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Staff Report & Recommendation
Rezoning Case RZ-2018-03
Date of Report: October 23, 2018
Report by: Joellen Wilson

Hearing Dates:

Planning Commission **October 25, 2018**
Mayor and Council **November 12, 2018**

GENERAL INFORMATION

Applicant: Taylor Harris
Owner: H.F. Holdings
Size: 6.91+/- acres
Location: 242 and 280 Rockbridge Rd
Parcel Identification Numbers 6136 002, and 6137 002A
Existing Zoning: CB Commercial Business
Proposed Zoning: R-2 Medium Density Residential
Proposed Use: Residential, Townhome Subdivision

EXISTING LAND USES & ZONING DISTRICTS

To the North:	Residential & R-2 Subdivision	CB, then R-2
To the East:	Residential subdivision	R1
To the South:	Residential and home occupation	CB, then IA
To the West:	Rockbridge Road & Lion's Club Park	R1

ZONING HISTORY

The subject property was zoned by the city as CB-Commercial Business in 2011 with the adoption of the 2011 Zoning Ordinance, but has never developed commercially.

APPLICANT'S INTENT

The applicant intends to develop a residential subdivision with 49 fee simple (for sale) townhomes. The homes proposed are 2+ stories with garage space and minimum 2,000 square feet per lot. Access will be provided with a single entrance on Rockbridge Road. See applicant's letter of intent.

ANALYSIS OF REZONING REQUEST

The Future Land Use Map designates this and other properties along Rockbridge Road for Mixed Use Redevelopment. Existing properties in the vicinity have a mix of uses, including residential, recreational, industrial and commercial uses, as well as individual single family residences on properties zoned for commercial use.

The proposed zoning from potentially more intense commercial use to a medium density residential use accomplishes the goals of both the City's 2030 Comprehensive Plan and Future Development/Land Use Map. According to the Zoning Ordinance (Section 402. - R-2) Medium Density Residential district *"is intended to provide land areas devoted to moderate density uses consisting primarily of detached and attached single-family dwellings, townhomes, clustered and*

cottage housing types, and other creative, flexible small lot development designs, as well as existing multi-family residential. Land areas zoned R-2 are also intended to provide a transition between lower density single-family residential districts and the higher density multi-family, mixed-use, and commercial business uses.... The R-2 district establishes a density of nine dwelling units per gross acre.

The proposed 49 townhome development (7.09 units/acre) meets the criteria for R-2 zoning and provides the potential for a walkable community where residences are located in close proximity to services and retail.

Required public notice resulted in no opposition. Lilburn Police and Public Works anticipate no adverse impacts.

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

As part of the rezoning process, the Applicant; the Planning Staff, Planning Commission, and the Mayor and City Council of the City of Lilburn are to analyze the application with respect to each of the matters enumerated in **Section 1003-7. Criteria for amendments to official zoning map.** *..in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property....*

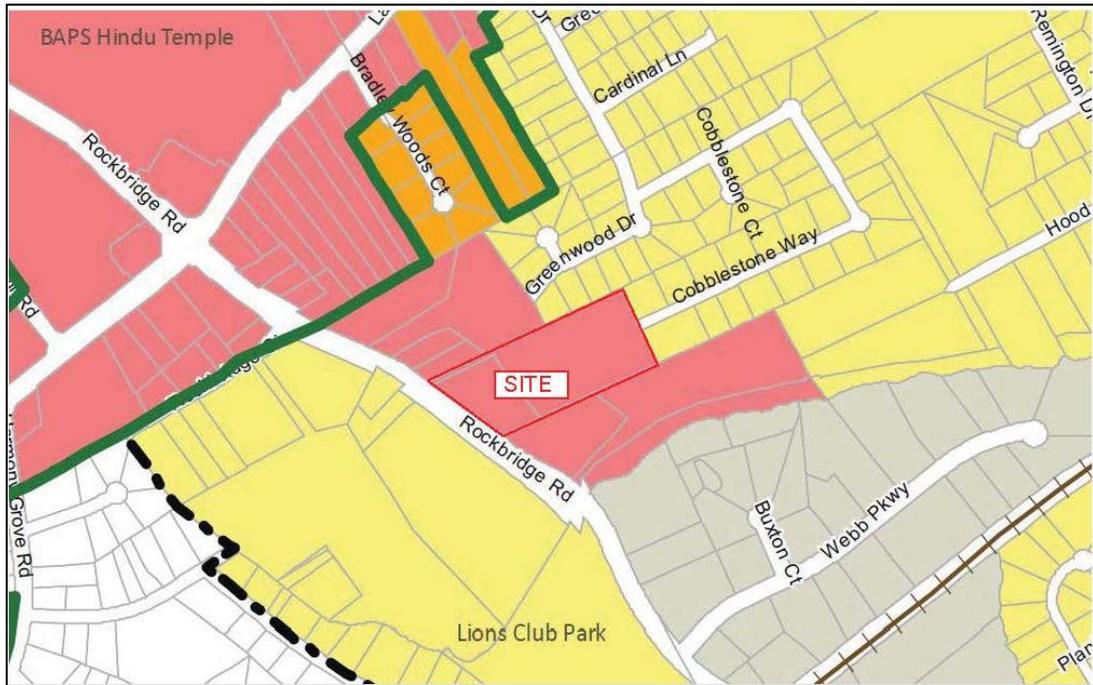
The Applicant's response is attached to the application. Staff's response is in italics below:

- A. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:
The proposed residential use will be suitable in view of the surrounding mix of residential, commercial, recreation and industrial properties.
- B. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property:
The zoning proposal should not adversely affect the use of the surrounding properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:
The subject property may have a reasonable economic use as currently zoned; however, it has not developed commercially. A proposal provided in recent past included office/warehouse uses; but topography is not suitable.
- D. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:
The proposal is a walkable community where residences will be in close proximity to services and retail. The proposed use will not cause a burdensome impact on existing infrastructure.
- E. Whether the rezoning proposal is in conformity with the policy and intent of the Land Use Plan:
The proposal conforms to the policy and intent of the Future Land Use Plan, providing transition of land use intensity between low density residential and commercially zoned properties.
- F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal:
Proposed walkability and consistency with the comprehensive plan support approval.

Based upon the above considerations, Staff recommends **APPROVAL of the request for rezoning from CB to R-2 with the conditions:**

1. Side and rear setbacks adjacent to low density residential uses shall include minimum 5' wide evergreen landscape strip, except where pedestrian connectivity is proposed.
2. Pedestrian connectivity shall be provided throughout the development and within common area to adjacent right of way (Cobblestone Way).
3. Building elevations shall be provided to Department of Planning and Economic Development for approval, with architectural treatments that result in compatible but unique individual housing units within each building.
4. Mail kiosk, if provided, shall include overhead protection from elements.

Zoning Map of the Subject Area



Aerial Map of the Subject Area



