

GREATER LOWNDES PLANNING COMMISSION  
AGENDA ITEM

SUBJECT: Rezoning Case REZ-2022-11

DATE OF MEETING: May 23, 2022

Regular Meeting (x)

Work Session (x)

BUDGET IMPACT:

Recommendation (x)

Policy/Discussion ( )

Report ( )

FUNDING SOURCE:

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

ACTION REQUESTED ON:

REZ-2022-11 MAKESH, LLC, 900 Lakes Blvd, Lake Park  
C-G, County Water and Sewer, 1.07 ac.

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HISTORY, FACTS AND ISSUES:

This request represents an update to a previously approved C-G rezoning request. This case was previously considered for C-G zoning with conditions in 2009 (LO-2009-13) and again in 2014 (REZ-2014-14). Ultimately the TRC and GLPC recommended approval of the previous cases with conditions. Since the original request (2009) was heard it should be noted that the allowable uses proposed in C-G zoning were modified in 2010 with a text amendment and that the previous case was handled by a different agent (Leninco i.e. the operator of the Francis Lake Golf Course). Transitioning back to the current request, the main motivation in this rezoning is to remove some of the conditions placed on the property in 2014. The subject property is within the Urban Service Area and depicted as Established Residential on the Future Development Map. C-G zoning is not listed as a permitted zoning within an Established Residential Character Area. Concerning the subject property's location, Lakes Blvd is a State maintained major collector road.

Staff has attached the conditions from the previous rezoning request, and the applicant would like to remove numbers #4 (landscaped berm on the eastern and a portion of the southern property line), #8 (architectural design), #9 (dumpster locations), and #11 (light pollution).

Overall, staff finds this request consistent with the current growth trends in the area, and with the Community Goals of the Comprehensive Plan. The TRC had no additional objectionable comments.

OPTIONS:

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

DIVISION: Planning & Zoning

Staff: JD Dillard

Planning & Zoning Staff

Recommendation by the Commission: \_\_\_\_\_

**NOTICE  
OF DECISION**

Date of Notice: 08-14-2014

Application Type: REZONING Case # REZ-2014-14

Site Location: GOLF DRIVE

Map and Parcel Number: 0199 A PORTION OF 050

Project Name: ROGER BUDD, JR.

The Lowndes County Board of Commissioners heard REZ-2014-14 on Tuesday, August 12, 2014, and **APPROVED** the applicant's request to amend the zoning classification. The Motion was approved by a vote of three to two (3-2) to rezone 4.28 acres from its current zoning classification of R-10 (Suburban Density Residential) to C-G (General Commercial) with the following **conditions**:

1. Alcohol package stores shall not be allowed on the subject property;
2. Gasoline stations, with or without a convenience store, shall not be allowed on the subject property;
3. Convenience stores shall not be allowed on the subject property;
4. The eastern property line of the subject property 350 feet in length and the partial southern property line 206.77 feet in length, both illustrated on the attached plat of survey of the subject property prepared by Harris Surveying & Engineering Company, Inc., dated January 2, 2007, shall have a landscaped berm located within a landscaped buffer a minimum of sixty (60) feet in width. The landscaped berm shall be a minimum of fifty-four (54) feet wide at its base, shall be a minimum of six (6) feet high, and shall have a plateau a minimum of six (6) feet wide. The slopes of the sides of the berm shall be a minimum of four (4) feet in width per each one (1) foot in height. The plateau of the berm shall be planted with Leyland Cypress ten (10) to twelve (12) feet in height at the time of planting planted eight (8) feet apart at their centers. The eastern and southern slopes of the berm and adjoining buffer area shall be landscaped with four (4) shade trees selected from the Canopy Trees listed in Table 4.07.04(C) of the Lowndes County Unified Land Development Code (U.L.D.C.) and twenty-five (25) shrubs a minimum of eighteen (18) inches in height at the time of planting per one-hundred (100) linear feet. The remainder of the berm and buffer area shall be sodded or covered with other ground cover. The landscape materials planted on the berm and in the buffer area shall comply with the General Landscape Standards set forth in Section 4.07.04 of the ULDC except as otherwise hereby required. The berm and buffer area and all plantings thereon and therein shall be maintained by the owner of the subject property in accordance with and as provided by Section 4.07.03 of the ULDC;
5. The hours of operation of any use of the subject property shall be limited to 7:00 a.m. to 10:00 p.m.;
6. The loading and un-loading of semi-trucks, tractor trailers and other trucks on the subject property shall be restricted to the west side of buildings constructed on the subject property;
7. No buildings shall be constructed on the subject property over two (2) stories in height;

8. Excluding doors and windows, no more than ten (10) percent of exterior walls of buildings constructed on the subject property shall be finished with a material or feature other than masonry;
9. Dumpsters shall not be located on the subject property within two hundred (200) feet of any existing residential property line;
10. The development of the subject property shall include and provide at least one (1) cross access drive a minimum of twenty-four (24) feet wide and otherwise meeting the requirements for cross access drives set forth in Section 6.01.01(B) of the ULDC for the purpose of providing cross access between the subject property and the property located to the west of and adjacent to the subject property currently identified on the records of the Lowndes County Board of Tax Assessors as Parcel No. 0198 193; and
11. Map 0198 Parcel 047 shall be protected from any light pollution from the subject property e.g., headlights from parking spaces or overhead lighting.

**Additionally**, regarding REZ-2014-14, although the TRC (Lowndes County Technical Review Committee) did not believe that the following three (3) points should be rezoning conditions they should at the least be noted for future reference:

- (1) If access is requested on SR 376 (Lakes Blvd) all current GDOT requirements must be met, e.g., installation of acceleration and deceleration lanes;
- (2) Future parking areas are to be constructed with an approved permeable or pervious pavement material with the type of material subject to approval by the County Engineer (ULDC-Section 6.01.03(D)); and
- (3) Any future development of the subject property will require connection to the Lowndes County Water & Sewer Systems as it is located within a 1,000 feet radius of the parent tract of the new subdivision and/or development (ULDC-6.03.03(C) & 6.03.04(C)).

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Debra A. Tulloch  
Administrative Assistant – Zoning Office

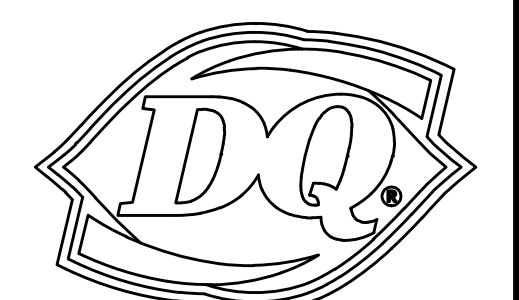
Actions by the Lowndes County Board of Commissioners are subject to appeal through the Superior Court of Lowndes County. Therefore, actions by the Lowndes County Board of Commissioners are not final until thirty (30) days after the date that such actions are recorded.



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NEW RESTAURANT FOR  
**DAIRY QUEEN**  
 LAKES BLVD  
 LAKE PARK, GEORGIA 31636

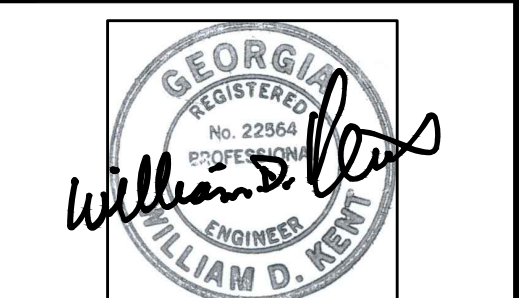


**GRILL & CHILL**

AMERICAN DAIRY QUEEN  
 MINNEAPOLIS, MN U.S.A.

REGISTERED U.S. PATENT OFFICE. AMERICAN DAIRY QUEEN CORPORATION. THIS DRAWING, ITS DESIGN DETAIL AND INVENTION ARE THE PROPERTY OF AMERICAN DAIRY QUEEN INC. (ADQ) AND SHALL NOT BE COPIED IN ANY MANNER NOR DISCLOSED TO ANY OUTSIDE PARTY WITHOUT ADQ CONSENT.

BUILDING TYPE:  
 DAIRY QUEEN GRILL & CHILL  
 CORE66

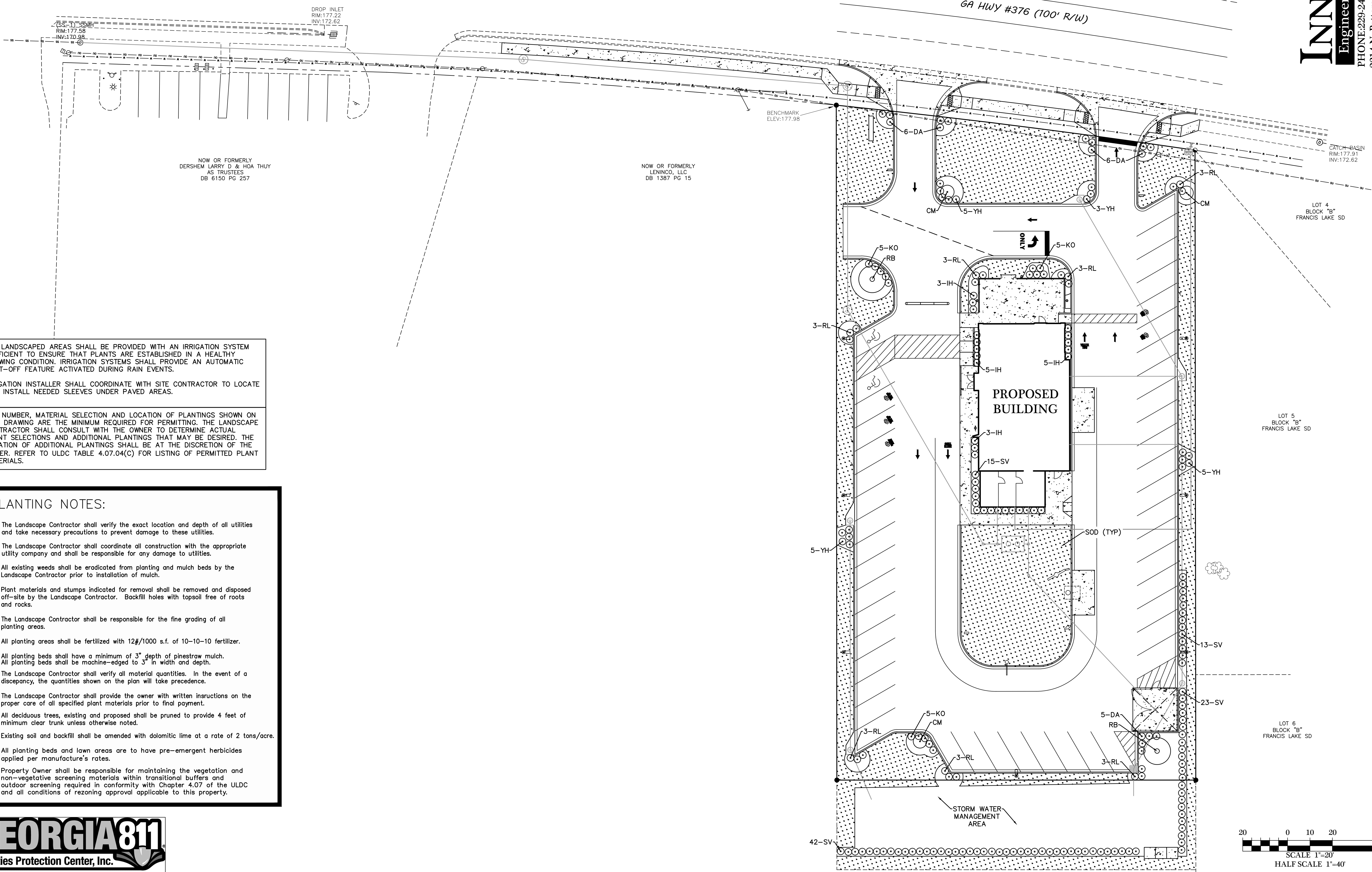


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DRAWN	MW	REV.	21 FEB 2022
CHECKED	BK	REV.	25 FEB 2022
JOB #	1714	REV.	
DATE	07 FEB 2022	REV.	

**LANDSCAPE PLAN**

**C5.00**

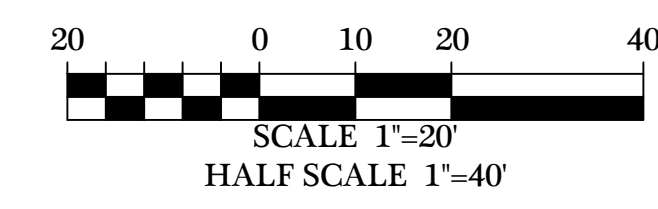


ALL LANDSCAPED AREAS SHALL BE PROVIDED WITH AN IRRIGATION SYSTEM SUFFICIENT TO ENSURE THAT PLANTS ARE ESTABLISHED IN A HEALTHY GROWING CONDITION. IRRIGATION SYSTEMS SHALL PROVIDE AN AUTOMATIC SHUT-OFF FEATURE ACTIVATED DURING RAIN EVENTS.

IRRIGATION INSTALLER SHALL COORDINATE WITH SITE CONTRACTOR TO LOCATE AND INSTALL NEEDED SLEEVES UNDER PAVED AREAS.

THE NUMBER, MATERIAL SELECTION AND LOCATION OF PLANTINGS SHOWN ON THIS DRAWING ARE THE MINIMUM REQUIRED FOR PERMITTING. THE LANDSCAPE CONTRACTOR SHALL CONSULT WITH THE OWNER TO DETERMINE ACTUAL PLANT SELECTIONS AND ADDITIONAL PLANTINGS THAT MAY BE DESIRED. THE LOCATION OF ADDITIONAL PLANTINGS SHALL BE AT THE DISCRETION OF THE OWNER. REFER TO ULDC TABLE 4.07.04(C) FOR LISTING OF PERMITTED PLANT MATERIALS.

- PLANTING NOTES:**
- The Landscape Contractor shall verify the exact location and depth of all utilities and take necessary precautions to prevent damage to these utilities.
  - The Landscape Contractor shall coordinate all construction with the appropriate utility company and shall be responsible for any damage to utilities.
  - All existing weeds shall be eradicated from planting and mulch beds by the Landscape Contractor prior to installation of mulch.
  - Plant materials and stumps indicated for removal shall be removed and disposed off-site by the Landscape Contractor. Backfill holes with topsoil free of roots and rocks.
  - The Landscape Contractor shall be responsible for the fine grading of all planting areas.
  - All planting areas shall be fertilized with 12#/1000 s.f. of 10-10-10 fertilizer.
  - All planting beds shall have a minimum of 3" depth of pinestraw mulch. All planting beds shall be machine-edged to 3" in width and depth.
  - The Landscape Contractor shall verify all material quantities. In the event of a discrepancy, the quantities shown on the plan will take precedence.
  - The Landscape Contractor shall provide the owner with written instructions on the proper care of all specified plant materials prior to final payment.
  - All deciduous trees, existing and proposed shall be pruned to provide 4 feet of minimum clear trunk unless otherwise noted.
  - Existing soil and backfill shall be amended with dolomitic lime at a rate of 2 tons/acre.
  - All planting beds and lawn areas are to have pre-emergent herbicides applied per manufacture's rates.
  - Property Owner shall be responsible for maintaining the vegetation and non-vegetative screening materials within transitional buffers and outdoor screening required in conformity with Chapter 4.07 of the ULDC and all conditions of rezoning approval applicable to this property.

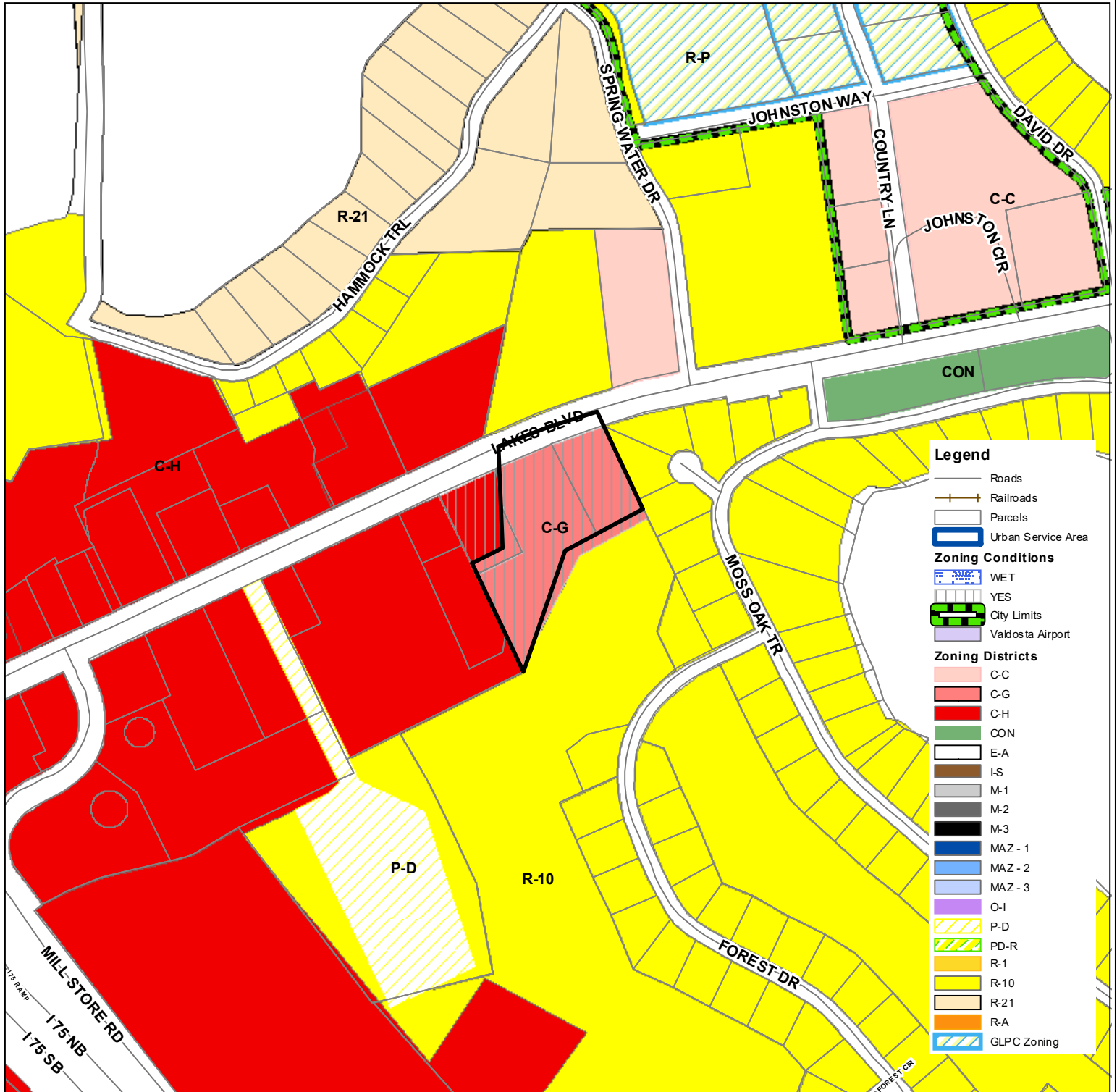


# REZ-2022-11

# Zoning Location Map

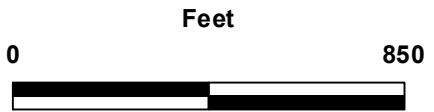
Makesh, LLC  
Rezoning Request

**CURRENT ZONING: C-G/Amended**  
**PROPOSED ZONING: C-G**

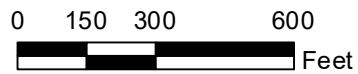
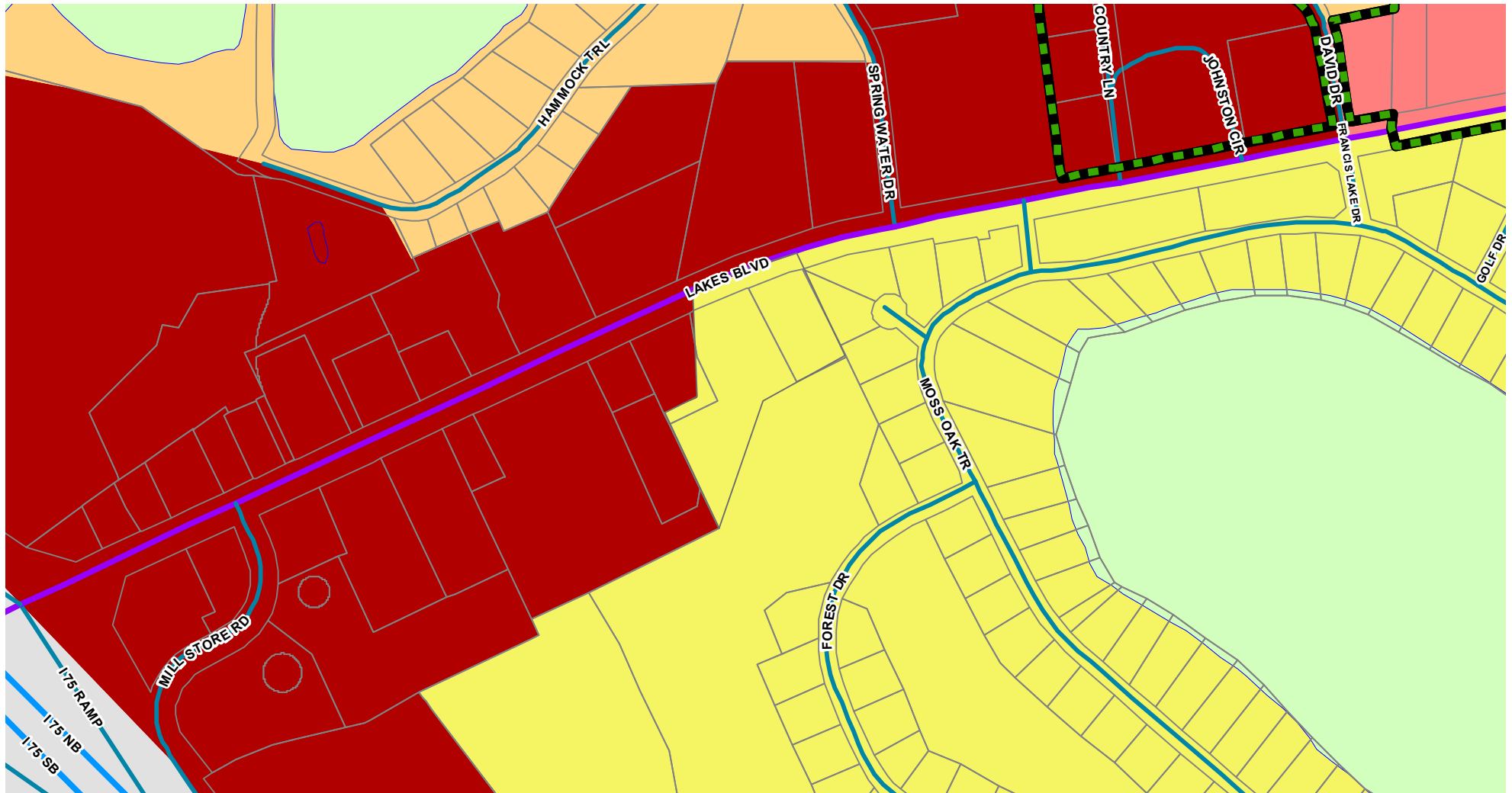


**Legend**

- Roads
- Railroads
- Parcels
- Urban Service Area
- Zoning Conditions**
- WET
- YES
- City Limits
- Valdosta Airport
- Zoning Districts**
- C-C
- C-G
- C-H
- CON
- E-A
- I-S
- M-1
- M-2
- M-3
- MAZ - 1
- MAZ - 2
- MAZ - 3
- O-I
- P-D
- PD-R
- R-1
- R-10
- R-21
- R-A
- GLPC Zoning



## Makesh, LLC Rezoning Request



### Roads

#### Functional Classification

- 1, INTERSTATE
- 3, OTHER PRINCIPAL ARTERIAL
- 4, MINOR ARTERIAL
- 5, MAJOR COLLECTOR
- 6, MINOR COLLECTOR
- 7, LOCAL
- Railroads

Urban Service Area

City Limits

Parcels

Open Water

- Random Parcel
- Agriculture / Forestry
- Community Activity Center
- Downtown
- Established Residential
- Industrial Area Center
- Industrial Area
- Institutional Activity Center
- Linear Greenspace/Trails
- Mill Town
- Moody Activity Zone
- Neighborhood Activity Center
- Park/Recreation/Conservation
- Public / Institutional
- Regional Activity Center
- Remerton Neighborhood Village
- Rural Activity Center
- Rural Residential
- Suburban Area
- Transitional Neighborhood
- Transportation/Communication/Utilities



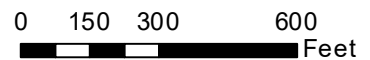
# REZ-2022-11

# WRPDO Site Map

## Legend

- Roads
- Railroads
- Park
- City Limits
- Crashzone
- Crashzone West
- Urban Service Area
- Open Water
- Valdosta Airport
- Wetlands
- 100 Yr Flood
- Hydrology
- Drastic
- Recharge Areas
- Parcels

**Makesh, LLC**  
**Rezoning Request**



eFiled & eRecorded

DATE: 8/5/2021

TIME: 3:12 PM

PLAT BOOK: 000PCC

PAGE: 01040

RECORDING FEES: \$10.00

PARTICIPANT ID: 31747

CLERK: Beth Greene

Lowndes County, GA

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND IS SET FORTH IN O.C.G.A. SECTION 15-6-67.

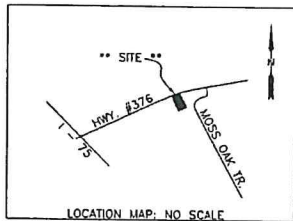
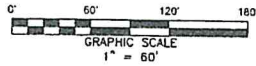


LOWNDES COUNTY UNIFIED DEVELOPMENT CODE APPROVAL, CHAIRMAN, TECHNICAL REVIEW COMMITTEE  
08/02/2021 DATE

RODNEY GENE TENERY, JR., RLS/RF  
08 / 02 / 2021 DATE

THE SURVEYOR SHALL NOT BE HELD LIABLE FOR ANY DAMAGES FROM THE USE OF THIS PLAT IF THE APPROVAL SIGNATURES FROM THE APPLICABLE LOCAL GOVERNING AUTHORITIES ARE NOT PRESENT.

RESERVED FOR THE CLERK OF SUPERIOR COURT



GPS NOTES:

- 1: GPS WAS USED FOR THE CONTROL NETWORK FOR THIS SURVEY.
2: THE TYPE OF GPS EQUIPMENT USED: CHAMPION T20 RECEIVER DUAL FREQUENCY, RECEIVING CORRECTIONS FROM THE eGPS VRS NETWORK.
3: THE TYPE OF GPS SURVEY PERFORMED WAS A RTK SURVEY USING THE eGPS VRS NETWORK FOR THE GPS CONTROL.
4: THE RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.01 FEET HORIZONTAL AND 0.02 FEET VERTICAL AT A 95% CONFIDENCE LEVEL.

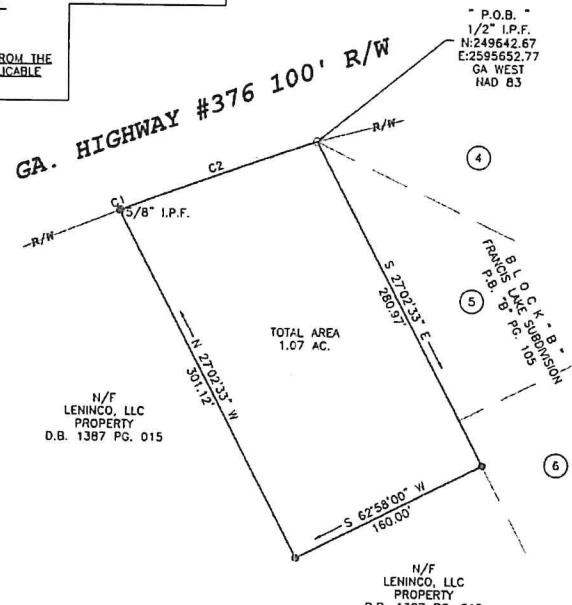
Table with 7 columns: CURVE, RADIUS, ARC LENGTH, CHORD LENGTH, CHORD BEARING, DELTA ANGLE. Rows for curves C1 and C2.

GEORGIA, LOWNDES COUNTY UNIFIED LAND DEVELOPMENT CODE APPROVED. This 5th day of August, 2021, 3:09 pm. File Number: MS2-2021-07. Chairman, Technical Review Committee.

SURVEY FOR:

LENINCO, LLC

LOCATED IN LAND LOT 10B OF THE 16TH LAND DISTRICT OF LOWNDES COUNTY, GEORGIA.



- LEGEND: I.P.F. = IRON PIN FOUND, C.H.E. = CONCRETE EMBLEM PLACED, C.M.P. = CALUMNET PILE FOUND, etc.

SURVEY EQUIPMENT USED

- LEICA 1203 TOTAL STATION 3 SEC, GEOMAX ZOOM 90 TOTAL 2" STATION, 2005W TOPCON TOTAL STATION 5 SEC, 200' STEEL MESH TAPE, etc.

BEARINGS SHOWN HEREON HAVE BEEN CALCULATED FROM ANGLES TURNED AND ARE REFERENCED TO GEORGIA STATE PLANE GRID NORTH - WEST ZONE

RODNEY GENE TENERY, JR. CA. L.S. NO. 3215, EROSION & SEDIMENT CONTROL, LEVEL II CERTIFIED DESIGN PROFESSIONAL, etc.

I CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY DIRECT SUPERVISION. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY IS 0.01 FEET HORIZONTAL AND 0.02 FEET VERTICAL AT A 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS BEEN FOUND TO HAVE A CLOSURE OF ONE FOOT BY 151,322.4 FEET. MONUMENTS AND PINS ARE AS SHOWN IN THE LEGEND OR ON THE PLAT FACE. GA CERTIFICATE OF AUTHORIZATION NO. LST 926, GA BUSINESS LICENSE NO. 2534.

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT, OR PLAN FOR RECORDING:

LOWNDES COUNTY ENGINEER 08/02/2021 DATE
LOWNDES COUNTY UNIFIED LAND DEVELOPMENT CODE CHAIRMAN, TECHNICAL REVIEW COMMITTEE 08/02/2021 DATE
LOWNDES COUNTY BOARD OF HEALTH ENGINEERING & SANITATION DIVISION 08/02/2021 DATE
DIRECTOR OF ENGINEERING 08/02/2021 DATE
OWNER/AGENT 08 / 02 / 2021 DATE

GENERAL NOTES:

- 1: NO UNDERGROUND UTILITIES WERE VERIFIED OR FIELD LOCATED ON THE PROPERTY DEPICTED ON THIS SURVEY PLAT. PRIME CONSULTING SOLUTIONS DOES NOT GUARANTEE THAT ALL EASEMENTS THAT MAY AFFECT THIS PROPERTY ARE SHOWN ON THIS PLAT.
2: ACCORDING TO FLOOD INSURANCE RATE MAP NO. 13195C0350E, DATED SEPTEMBER 26, 2008 THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X'.
3: THE PURPOSE OF THIS PLAT IS TO PROVIDE A DIVISION SURVEY OF THAT PROPERTY DESCRIBED IN DEED BOOK 1387 AT PAGE 015 SHOWING LENINCO, LLC AS THE GRANTEE. PRIME CONSULTING SOLUTIONS, INC. WAS ENGAGED TO PERFORM THIS SURVEY BY MR. J.R. LEONARD.
4: FUTURE DEVELOPMENT OF THE SUBJECT PROPERTY WILL REQUIRE CONNECTION TO THE LOWNDES COUNTY WATER & SEWER SYSTEMS AS BOTH SERVICES ARE AVAILABLE WITHIN 1,000 FEET.

DATE OF FIELD SURVEY: 08 / 17 / 2021
DATE OF PLAT: 08 / 02 / 2021



Prime Consulting Solutions

Land Surveying, Land Planning, Mapping & Consulting Forestry Solutions
2621 U.S. HIGHWAY 84 EAST
VALDOSTA, GA 31606
PH. 229-244-9735
FAX 229-244-9781
E.MAIL horri613@bellsouth.net

JOB ID:#J-13870