



## GLPC AGENDA ITEM # 8

MAY 23, 2022

### Conditional Use Request by Francisco Menjivar File #: CU-2022-06

Rev. Francisco Menjivar is requesting a Conditional Use Permit (CUP) for a Church in a Single-Family Residential (R-6) zoning district. The subject property consists of 0.54 acres and is located at 805 Old Clyattville Road. This is at the SW corner of Old Clyattville Road and Loch Laurel Street, and located directly behind the "Bratts Plaza" shopping center. The property contains an existing commercial building (3,048-sf) in the northern tip of the property, as well as some remnants of a small parking lot (broken pavement) immediately behind. The store has been vacant for more than 10 years, and it was last used as the "The Meat Place" butcher shop. The applicant is proposing to renovate the existing building and convert it for church use. The applicant is currently NOT proposing any changes to the site.

The subject property is located within an **Established Residential (ER)** Character Area on the Future Development Map of the Comprehensive Plan.

In spite of their being an existing commercial building on the property, the ER Character Area on the property does not allow any form of commercial zoning. Therefore, the only possible non-residential use of the building would be something "institutional" such as perhaps a church. The only alternative is to remove the old commercial building (which has been empty/vacant for more than 10 years....) and redevelop the property residentially under R-6 zoning, which equates to a handful of houses or duplexes. The cost of demolition alone would probably make that scenario cost-prohibitive.

In this case, the applicant is proposing to do nothing to upgrade the overall site, and therefore staff's initial recommendation was for denial. However, with the existing building being locked into its nonconforming status and it having sat empty for so many years already, staff has determined that even just "occupancy" of this building is a move in the right direction. With the existing building size having a limited capacity for the gathering of worshipers and there being enough pavement on site to accommodate 10-20 cars, then a modest version of the proposed use as a church should be deemed acceptable. However, certain conditions of approval will be needed to make sure the use of the property does not become overcrowded to the point that it becomes a detriment to the neighborhood rather than a positive change. If in the future the proposed church gathers sufficient resources to enable a true redevelopment of the whole property, then a new CUP review (with a proper site plan) would be required.

**Staff Recommendation:** Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for a small church and related church accessory uses which utilize the existing building only. Any new buildings or building expansions will trigger review of a new CUP application...
- (2) All parking for the facility shall be off-street on private property at all times.
- (3) All recent construction and renovation work performed on site shall be subject to full commercial plan review and required inspections as applicable..
- (3) Conditional Use approval shall expire after 2 years from the date of approval if no Certificate of Occupancy has been approved for the facility by that date..

## Planning Analysis & Property Information

<b>Applicant:</b>	Rev. Francisco Manjivar		
<b>Owner:</b>	Rev. Francisco Menjivar (since Feb.)    * former = Tony Gariety		
<b>Request:</b>	Conditional Use Permit for a Church in R-6 zoning		
<b>Property General Information</b>			
<b>Size &amp; Location:</b>	One parcel of land consisting of 0.54 acres located at the SW corner of Old Clyattville Road and Loch Laurel Street. This directly behind the "Bratts Plaza" shopping center.		
<b>Street Address:</b>	805 Old Clyattville Road		
<b>Tax Parcel ID:</b>	Map 0120D Parcel 037	<b>City Council District:</b>	6 <i>Councilman Vickers</i>
<b>Zoning &amp; Land Use Patterns</b>			
		<b>Zoning</b>	<b>Land Use</b>
<b>Subject Property:</b>	Existing:	R-6	Vacant commercial
	Proposed:	R-6	Church
<b>Adjacent Property:</b>	North:	R-6	Single-family neighborhood
	South:	R-6	Single-family neighborhood
	East:	C-H	Bratts Plaza shopping center (back side)
	West:	R-6	Single-family neighborhood
<b>Zoning &amp; Land Use History:</b>	This parcel has been zoned R-P for more than 25 years and has been used as college rental housing for most of this time.		
<b>Neighborhood Characteristics</b>			
<b>Historic Resources:</b>	This property was developed and uses as a small neighborhood meat market since about 1964, which is 2 years before Valdosta adopted zoning. The property has always been zoned Residential, and the use as a meat market has always been nonconforming.		
<b>Natural Resources:</b>	Vegetation:	Urban forest, mostly cleared	
	Wetlands:	No existing wetlands on or near the property	
	Flood Hazards:	The property is 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.	
<b>Public Facilities</b>			
<b>Water &amp; Sewer:</b>	Existing Valdosta water & sewer services along Old Clyattville Road		
<b>Transportation:</b>	Old Clyattville Road – (local street)		
<b>Fire Protection:</b>	Fire Station # 1 (S Oak Street) = approximately 0.80 miles to the south The nearest fire hydrant is in front of the property along Old Clyattville Road		

## **Comprehensive Plan Issues**

**Character Area:**     Established Residential

**Description:** Typically an older neighborhood having relatively well-maintained housing, possessing a distinct identity through architectural styles, lot and street design, and having higher rates of home-ownership. These areas are typically located closer to the core of the community and may be located next to areas facing intense development pressures..

**Development Strategy:** Focus should be on reinforcing stability by encouraging more homeownership and maintenance or upgrade of existing properties. Vacant properties offer opportunity for infill development of new, architecturally compatible housing. Strong pedestrian and bicycle connections should be provided to enable residents to walk/bike to work, shopping, or other destinations in the area..

### **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.

## **Conditional Use Review Criteria**

*The following criteria shall be applied in evaluating and deciding any application for a Conditional Use Permit. No application for a Conditional Use Permit shall be granted by the City Council unless satisfactory provisions and arrangements have been made concerning each of the following criteria, all of which are applicable to each application:*

<b>(1) Whether or not the proposed use is consistent with all the requirements of the zoning district in which it is located, including required parking, loading areas, setbacks and transitional buffers.</b>	
<b>Applicant:</b>	Yes.
<b>Staff:</b>	No. The previous use and building and use of the property are both nonconforming, with the applicant proposing no changes.
<b>(2) Compatibility of the proposed use with land uses on adjacent properties, including the size, scale and massing of buildings and lots.</b>	
<b>Applicant:</b>	Yes.
<b>Staff:</b>	Yes. Magnitude of the proposed use is compatible with the existing commercial to the east and the overall feel of the development along Old Clyattville Road.
<b>(3) Adequacy of the ingress and egress to the subject property, and to all proposed buildings, structures, and uses thereon, including the traffic impact of the proposed use on the capacity and safety of public streets providing access to the subject site.</b>	
<b>Applicant:</b>	Yes, the property fronts two streets.....
<b>Staff:</b>	Yes, existing ingress and egress to the property is adequate.
<b>(4) Adequacy of other public facilities and services, including stormwater management, schools, parks, sidewalks, and utilities to serve the proposed use.</b>	
<b>Applicant:</b>	Existing facilities and services are adequate
<b>Staff:</b>	Yes. All public facilities are adequate and the demand for these will remain the same
<b>(5) Whether or not the proposed use will create adverse impacts upon any adjacent or nearby properties by reason of noise, smoke, odor, dust, or vibration, or by the character and volume of traffic generated by the proposed use.</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	No significant adverse impact.

<b>(6) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation or the hours of operation of the proposed use.</b>	
<b>Applicant:</b>	No..
<b>Staff:</b>	No significant adverse impact.
<b>(7) Whether or not the proposed use will create adverse impacts on any environmentally sensitive areas or natural resources (wetlands, floodplains, etc..).</b>	
<b>Applicant:</b>	No..
<b>Staff:</b>	No adverse impact.

### **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.*

**Building Plan Review:** Fire sprinkler systems may be required      **Utilities:** < No comments received >.

**Engineering:** No comments or concerns      **Fire:** \* No comments received >

**Landscape:** No comments      **Public Works:** No comments.

**Police:** < No comments received >

### **Attachments:**

Zoning Location Map  
Future Development Map  
Aerial Location Map  
Survey / Site Plan

# CU-2022-06 Zoning Location Map



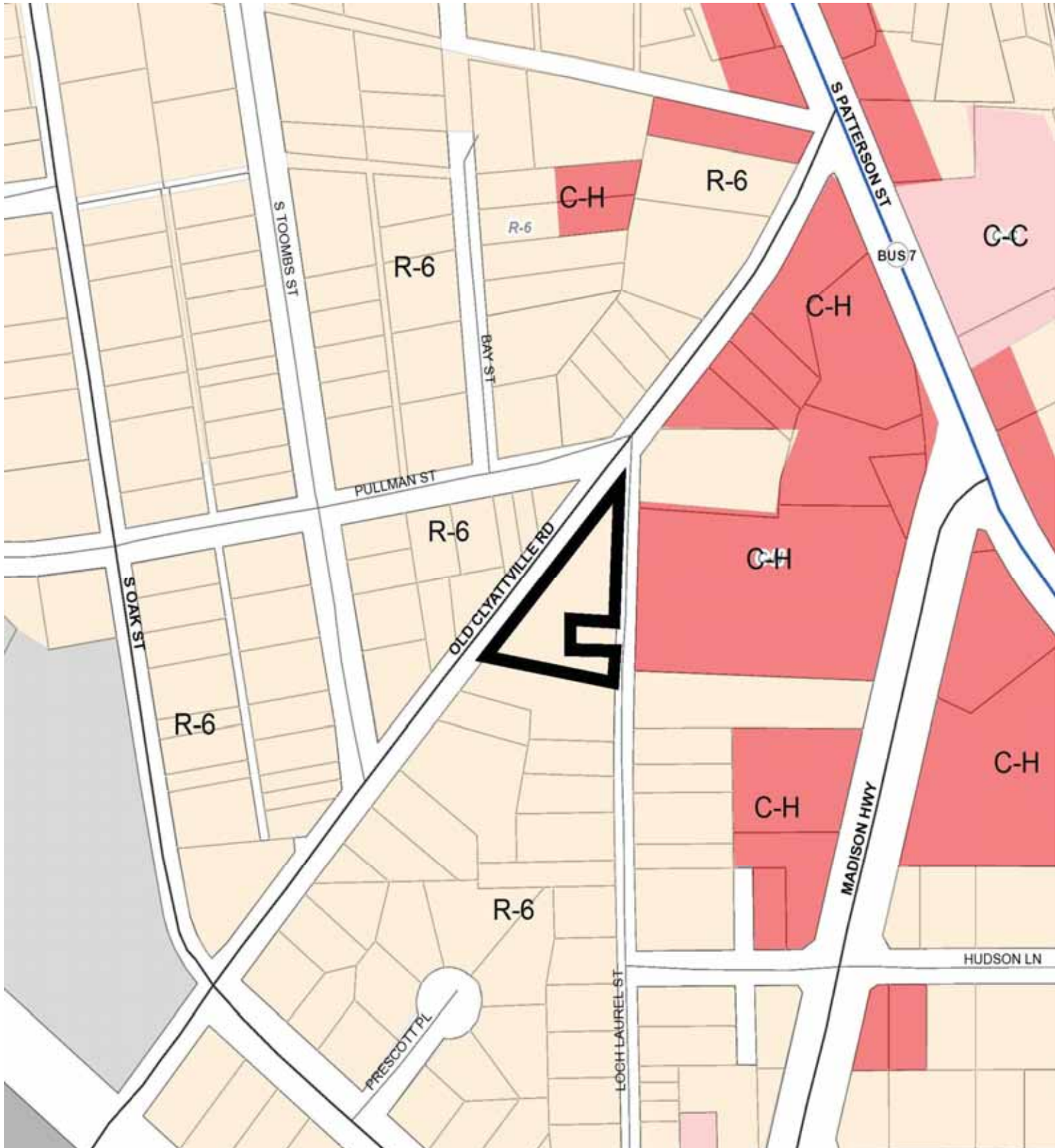
Francisco Menjivar  
CUP Request

805 Old Clyattville Road  
Tax Parcel #: 0120D-037

Zoned: R-6

\*\* Map NOT to scale

Map Data Source: VALOR GIS May 2022





# CU-2022-06 Future Development Map



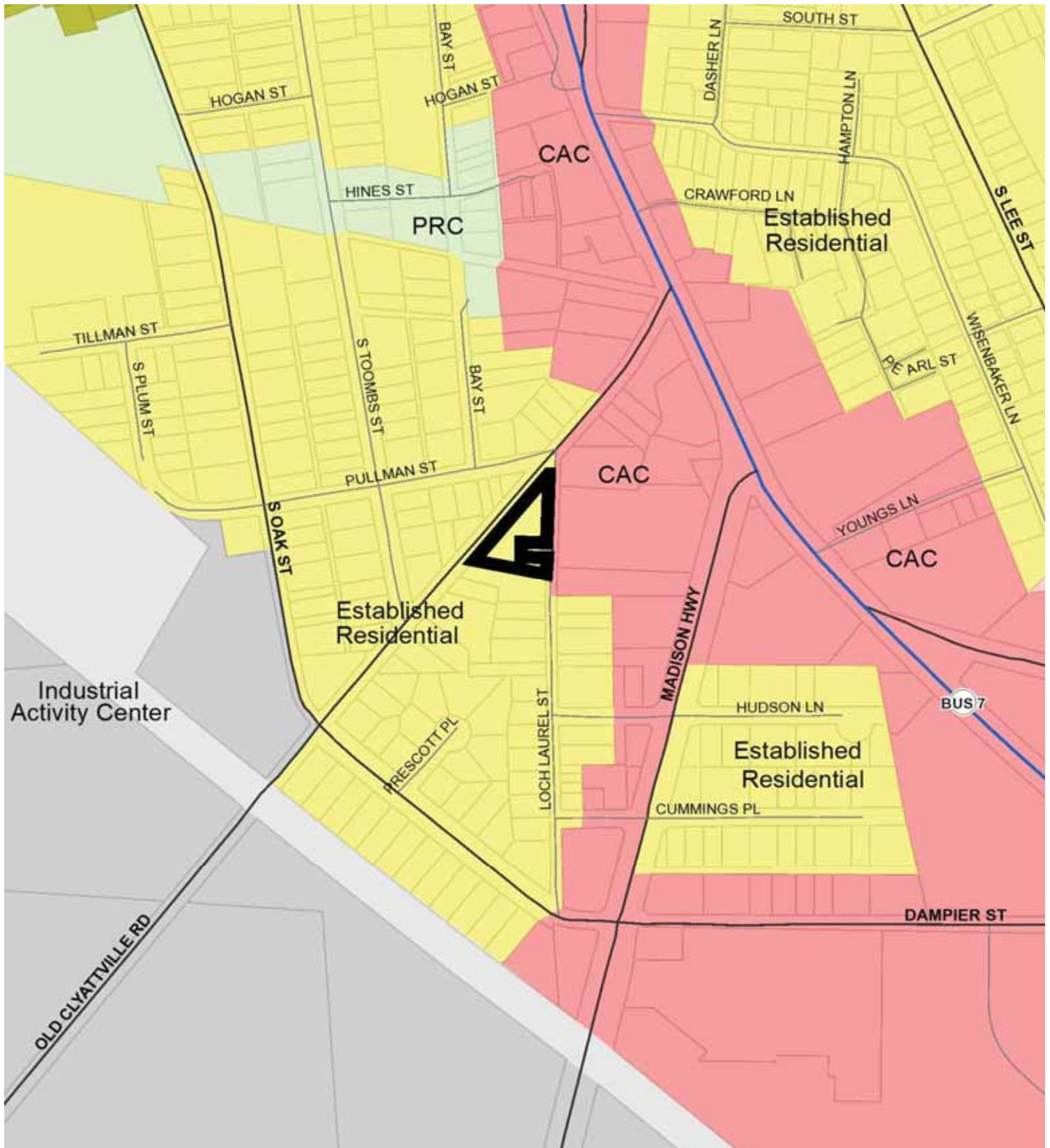
Francisco Menjivar  
CUP Request

805 Old Clyattville Road  
Tax Parcel #: 0120D-037

Character Area: ER

\*\* Map NOT to scale

Map Data Source: VALOR GIS May 2022





# CU-2022-06 Aerial Location Map



Francisco Menjivar  
CUP Request

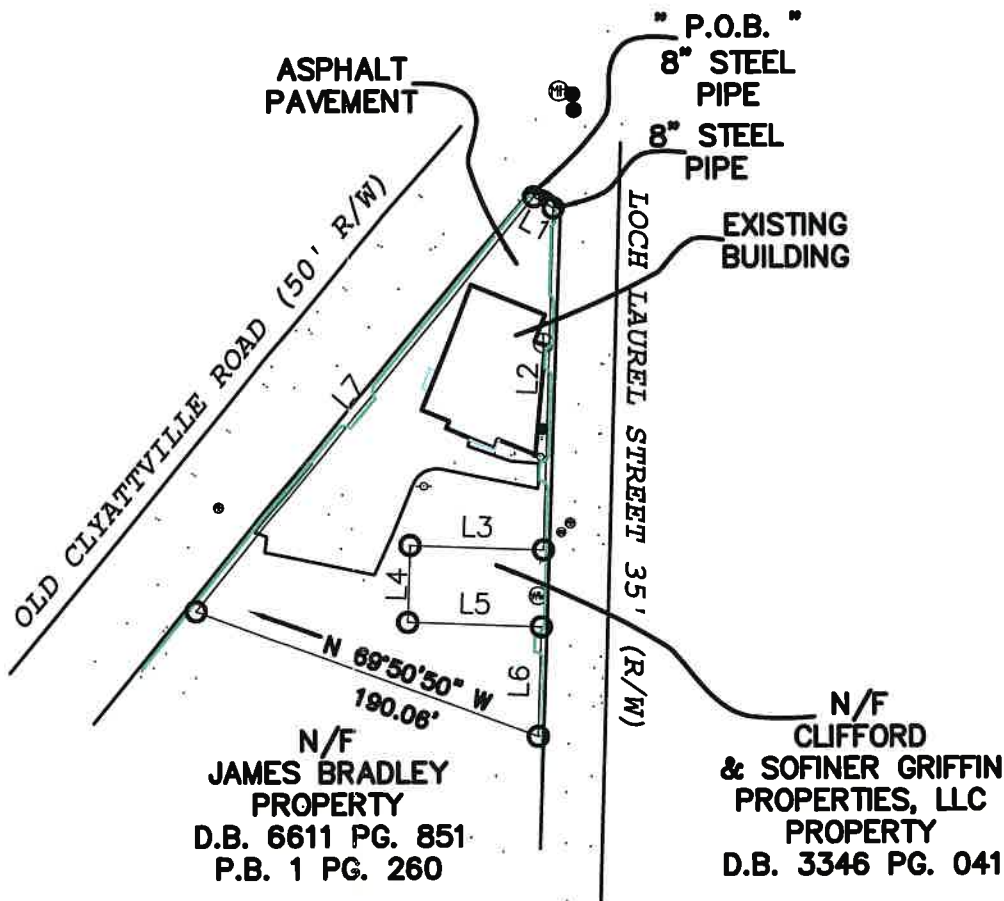
805 Old Clyattville Road  
Tax Parcel #: 0120D-037

2007 Aerial Imagery

\*\* Map NOT to scale

Map Data Source: VALOR GIS May 2022





TOTAL AREA  
0.54 AC  
(to solid bold lines)

GRID  
NORTH (NAD 83 GA. WEST ZONE)

