



GLPC AGENDA ITEM # 9

SEPTEMBER 30, 2024

Character Area Map Amendment Request by James Warren File #: VA-2024-18

Mr. James Warren requesting to amend the Future Development Map of the Greater Lowndes Comprehensive Plan by changing the Character Area designation of three (3) contiguous parcels totaling 0.78 acres, from Established Residential (ER) to Community Activity Center (CAC). The subject properties are located in the Little Miami neighborhood at 202 Denmark Street, which is along the north side of the street about 300 feet west of the intersection with Pendleton Avenue. The properties are currently zoned R-6 and collectively contain an existing commercial/warehouse building (11,100-sf). The applicant is proposing the Character Area change in order to make this property eligible for commercial zoning (future rezoning request) and bring the property out of nonconformity so that it can be properly marketed for commercial uses.

The subject properties are part of a residential neighborhood that was one of the unincorporated islands (# 85) that were annexed by the City in 2006. These properties had Cluster Residential (R-C) zoning in the County, which was the County's multi-family residential zoning district at that time. They were given R-6 zoning in the City upon annexation (which was the City's multi-family residential zoning district at that time). With the adoption of the LDR, the City's rules for R-6 changed such that multi-family is no longer a permitted use in R-6.

Despite the previous zonings allowing multi-family development, virtually none of the properties in the Little Miami area developed with multi-family uses, but instead remained as mostly single-family, with some scattered mobile home development occurring while in the County before the time of annexation. There were also a number of existing small commercial or industrial type uses in this area at the time of annexation, and most of these were likely in place before the County's initial establishment of Zoning in the early 1970's. These commercial/industrial uses were already non-conforming uses in the County at the time of annexation, and have remained completely nonconforming ever since. They are now subject to the City's rules for "nonconforming uses", which stipulates that once a nonconforming use is discontinued for a period of at least 12 months, it may not be reestablished. For the subject properties, there is little to no business licensing history and the exact timeline of business usage is uncertain. However, based on Google imagery it appears that the "South Georgia Garage Door" business occupied the premises for a number of years after the time of annexation. However, they have now been gone from the site for several years.

As stated above, the applicant's primary purpose in requesting the Character Area change is to make the properties eligible for commercial zoning, so that the property can be marketed to a wide range of potential uses. The applicant points out the subject property being adjacent to the CAC character area to the west. However, this portion of the CAC character area fronts South Patterson Street which is an intensive commercial corridor along a busy 4-lane highway. CAC character area is certainly logical along the South Patterson Street corridor. However, in terms of physical access and frontage, the subject properties are physically isolated from this intensive corridor. The only way to access the subject properties from South Patterson Street is along Pendleton Avenue --- through the Little Miami neighborhood and the ER character area via "local streets". It is considered highly inappropriate for commercial uses (particularly the intensive ones...) to have their only means of access through a residential area, and therefore such intensive zoning districts in these areas should not be approved as part of any redevelopment proposal. Consequently, a Character Area change that would allow the possibility of such intensive zoning classifications, should not be approved as well.

Staff understands the history of the property with its commercial/warehouse type buildings, and its currently intensive nonconforming usage, but does believe this situation justifies the potential negative impacts such a change could have on the adjacent residential neighborhood to the east and south. Staff would certainly encourage redevelopment of the subject properties, and even adaptive reuse of the existing buildings, but believes there are better alternatives --- such as an institutional use (many of which are allowed in R-6 with a CUP approval), or perhaps redevelopment as multi-family (requiring a rezoning to R-M, which is eligible in the ER character area).

Staff Recommendation: Find inconsistent with the Comprehensive Plan and the Character Area map amendment review criteria, and recommend DENIAL to the City Council.