 20 ft. buffer along S.R. 211.

Background and Staff Analysis

This property was originally annexed and zoned Planned Unit Development (PUD) in 2001. Multiple zoning conditions were placed on the property. Development standards for this PUD are governed under an approved Concept Plan that was approved by the Town Council in 2006.

The original zoning conditions for the overall Liberty Village development were enacted by the Town Council in 2001 at the time of zoning and annexation. The intent of the condition was to provide visual screens between the road frontage and parking areas as well as provide space for a future widening of S.R. 211.

In 2007 this applicant requested a change in this condition to reduce the buffer along S.R. 211 to 5 ft. This request was denied by the Town Council. On January 11, 2016, the Town Council did approve a similar request for the adjacent Lot 6, thereby permitting a buffer reduction from 40' to 20' for that lot. In the time since 2016, a widening project for SR 211 was initiated and a concept plan and report for the widening was finalized and approved by the Georgia Department of Transportation. Based on the SR 211 widening concept plan, the anticipated future right-of-way and construction needs appears to be in conflict with this change in zoning conditions request. Per the SR 211 widening concept plan, approximately 23-24 ft. of additional right-of-way may be needed along the frontage of parcel 5 (see page 3). It must be stated that this widening plan for SR 211 is conceptual, and the final design plans won't be finalized until all the necessary new right-of-way has been acquired from private property owners and the project is fully engineered. It is the staff's opinion that the property owner or future developer of the parcel should coordinate with SR 211 widening representatives to discuss future plans, right-of-way planning, and projected development activities on the parcel. If the widening design and future right-of-way needs end up being altered in a manner different than that as presented on the current widening concept plan, and a final development plan for Lot 5 can be developed coordinated with the widening project, then this change in zoning conditions request may be re-considered.

PLANNING DIRECTOR RECOMMENDATION:

DENIAL

Based on the information presented in the GDOT SR 211 widening concept plan, there appears to be a conflict between the anticipated right-of-way needs and this change in zoning conditions request. Until new or different information comes to light as the widening project evolves from concept to final design, staff is of the position that it would be premature to consider a change in the approved zoning conditions for this parcel at this time.



LEGEND

- EXISTING RIGHT-OF-WAY /PROPERTY LINE
- EXISTING STREAM
- EXISTING WETLANDS
- ESA STREAM BUFFER
- EXISTING ASPHALT PAVEMENT
- PROPOSED ASPHALT PAVEMENT
- PROPOSED EDGE OF PAVEMENT
- ▲ PROPOSED CONCRETE RAISED ISLAND
- PROPOSED CONCRETE RAISED MEDIAN
- PROPOSED LANDSCAPED RAISED MEDIAN
- PROPOSED 10' SIDEPATH
- PROPOSED 5' SIDEWALK
- PROPOSED 5' STAMPED CONCRETE
- PROPOSED BRIDGE
- PROPOSED RETAINING WALL
- PROPOSED STRIPING
- 🚦 PROPOSED SIGNALIZED INTERSECTION
- PROPOSED CUT LIMIT
- PROPOSED FILL LIMIT
- PROPOSED REQUIRED RW
- PROPOSED CONSTRUCTION EASEMENT
- PROPOSED DRIVEWAY EASEMENT