



GLPC AGENDA ITEM # 9

JANUARY 27, 2025

Rezoning Request by James Warren File #: VA-2025-01

Mr. James Warren is proposing to rezone two (2) parcels totaling 0.73 acres from Single-Family Residential (R-6) to Community Commercial (C-C). 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 collectively contain an existing nonconforming commercial/warehouse building (11,100-sf). The applicant is proposing the rezoning in order to market for a future commercial tenant.

The subject property is located within a **Community Activity Center (CAC)** Character Area on the Future Development Map of the Comprehensive Plan, which allows the possibility of C-C zoning. This is mostly the same property which received approval of an FDM Character Area amendment last fall, to change the designation from Established Residential (ER) to CAC (file # VA-2024-18). *** Staff was opposed to the Character Area amendments at that time, and remains opposed to this Rezoning request as well --- for many of the same reasons.*

The subject properties are part of a residential neighborhood which 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 been gone from the site now for several years.

Last fall, the applicant's primary purpose in requesting the Character Area change was to make the properties eligible for commercial zoning, so that the property can be marketed to a wider range of potential uses. The applicant pointed 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. In the applicant's Rezoning application, there is no statement of the intended/proposed use of the property. It only states that the purpose is to make the zoning of the property consistent with the CAC character area. It should be noted that R-6 zoning is also a compliant zoning district within the CAC character area as well. With the current use of the property and its relation to C-C zoning being unclear, and there being no stated alternative proposed use of the property requiring C-C zoning, the applicant's Rezoning request is deemed to be SPECULATIVE.

In general, 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. In the City's Land Development Regulations (LDR) it gives general purpose statements for each of the City's zoning districts. For C-C zoning (LDR section 206-16(A)), it states that it "*should be located on **collector streets** where they are convenient by car and on foot to surrounding neighborhoods but will not cause excessive traffic on residential streets.*"

Staff understands the history of the property with its commercial/warehouse type buildings, and its currently intensive nonconforming usage, but does NOT believe this situation justifies the potential negative impacts such a zoning change could have on the adjacent residential neighborhood to the east and south. If rezoned to C-C, any of the allowable uses in C-C zoning become eligible for the subject property (see attached "Zoning District Comparison Chart") 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 CAC character area), which would be generally supported by staff.

Staff Recommendation: Find inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend **DENIAL** to the City Council.

Planning Analysis & Property Information

Applicant:	James Warren		
Owner:	Paul Edward Dufresne		
Request:	Rezone from Single-Family Residential (R-6) to Community Commercial (C-C)		
Property General Information			
Size & Location:	Two (2) parcels totaling 0.73 acres located along the north side of Denmark Street, about 300' west of the intersection with Pendleton Avenue		
Street Address:	202 Denmark Street		
Tax Parcel ID:	Map # 0161A Parcels: 173-174	City Council District:	3 <i>Councilman McIntyre</i>
Zoning & Land Use Patterns			
		Zoning	Land Use
Subject Property:	Existing:	R-6	Commercial building
	Proposed:	C-C	Unspecific commercial use (speculation)
Adjacent Property:	North:	R-6	Public park
	South:	R-6	Family Empowerment Center (church)
	East:	R-6	Single-family residential neighborhood
	West:	C-H	Salvage yard, commercial
Zoning & Land Use History	The subject properties were all part of unincorporated island #85 which was annexed by the City in 2006. These properties had R-C zoning in the County and were given R-6 zoning in the City upon annexation		
Neighborhood Characteristics			
Historic Resources:	There are no notable historic resources in the area		
Natural Resources:	Vegetation:	Urban forest	
	Wetlands:	No existing wetlands on or near the property	
	Flood Hazards	Located well-outside the current FEMA designated 100-year floodplain	
	Groundwater Recharge:	No significant recharge areas in the vicinity	
	Endangered Species:	No known endangered species in the area	
Public Facilities			
Water & Sewer:	Existing Valdosta water and sewer services along Denmark Street.		
Transportation:	Denmark Street (local street)		
Fire Protection:	Fire Station # 3 (Ulmer Avenue) = approximately 0.5 miles to the NE.		

Comprehensive Plan Issues

Character Area: Community Activity Center

Description: A focal point for several neighborhoods that has a concentration of activities such as general retail, service commercial, office professional, higher-density housing, and appropriate public and open space uses easily accessible by pedestrians.

Development Strategy: Each Community Activity Center should include a relatively high-density mix of retail, office, services, and employment to serve a regional market area. Residential development should reinforce the town center through locating higher density housing options adjacent to the town center, targeted to a broad range of income levels, including multi-family town homes, apartments and condominiums. Design for each Community Activity Center should be very pedestrian-oriented, with strong, walkable connections between different uses. Road edges should be clearly defined by locating buildings at roadside with parking in the rear. Direct connections to greenspace and trail networks should be provided. The pedestrian-friendly environment should be enhanced by adding sidewalks and other pedestrian-friendly trails/bike routes linked to other neighborhood amenities such as libraries, neighborhood centers, health facilities, parks, and schools.

Goals and Policies:

Objective 3.1.3 – Promote the appropriate use of infill and redevelopment in established residential neighborhoods.

POLICY 3.2 – The existing housing stock shall be proactively protected and maintained, utilizing public-private partnerships when necessary.

Objective 3.2.3 – Protect well-established neighborhoods from incompatible uses.

GOAL 7: LAND USE – To ensure the community’s anticipated growth occurs in a well-integrated yet organized fashion, which protects our community resources, promotes efficient use of infrastructure and transportation facilities, and supports quality economic development.

POLICY 7.5 – Available land shall be utilized in the most efficient manner while focusing on redevelopment of land where feasible.

POLICY 7.7 – Commercial development of varying sizes shall be encouraged at the intersections of major roadways.

Standards for the Exercise of Zoning Power (Review Criteria)

In reviewing and making a decision on a rezoning request, the City staff, Planning Commission and City Council shall consider the following standards. The proposed responses to these standards by the applicant and staff are listed below.

(1) Whether a proposed rezoning will permit a range of uses that are suitable, in view of the use and development of adjacent and nearby property.	
<i>Applicant:</i>	< see attached “Exhibit A” from the applicant >
<i>Staff:</i>	Yes. The proposed zoning is completely out of character with the adjacent residential zonings and development pattern on 3 sides.
(2) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.	
<i>Applicant:</i>	< see attached “Exhibit A” from the applicant >
<i>Staff:</i>	Yes. The only access to this property is through the adjacent residential neighborhood and the ongoing commercial usage of this could have adverse effect of the existing uses or future redevelopment proposals within this neighborhood.
(3) Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.	

<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	Yes.. As demonstrated by the non-residential use (church/community center) across the street, there are a variety of institutional type uses that are possible in R-6 zoning utilizing an adaptive reuse strategy for the existing building. Otherwise for total redevelopment of the site, there is sufficient street frontage and lot area for multiple residential lots.
(4) Whether the proposed rezoning will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.	
<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	Yes. Uses allowed in C-C zoning have the potential to generate adverse levels of traffic on this local street
(5) Whether the proposed rezoning is in conformity with the policy and intent of the Comprehensive Plan.	
<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	Yes, in terms of eligibility under the CAC character area. However, it is not in keeping with the Goals and Policies related . The proposed M-2 zoning is compliant in the Industrial AC Character Area and it supports cohesiveness with this overall planned industrial park.
(6) Whether there are other existing or changing conditions affecting the use and development of the property that give supporting grounds for either approval or disapproval of the proposed rezoning.	
<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	Yes, the development trend for all of these nearby properties along the north side of the road is for industrial development..
(7) Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment.	
<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	No adverse impact.
(8) Whether the proposed change will constitute a grant of special privilege to the individual owner as contrasted with adjacent or nearby property owners or the general public.	
<i>Applicant:</i>	< see attached "Exhibit A" from the applicant >
<i>Staff:</i>	No. The proposed rezoning would not constitute a grant of special privilege.

Supplemental Regulations in the LDR Applicable to the Proposal

Section 206-16 C-C Community Commercial District

(A) Purpose. The C-C District is composed primarily of low-intensity retail and commercial services generally designed to serve the common and frequent needs of the residents of nearby neighborhoods. C-C Districts should be located on collector streets where they are convenient by car and on foot to surrounding neighborhoods but will not cause excessive traffic on residential streets. bedrooms.

Development Review Comments

The following comments are provided by the reviewing departments and are only intended to provide the developer with useful information for planning purposes. This list should not be considered all inclusive as additional items may appear during the plan review process.

- Building Plan Review:** No comments
- Utilities:** < No comments received >
- Fire:** Fire Dept has no comments or concerns
- Engineering:** No comments or concerns
- Landscape:** Development must comply with applicable regulations of LDR Chapter 328.

Public Works: < No comments received >.

Police: < No comments received >

Attachments:

- Exhibit "A" from applicant (2 pages)
- Zoning Location Map
- Character Area Map
- Aerial Location Map
- Boundary survey
- Cover letter from application submittal
- Letter of Authorization
- Zoning district comparison chart (2 pages)

EXHIBIT A

Public Hearings Held Regarding Property in Past Three Years

A hearing on an Application for Future Development Map Amendment (the "Prior Application") regarding City of Valdosta Tax Map Parcel Numbers 0161A 173 and 0161A 174 (the "Property") was held by the Greater Lowndes Planning Commission on October 28, 2024. A subsequent hearing for final action on the Prior Application was held by the City of Valdosta City Council on November 7, 2024 which ultimately resulted in the Council's approval of the Prior Application.

Description and Rationale of the Proposed Rezoning

On November 8, 2024, following the grant of the Prior Application by the City of Valdosta City Council, the City of Valdosta Planning Director issued a Certificate of Land Use Decision certifying that the Property's character area classification is being amended to Community Activity Center (CAC). This rezoning application is being submitted for the purpose of rezoning the Property from its current Single-family Residential District (R-6) zoning classification to Community Commercial District (C-C) under the City of Valdosta Land Development Regulations. The rationale supporting the requested rezoning arises from the need to ensure the Property's zoning classification is consistent with the Property's Community Activity Center (CAC) character area, the long-standing prior use of the Property, and the existing use of the Property.

Zoning Change Questionnaire

1. Yes; the proposed rezoning is consistent with surrounding land use patterns and will permit a range of uses that are suitable with the use and development of adjacent properties.
2. The proposed rezoning will not adversely affect the existing use(s) or usability of the adjacent and nearby property located within the City of Valdosta. The Property has been used as a commercial business for decades, and surrounding property owners are accustomed to its commercial use.

3. No; the Property's economic use is commercial in nature and considered to be nonconforming due to the Property's current zoning classification of Single-family Residential District (R-6). As such, the Property's economic use is limited by the City of Valdosta Land Development Regulations regulating nonconforming uses and the Property, as currently zoned, does not have a reasonable economic use.
4. No; the proposed rezoning will not cause an excessive or burdensome use of existing streets or transportation facilities, or the capacity of other public facilities such as utilities, parks, or schools. The Property's longstanding and existing commercial use has not resulted in an excessive or burdensome use of the existing surrounding infrastructure nor will the continued use result in an excessive or burdensome use of the existing surrounding infrastructure.
5. Yes; the proposed rezoning is in conformity with the Greater Lowndes Comprehensive Plan and the requested Community Commercial District (C-C) is a permitted zoning district in the Community Activity Center (CAC) character area.
6. The existing use and conditions of the Property support the approval of the proposed rezoning. The Property's classification as a Community Activity Center (CAC) character area further supports the approval of the proposed rezoning.
7. The rezoning will not have significant adverse impacts on the natural environment.
8. No; the proposed rezoning will not constitute a grant of special privilege to the Property owner as opposed to adjacent or nearby property owners or the general public.

VA-2025-01 Zoning Location Map

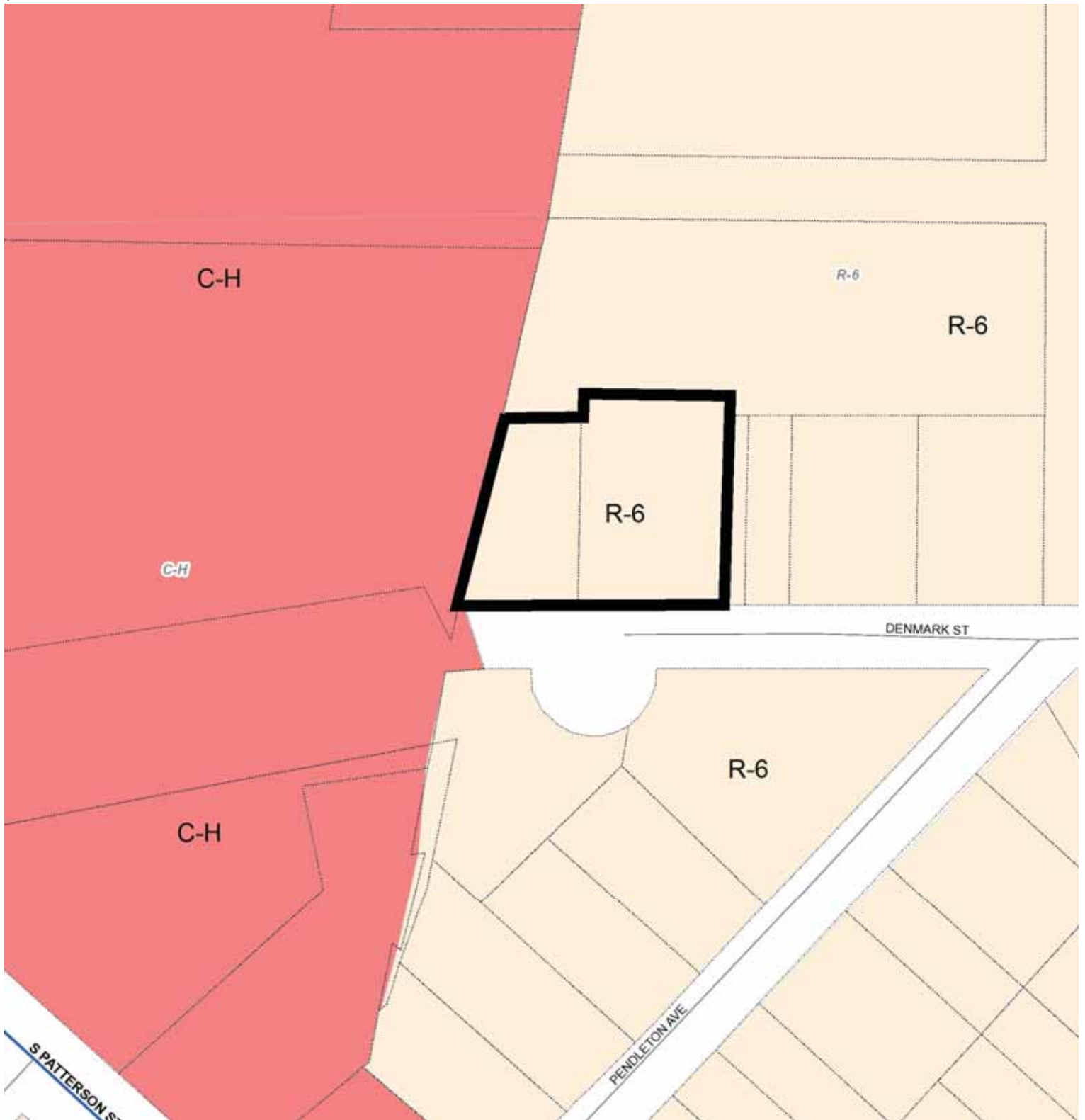


James Warren
Rezoning Request

202 Denmark Street
Tax Map # 0161A Parcels # 173-174

Current Zoning = R-6

** Map NOT to scale Map Data Source: VALOR GIS January 2025



VA-2025-01

Future Development Map

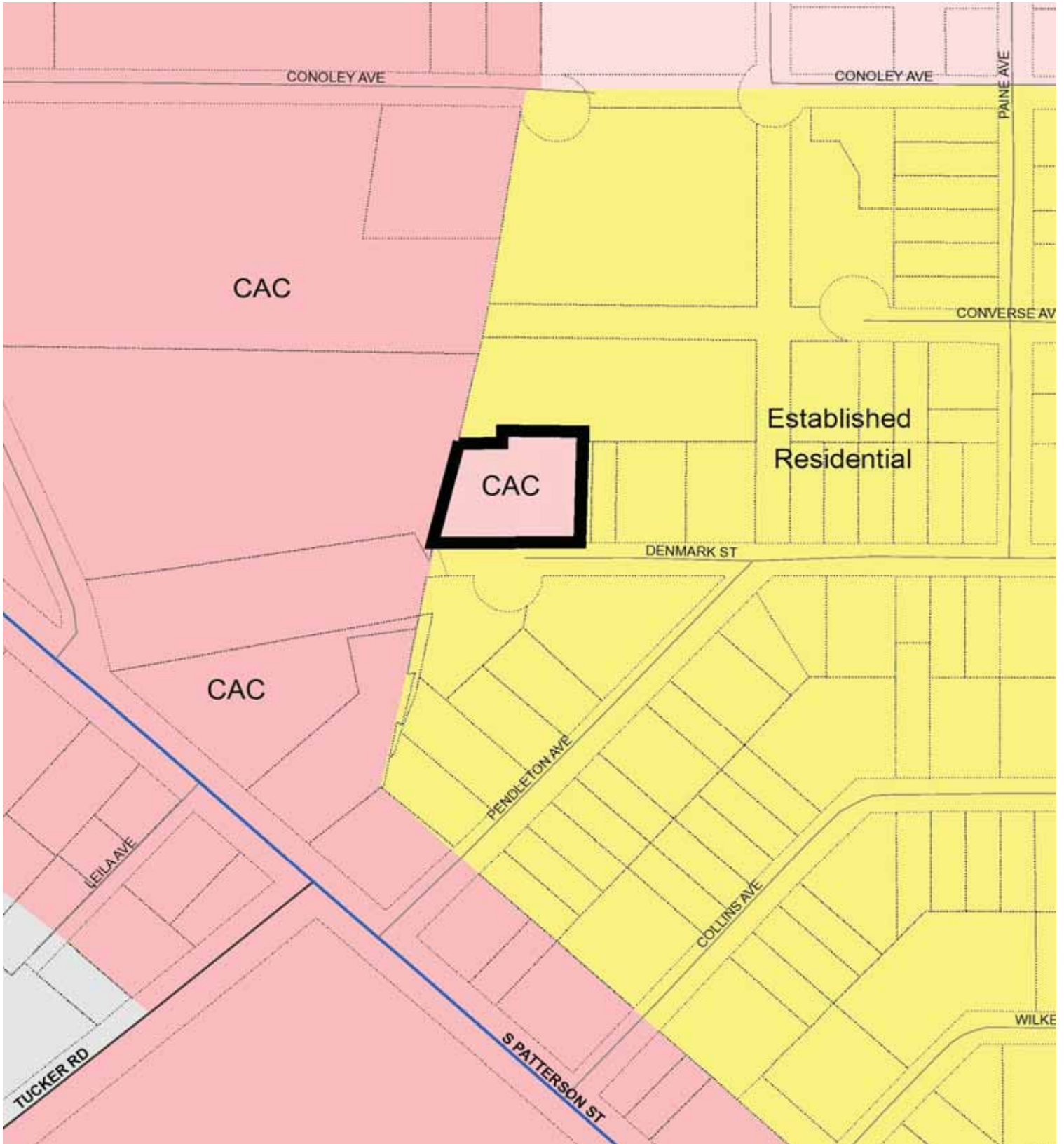


James Warren
Rezoning Request

202 Denmark Street
Tax Map # 0161A Parcels # 173-174

Character Area = CAC

** Map NOT to scale Map Data Source: VALOR GIS January 2025



VA-2025-01

Aerial Location Map



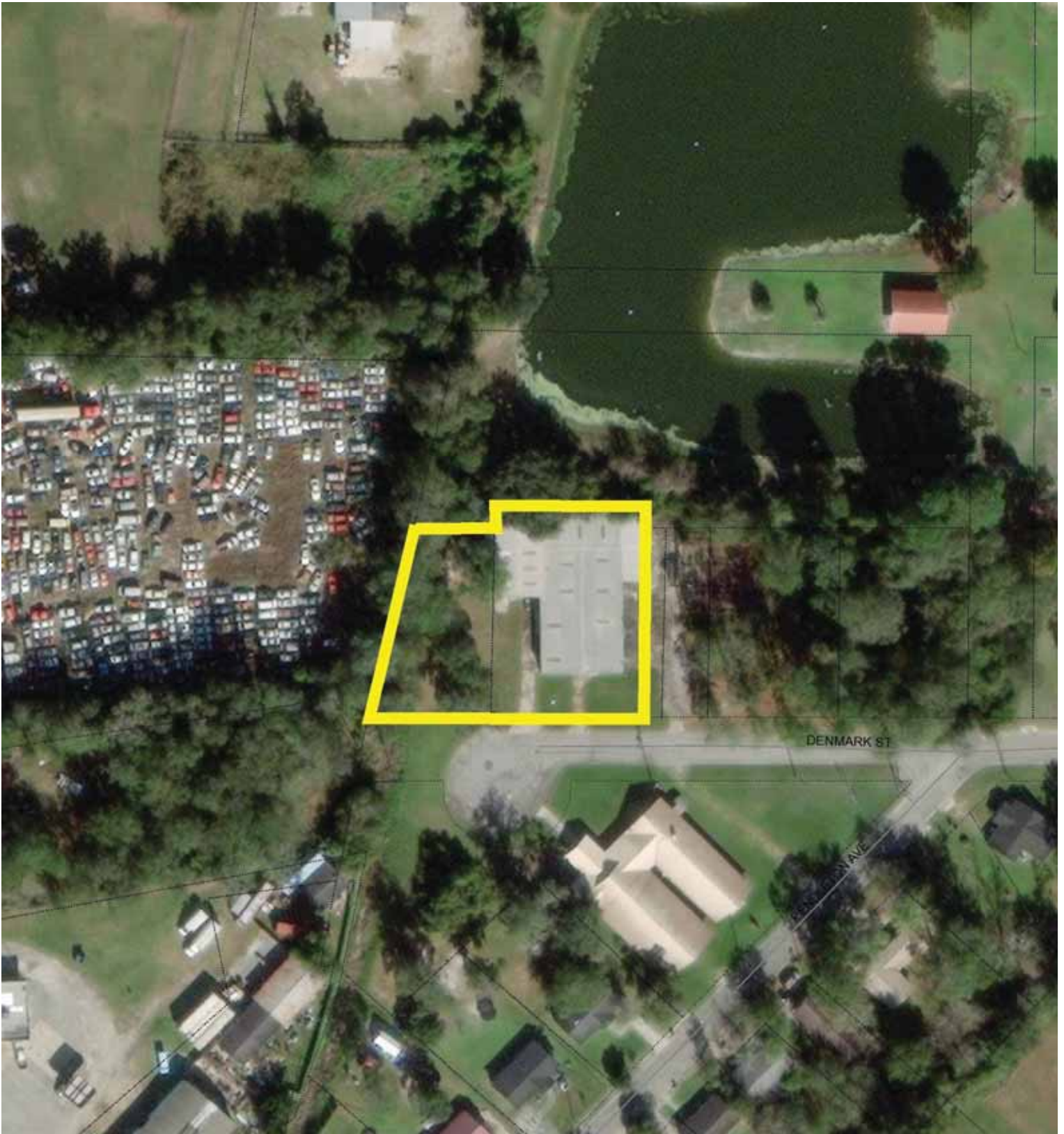
**James Warren
Rezoning Request**

202 Denmark Street
Tax Map # 0161A Parcels # 173-174

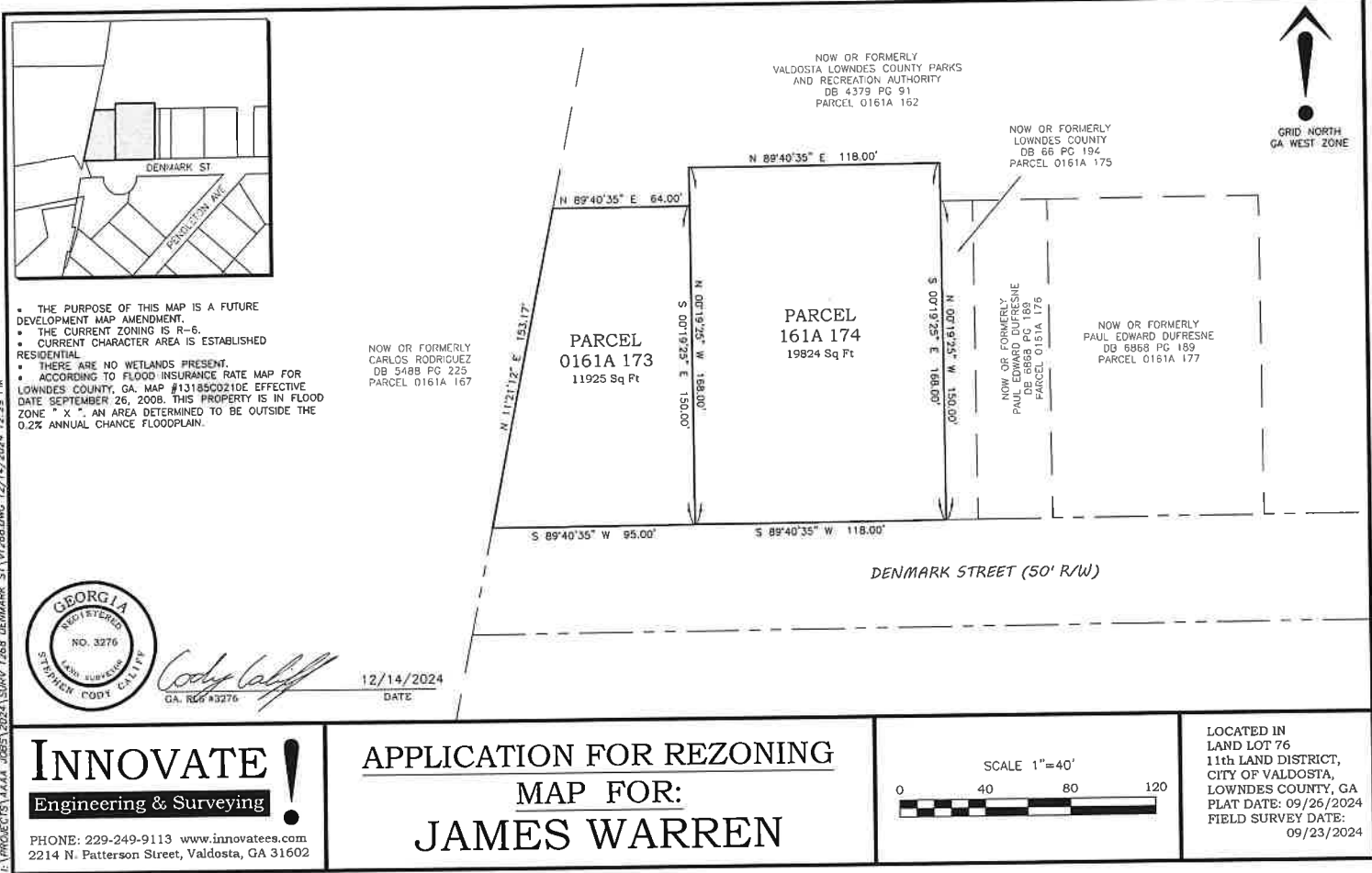
~ **2022 Aerial Imagery**

** Map NOT to scale

Map Data Source: VALOR GIS January 2025



VA-2025-01



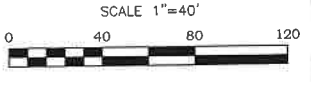
- THE PURPOSE OF THIS MAP IS A FUTURE DEVELOPMENT MAP AMENDMENT.
- THE CURRENT ZONING IS R-6.
- CURRENT CHARACTER AREA IS ESTABLISHED RESIDENTIAL.
- THERE ARE NO WETLANDS PRESENT.
- ACCORDING TO FLOOD INSURANCE RATE MAP FOR LOWNDES COUNTY, GA, MAP #13185C0210E EFFECTIVE DATE SEPTEMBER 26, 2008, THIS PROPERTY IS IN FLOOD ZONE "X". AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



Stephen Cody Califf
 GA. REG #3276
 DATE 12/14/2024

INNOVATE
 Engineering & Surveying
 PHONE: 229-249-9113 www.innovatees.com
 2214 N. Patterson Street, Valdosta, GA 31602

APPLICATION FOR REZONING
 MAP FOR:
JAMES WARREN



I:\PROJECTS\14454_005\2024\2024\LSRV_1665_DENMARK_ST\19266.DWG 12/14/2024 12:39 PM

Langdale Vallotton, LLP

1007 N. Patterson Street | Valdosta, Georgia 31601
Tel: (229) 244-5400 | www.langdalelaw.com

William C. Nijem, Jr.

Direct Dial: (229) 588-7118
bnijem@langdalelaw.com

LV File No. 200257

December 16, 2024

Mr. Matt Martin
Planning Director
City of Valdosta, Georgia
300 N. Lee Street
Valdosta, Georgia 31603
Via E-Mail to: mlmartin@valdostacity.com

RE: Proposed Application for Rezoning for City of Valdosta Tax Map Parcel Numbers 0161A 173 and 0161A 174 (collectively the "Property")

Dear Mr. Martin:

Our firm represents James Warren in connection with the above referenced zoning matter. The enclosed Application for Rezoning is being submitted to rezone the Property from its current Single-family Residential District (R-6) zoning classification to Community Commercial District (C-C) which is more consistent with the Property's Community Activity Center (CAC) character area, the long-standing prior use of the Property, and the existing use of the Property.

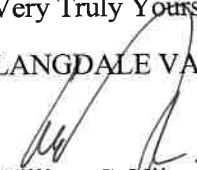
Please note that the Property is owned by Paul Edward Dufresne. Please find enclosed herewith a Letter of Authorization executed by Paul Edward Dufresne authorizing the applicant to act on Mr. Dufresne's behalf in connection with this application.

Please also find enclosed a boundary drawing of the Property related to the proposed rezoning and a corresponding legal description. We have also included a plat recorded March 10, 1926 in Plat Book 1, Page 251 of the Lowndes County, Georgia deed records which depicts the Property and a Warranty Deed recorded December 30, 2024 in Deed Book 6868, Page 189 of the Lowndes County, Georgia deed records which includes a metes and bounds legal description of the Property.

Please let us know if you need any additional information for the processing of this application. If you should have any questions, please do not hesitate to contact me.

Very Truly Yours,

LANGDALE VALLOTTON, LLP



William C. Nijem, Jr.

LETTER OF AUTHORIZATION

To: Greater Lowndes Planning Commission
Valdosta City Council

Re: Lowndes County Tax Map Parcel Numbers 0161A 173 and 0161A 174.

Paul E. Dufresne (“Dufresne”) is the owner of the property designated as Lowndes County Tax Map Parcel Numbers 0161A 173 and 0161A 174. Dufresne hereby authorizes James Warren to act as agent on Dufresne’s behalf, in submitting an application requesting the rezoning of his property to a Community Commercial (C-C) zoning classification, and to represent Dufresne in all public hearings and other matters with the City of Valdosta relating to such application.



Paul Dufresne

Date: 12/13/24

NOTARY PUBLIC

State of Georgia, County of Lowndes

Sworn to and subscribed to me on this 13 day of December, 2024.

My commission expires 10/4/2025.



Annetta Roberts

Notary Public



Zoning District Comparison Chart

Development Standards	R-6	C-C
Minimum Lot Area (square feet):	6,000 9,000 (duplex)	4,000
Minimum Lot Width (feet)	60	60
Minimum Building Setbacks: Front, Side, Rear (feet)	20 8/15 20	15 0/10 12
Maximum Impervious Surface (% of total lot area)	n/a	75 %
Maximum Dwelling Unit Density (# units per acre)	7.2 / 4.8	60 bedrooms/acre
Land Use	P - Permitted Use CUP - Conditional Use --- - not permitted	
Dwellings: single-family detached	P	P
Dwellings: accessory dwelling unit	C	P
Dwellings: caretaker, live-work unit, loft dwelling, multi-family	---	P
Boarding House, Rooming House, Park (passive)	P	P
Fraternity / Sorority House or Fraternal Facility *	C	C
Halfway House, Transitional Housing Facility	---	C
Home Business, Cemetery/Mausoleum, Community Center, Church	C	P
Civic/Social Club or Organization, Private Lodge	---	P
Library, Museum	C	P
Hospital, Nursing Home	---	P
Botanical Garden, Zoo	---	C
Personal Care Home – Family (2-3 persons)	P	P
Personal Care Home – Family (4-6 persons)	C	P
Personal Care Home – Group (7-15 persons), Congregate (16+)	---	P
School: pre-K – grade 12, private residential boarding	C	C
School: college/university, professional, technical/trade, other	---	P
** Professional Offices (incl medical office)	---	P
Amusement (indoors/outdoors): Arcade, Billiards, Bowling, Skating, Mini-golf, other producing little noise	---	P
Animal Care: Boarding, Grooming, Kennel, Training, Taxidermist	---	C
Animal Care: Veterinary office/clinic/hospital	---	P
Appliances or Electronics: store, maintenance/repair	---	P
Art Gallery or Store, Auction House	---	P
Automotive: gas station, parts store, tires	---	P
Automotive: car wash, repair/maintenance - minor, rental	---	C
Bail Bonding Services	---	C
Building Contractor Office: residential, general, specialty	---	P
Building Contractor Office: heavy, utilities	---	C
Bus Station, Transit Facility, Tour Operator	---	C

Land Use	R-6	C-C
Business Office (administrative), Business Support – security	---	P
Cleaning Services: janitorial, outdoor, pool, laundry, drycleaner	---	P
Clothing/Accessories store: jeweler, shoes, luggage, repair	---	P
Courier Service	---	P
Daycare Facility; family size (6 or less children/adults)	P	P
Daycare Facility; group size (7-18 children/adults)	C	P
Daycare Facility; (19 or more children/adults)	---	P
Drug Rehabilitation Center	---	C
Drug Store, Pharmacy, Pet Store, Printing/Publishing	---	P
Event Center or similar place of Public Assembly	---	C
Financial Institution: bank, brokerage, collections, title pawn	---	P
Food Service: Restaurant, Nightclub/Lounge, Caterer	---	P
Food Service : Brewpub	---	C
Food Store: bakery, grocery, beverages/liquor	---	P
Food Store: farmers market	---	C
Funeral Home, Crematory	---	P
Furniture Store/Repair, Floor Covering store	---	P
Landscaping Service, Pest Control	---	C
Locksmith, Alarm Monitoring Service, Taxi Service, Travel Agency	---	P
Lodging: bed & breakfast, hotel	---	P
Lodging: motel	---	C
Medical Clinic/Laboratory, Apothecary	---	P
Movie Cinema, Theatre, Performing Arts/Sports (indoors)	---	P
Performing Arts & Spectator Sports (outdoor): stadium, drive-in	---	C
Personal Services: barbershop, salon, massage, tattoo, spa	---	P
Recreation Center, indoors (fitness center, etc)	---	P
Recreation Center; outdoors (tennis, pool etc..)	---	C
Rental Center: small equipment, general	---	P
Retail Sales – general or specialty: bookstore, department store, florist, gifts/novelties, hobby, office supplies, convenience store	---	P
Studio: dance, photography, gymnastics, martial arts, music, radio	---	P
Temporary Shelter, Social Assistance, Food Bank	---	C
Used Merchandise Store: antiques, consignments, thrifts	---	P
Used Merchandise Store: pawnshop	---	C
Manufacturing: microbrewery	---	C
Warehousing & Storage: mini-warehouses, self-storage	---	C
Utility Substations	C	P