



GLPC AGENDA ITEM # 5

MARCH 28, 2022

Rezoning Request by Yahir Deanda File #: VA-2022-04

Mr. Yahir Deanda is requesting to Rezone 0.23 acres from Heavy Industrial (M-2) to Highway Commercial (C-H). The subject property is located at 203 Smith Avenue, which is along the south side of the street about 500 feet west of South Patterson Street. The property contains an existing single-family residence (846-sf) which has been a nonconforming use (& nonconforming structure) on this industrially-zoned property for a long time. The applicant is proposing to demolish the existing residence and rebuild a new residence of similar size.

The subject property is located within an **Industrial Activity Center (IAC)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H zoning.

The applicant's stated reasons for the rezoning are as follows: "The applicant grew up in the residence on the subject property. The home has become dilapidated over the years, and the applicant wishes to rebuild. No use of the property will change from its original residential use." M-2 zoning does not allow residential uses, and the property's location in an "Industrial Activity Center" Character Area does not allow any form of Residential zoning. The applicant is therefore seeking rezoning to C-H which allows usage of the property as a single-family residence, and is compliant with the existing Character Area.

The zoning patterns of the surrounding area are dominated by C-H zoning along the South Patterson Street corridor, as well as industrial zoning in the areas to the west of the corridor. Land use patterns in the area are dominated by older heavy commercial uses along South Patterson Street, as well as a very large salvage yard adjacent to the subject property. There is also an abundance of vacant lands in the area that have a mixture of zoning types. In addition to the subject property, there are other existing single-family residences along Smith Avenue and all of these are in non-residential zoning districts which renders each of them nonconforming. Based on land use, Smith Avenue is not quite the industrial corridor that the zoning pattern portrays. A down-zoning to C-H would not only allow the construction of the proposed new residence, but it would also serve as a means to reduce some of this over-abundance of industrial zoning in the immediate area. Given the presence of the large salvage yard and other intensive uses, it is not likely this area will fill-in with a lot of residential growth (& therefore support a Character Area change), but placing commercial zoning on the property will allow the "possibility" of future non-industrial development here in the form of a commercial business or residential.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommend approval of C-H zoning to the City Council.

Planning Analysis & Property Information

Applicant:	Yahir Deanda		
Owner:	Claudia Sanchez		
Request:	Rezone from M-2 to C-H		
Property General Information			
Size & Location:	One parcel of land comprising 0.23 acres located along the south side of Smith Avenue, about 500 feet west of South Patterson Street. .		
Street Address:	203 Smith Avenue		
Tax Parcel ID:	Map # 0122D Parcel 098A	City Council District:	3 <i>Councilman Sonny Vickers</i>
Zoning & Land Use Patterns			
		Zoning	Land Use
Subject Property:	Existing:	M-2	Single-family residence
	Proposed:	C-H	New Single-family residence
Adjacent Property:	North:	M-2, C-H	Single-family residence
	South:	M-2	Salvage yard
	East:	M-2	Salvage yard
	West:	DR-10, M-1	Vacant land
Zoning & Land Use History	This property has been zoned M-2 for more than 30 years, and has been used as a residence for more than 70 years.		
Neighborhood Characteristics			
Historic Resources:	No significant historic resources on or near the subject property.		
Natural Resources:	Vegetation:	Mostly cleared	
	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 & sewer services along Smith Avenue		
Transportation:	Smith Avenue (local street)		
Fire Protection:	Fire Station # 3 (Ulmer Avenue) = approximately 0.80 miles to the NE The nearest fire hydrant is at the intersection of Smith Avenue and South Patterson Street		

Comprehensive Plan Issues

Character Area: Industrial Activity Center

Description: Area used in manufacturing, wholesale trade, distribution activities, assembly, and processing activities. Uses may or may not generate excessive noise, particulate matter, vibration, smoke, dust, gas, fumes, odors, radiation, or other nuisance characteristics.

Development Strategy: Development or, where possible, retrofitting should occur as part of planned industrial parks having adequate water, sewer, storm-water, and transportation infrastructure for all component uses at build-out. Incorporate landscaping and site design to soften or shield views of buildings and parking lots, loading docks, etc. Incorporate signage and lighting guidelines to enhance quality of development. Also incorporate measures to mitigate impacts of external impacts on the adjacent built or natural environments. Encourage greater mix of uses such as retail and services to serve industry employees to reduce automobile reliance/use on site.

Goals and Policies:

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 7.4 – Positive impacts on the built and natural environment shall be anticipated through only the highest standard of development throughout all parts of the community.

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 use that is suitable, in view of the use and development of adjacent and nearby property.	
<i>Applicant:</i>	Yes, the use of the property will not change.
<i>Staff:</i>	Yes. The proposed zoning change is compatible with the overall land use patterns of the area.
(2) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.	
<i>Applicant:</i>	No effect. Current use of the property will not change.
<i>Staff:</i>	No adverse impacts.
(3) Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.	
<i>Applicant:</i>	No. The structure has become dilapidated, and the owner wishes to replace it. The use of the property will not change.
<i>Staff:</i>	No. The subject property is very small and is not conducive to industrial development on its own.
(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>	No. The use of the property will not change.
<i>Staff:</i>	No impact.

(5) Whether the proposed rezoning is in conformity with the policy and intent of the Comprehensive Plan.	
<i>Applicant:</i>	Yes.
<i>Staff:</i>	Yes. C-H zoning is consistent with the Industrial Activity Center (IAC) Character Area designation of the Comprehensive Plan, as well as its Goals and Policies.
(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>	The use of the subject property (and the adjoining property) to the best of our knowledge has not changed in many years and will not likely change soon.
<i>Staff:</i>	Existing development trends in the area have remained stagnant for several decades.
(7) Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment.	
<i>Applicant:</i>	None. The use of the property will not change
<i>Staff:</i>	No 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>	No.
<i>Staff:</i>	No. The proposed rezoning would not be considered a grant of special privilege

Supplemental Standards of the LDR Applicable to the Proposed Use

< none >

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.

Engineering: No comments

Utilities: < No comments received >.

Building Plan Review: No comments

Public Works: < No comments received >

Police: < No comments received >

Fire: No comments

Landscaping: Development must comply with LDR Chapter 328

Attachments:

- Zoning Location Map
- Character Area Map
- Aerial Map
- Letters of Authorization (2)
- Boundary Survey

VA-2022-04 Zoning Location Map

Yahir Deanda
Rezoning Request

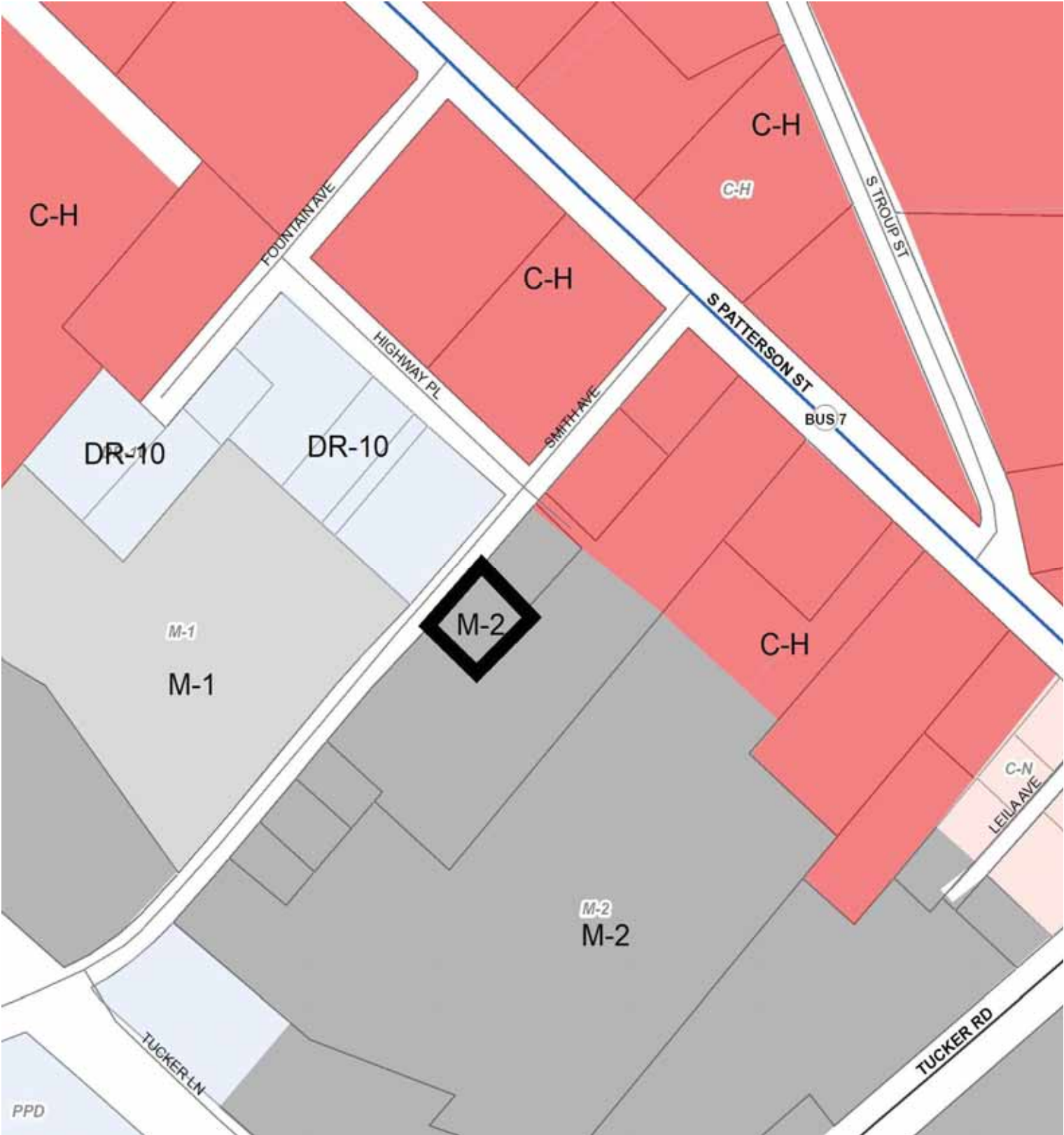
203 Smith Avenue
Tax Map: 0122D Parcel: 098A

Zoned: M-2



** Map NOT to scale

Map Data Source: VALOR GIS March 2022



VA-2022-04 Future Development Map

Yahir Deanda
Rezoning Request

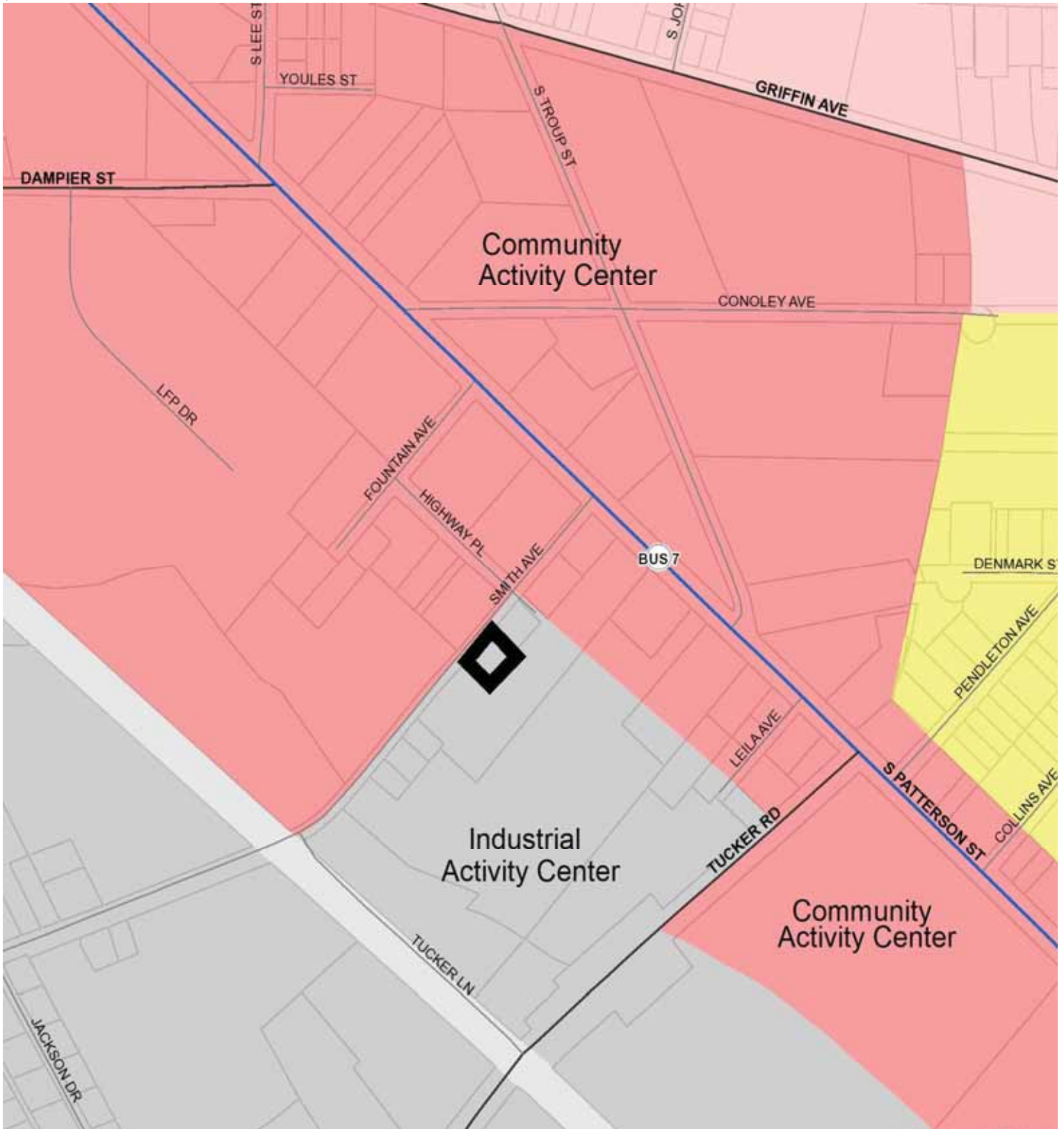
203 Smith Avenue
Tax Map: 0122D Parcel: 098A

Character Area: Industrial AC



** Map NOT to scale

Map Data Source: VALOR GIS March 2022



VA-2022-04 Aerial Location Map

Yahir Deanda
Rezoning Request

203 Smith Avenue
Tax Map: 0122D Parcel: 098A

2007 Aerial Imagery



** Map NOT to scale

Map Data Source: VALOR GIS March 2022



Claudia Sanchez
2460 Jones Drive
Valdosta, GA 31606

February 25, 2022

City of Valdosta
Planning & Zoning Division
Attn: Matt Martin
City Hall Annex
300 N. Lee Street
Valdosta, GA 31601

RE: Letter of Authorization for Application for Rezoning for 0122D 098A

Dear Mr. Martin:

Please find attached the Application for Rezoning 0122D 098A. I am the owner of this parcel. Per this letter and the attached Authorization form, I hereby authorize YAHIR DEANDA and DOVER MILLER KARRAS LANGDALE & BRANTLEY, P.C. to act on my behalf in all respects regarding the attached Application for Rezoning.

If you have any questions, please feel free to contact me.

Sincerely,

Claudia Sanchez
Claudia Sanchez

Signed, sealed and delivered
in the presence of:

M. Susan Barber

Notary Public



Enclosures

JA-2022-04

AUTHORIZATION OF YAHIR DEANDA AND
DOVER MILLER KARRAS LANGDALE & BRANTLEY, P.C.
TO ACT ON BEHALF OF OWNER

The undersigned hereby authorizes **YAHIR DEANDA** and **DOVER MILLER KARRAS LANGDALE & BRANTLEY, P.C.** to act on its behalf in all respects regarding the attached Application for Rezoning.

Executed this 25th day of February, 2022.

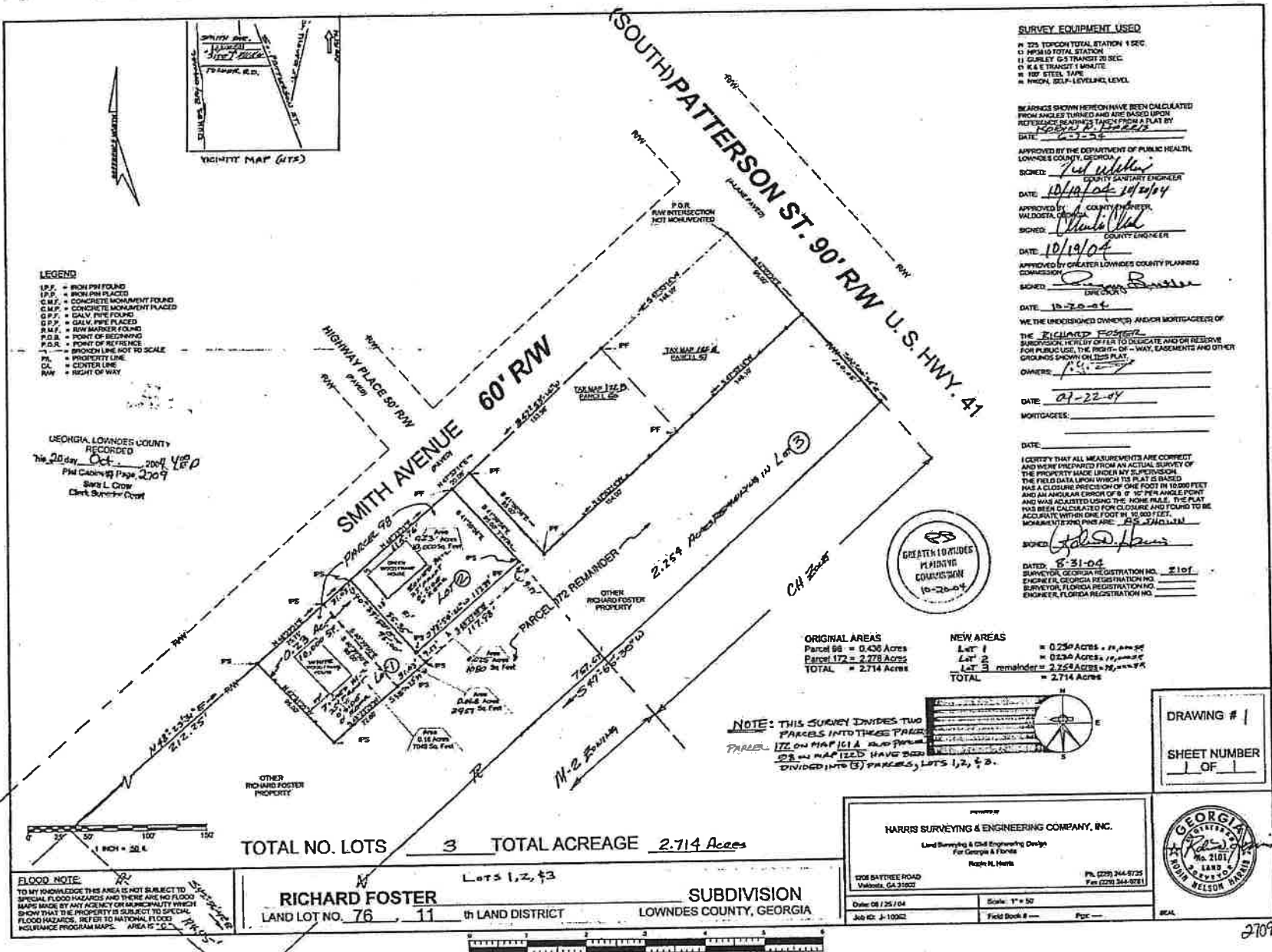
Claudia Sanchez
Claudia Sanchez, Owner of
Map & Parcel 0122D 098A
203 Smith Avenue

Signed, sealed and delivered
in the presence of:

M. Susan Barnhill
Notary Public



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