



PLANNING DATE 04/26/2022
COUNCIL DATE 06/16/2022

P&Z STAFF REPORT

PREPARED BY:

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DOCKET/APPLICATION #	APPLICANT	ADDRESS/PARCEL #
RZ-2022-02	Teresa Shell	Parcel 0736-021 458 Senoia Rd.

SUMMARY & HISTORY

Applicant Teresa Shell has applied for a rezoning of 458 Senoia Road from R-12 (Residential 1,200 s.f. min) to C-1 (Downtown Commercial). The stated intent of this rezoning is to accommodate a Montessori school/daycare at this property. The current configuration of structures on the property would accommodate C-1 development regulations and setback requirements without creating nonconformities. The barn on the north end of the property and the house both lie outside of the setback and buffer requirements for adjoining residential for C-1. Ms. Shell applied for the same request in August of 2021. Planning Commission recommended approval of the request with the condition that a traffic study be performed. Town Council denied the petition. Prior to January of 2022, the character area for this property and others west of Senoia Road was for Production and Employment consistent with development on that side of the road. It was Council's determination that this future land use character area was not appropriate for the undeveloped or currently residential properties west of Senoia Road and thereby amended the Comprehensive Plan and Future Land Use Map in accordance with O.C.G.A standards in a public hearing.

PLANNING COMMISSION & STAFF DETERMINATION

This property currently lies as a border property on the Future Land Use map between Production and Employment and the Estate Residential character areas. Situated within the Estate Residential Character area, the property would ideally assume a residential zoning. The Future Development Map, however, is a guiding document with properties situated on the edge as potentially assuming a different zoning based on unique circumstances. Given that 458 Senoia Rd. borders an already zoned C-2 property as well as a very active rail line, C-1 or O-I could be appropriate classifications since they would be considered transitional step-down zoning districts in terms of intensity. Commercial zoning would also remove zoning buffers incurred on the C-2 property to the south that make it impractical to build on. Staff determines either residential or light commercial such as O-I (Office-Institutional) as appropriate zoning classifications for this property. Heavy Commercial or Industrial zoning would not be consistent for this property. **Planning Commission** recommended approval to rezone the property to O-I (see attached minutes).



EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE	SURROUNDING ZONING	SITE IMPROVEMENTS	PROPERTY ACREAGE
R-12 Residential 1200 s.f. minimum house size	C-1 Downtown Commercial	Vacant Single-Family Residence	North: AR South: C-2 East: R-12 West: AR & M-2	Home Barn	2 acres

COMPREHENSIVE PLAN & FUTURE DEVELOPMENT MAP COMPATABILITY

Reference Staff Determination: This petition is not wholly consistent with the Comprehensive Plan as the amended Future Development strategy reflects residential in this area, however, the property exists on the border of two character areas making zoning compatibility flexible depending on the circumstances, potential conditions, and use.

ZONING ORDINANCE COMPATABILITY & IMPACT ASSESSMENT

- Will Zoning permit suitable uses with surrounding properties?** C-1 zoning is not explicitly permitted within the Estate Residential character area, however, C-1 zoning is compatible with commercial properties to the south. Land to the north, although zoned residential, is likely too narrow for construction of a building. Commercial to residential buffers would be applied to the north and east of the property for the purpose of protecting residential properties within a certain proximity.
- Will Zoning adversely affect adjacent properties?** Commercial properties to the south will not be adversely affected and would recapture buildable area with the removal of a buffer requirement currently in place due to the current residential zoning of this property. This property will be subject to residential buffers to the north and east for adjacent owner protection and be required to submit a traffic impact analysis with a site plan if used for commercial purposes that require site improvements.
- Does the property have reasonable economic use as currently zoned?** It is staff's determination that the property does have reasonable economic use given its Future Land Use Character Area designation unless evidence to the contrary in the form of sale and occupancy records is reported to the Town due to site or other conditions.
- Would the proposed zoning result in a use which will or could be excessively burdensome on existing infrastructure?** It is staff's determination that this zoning would not result in an excessive burden on existing infrastructure. Higher intensity commercial or industrial land uses exist along Senoia Road in this area of Town. A lower-intensity commercial zoning would likely not overburden Senoia Road. Specific site considerations on traffic movement will be identified during the site planning portion of any further development for the property. Schools must provide a circular drive for pickup and drop-off which can be done on this property given the preexisting curb cuts. If a traffic study yields data suggesting an unacceptable impact on roads, the site plan will need to be adjusted until such impact is proven to be mitigated or resolved.