



## GLPC AGENDA ITEM # 10

NOVEMBER 28, 2022

### Rezoning Request by T.W. Paine File #: VA-2022-21

T.W. Paine Properties LLLP and River Hill LLC are requesting to rezone 48.16 acres from Planned Mixed-Use District (PMD) to Single Family Residential (R-6) zoning. The subject property is currently undeveloped and located approximately 1,000 feet west of Riverside Road, south of the James Road intersection. This property is in addition to, and immediately to the west of, the property that was rezoned for the applicant back in June (58.73 acres rezoned to R-6 and 8.14 acres rezoned to C-N, file # VA-2022-09). As with the previous request, the applicant is proposing to develop the R-6 areas as a conventional single-family residential subdivision. This proposed additional phase of the subdivision will have approximately 130 lots.

The subject property is located within a **Neighborhood Activity Center (NAC)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-6 zoning.

\*\*\* All of the background information, thought rationale, and applicable responses to the Standards for the Exercise of Zoning Power (SFEZP) are the same for this request, as they were for the previous VA-2022-09 request 6 months ago.

This property is part of the northern “James Road corridor” in the city limits which is still dominated by mostly vacant lands which are tied up in the Market Street master plan (PMD zoning). With exception of rezoning public hearings regarding the property to the east, and a Quick Trip truck stop to the north at the intersection of James Road & North St Augustine Road, this entire property has been sitting dormant for 15 years. The original PMD master plan covers about 240 acres and called for a fairly intensive mixed-use development pattern consisting of 500+ high-density dwelling units (townhouses, duplex/villas, & houses on 60’ wide lots), as well as approximately 1.3 million square feet of commercial development, consisting of retail shopping centers with anchor tenants, hotels, restaurants, and offices. (enclosed is a copy of this conceptual master plan) For multiple reasons, it is unfortunate that this PMD development never got built, nor even started.

The subject property consists of a little less than 1/3 of the total PMD acreage, but is part of the least intensive portion – which was planned for residential development rather than commercial. Just as with the previous request, the applicant’s proposal is less intensive than what is called for in this portion of the PMD, and therefore technically it could be considered a “down-zoning”. And just as before, staff still finds the applicant’s conventional layout design to be very non-creative and unimaginative. But with the old PMD master plan now being a foregone conclusion, staff is reluctantly supportive of this current request as well.

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

## Planning Analysis & Property Information

<b>Applicant:</b>	T.W. Paine (T.W. Paine Properties LLLP & River Hill LLC)		
<b>Owner:</b>	T.W. Paine Properties LLLP (Travers W. Paine, III)		
<b>Request:</b>	Rezone from PMD to R-6		
<b>Property General Information</b>			
<b>Size &amp; Location:</b>	One tract of land comprising 48.16 acres located approximately 1,000 feet west of Riverside Road, south of the James Road intersection. This is in addition to, and immediately west of, the property that was rezoned for the applicant back in June (58.73 acres rezoned to R-6 and 8.14 acres rezoned to C-N) (file # VA 2022 09).		
<b>Street Address:</b>	< no street address assigned >		
<b>Tax Parcel ID:</b>	Map # 0083A Parcel 001	<b>City Council District:</b>	6 <i>Councilman Andy Gibbs</i>
<b>Zoning &amp; Land Use Patterns</b>			
		<b>Zoning</b>	<b>Land Use</b>
<b>Subject Property:</b>	Existing:	PMD	Vacant
	Proposed:	R-6	Single-family subdivision
<b>Adjacent Property:</b>	North:	PMD	Vacant
	South:	R-1	Rural residential (undeveloped)
	East:	R-6	Vacant (undeveloped)
	West:	PMD & CON	Vacant (undeveloped / river floodplain)
<b>Zoning &amp; Land Use History</b>	This property has been zoned PMD ever since it was annexed into the City in 2007 (file # VA-2007-46) It has never been developed and has always been used for agriculture/forest purposes.		
<b>Neighborhood Characteristics</b>			
<b>Historic Resources:</b>	No significant historic resources on or near the subject property.		
<b>Natural Resources:</b>	Vegetation:	Pine forest	
	Wetlands:	Potential jurisdictional wetlands along the western portion of the property – as part of the river floodplain.	
	Flood Hazards	Located adjacent to the current FEMA designated 100-year floodplain	
	Groundwater Recharge:	Potential significant recharge areas adjacent to the river floodplain	
	Endangered Species:	No known endangered species in the area.	
<b>Public Facilities</b>			
<b>Water &amp; Sewer:</b>	Existing Valdosta water & sewer services along James Circle to the east.		
<b>Transportation:</b>	Riverside Road (local street – unpaved)		
<b>Fire Protection:</b>	Fire Station # 6 (Enterprise Drive) = approximately 2.80 miles to the SE. The nearest City fire hydrant is along James Circle		

## Comprehensive Plan Issues

**Character Area:**     Neighborhood Activity Center

**Description:**   A neighborhood focal point with a concentration of activities such as general retail, service commercial, professional office, higher-density housing, and appropriate public and open spaces uses easily accessible by pedestrians and bicycles.

**Development Strategy:**   Each neighborhood center should include a mix of retail, services, and offices to serve neighborhood residents’ day-to day needs. Residential development should reinforce the center by locating higher density housing options adjacent to the center, targeted to a broad range of income levels, including multi-family town homes, apartments, and condominiums. Design for each 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:

**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.

**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.*

<b>(1) Whether a proposed rezoning will permit a use that is suitable, in view of the use and development of adjacent and nearby property.</b>	
<b>Applicant:</b>	The proposed development provides a transition from the commercial growth along the SR-133 corridor with the existing residential area further south
<b>Staff:</b>	The proposed zoning changes are more intensive than the adjacent “non-PMD” properties, but are very compatible with approved PMD zoning master plan that remains on the other adjacent properties.
<b>(2) Whether a proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.</b>	
<b>Applicant:</b>	Rezoning of the proposed development should have no adverse impact on the usability of nearby properties.
<b>Staff:</b>	No adverse impact.
<b>(3) Whether the property to be affected by a proposed rezoning has a reasonable economic use as currently zoned.</b>	
<b>Applicant:</b>	The property cannot be developed as it is currently zoned since the PMD designation previously adopted does not allow for development unless it follows the exact site plan as previously designed.
<b>Staff:</b>	No. The subject property is locked-in to the approved PMD master plan and it cannot feasibly be developed “independently” from the adjacent PMD properties.
<b>(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.</b>	
<b>Applicant:</b>	The proposed development will be phased to provide development in a logical pattern and to not add a burden to existing streets, utilities or schools.

<i>Staff:</i>	No significant change from the impacts to be created by the existing PMD zoning.
<b>(5) Whether the proposed rezoning is in conformity with the policy and intent of the Comprehensive Plan.</b>	
<i>Applicant:</i>	The Comprehensive Plan shows the area as a Neighborhood Activity Center which allows residential use as provided on the proposed development plan.
<i>Staff:</i>	Yes. R-6 zoning is consistent with the Neighborhood Activity Center (NAC) Character Area designation of the Comprehensive Plan, as well as its Goals and Policies.
<b>(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.</b>	
<i>Applicant:</i>	The subject property has commercial development to the north and east along with residential development to the south which would justify the proposed usage of residential zoning.
<i>Staff:</i>	PMD zoning is site-specific and as a zoning category it is no longer recognized by the City's land development regulations which were re-adopted in 2009 (after the PMD was approved in 2007). Therefore, the PMD master plan cannot be simply "amended". Any deviations from the original approval will result in a <u>required</u> Rezoning of the property being proposed for development.
<b>(7) Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment.</b>	
<i>Applicant:</i>	The proposed development will not occur within existing flood zones and wetlands areas. It will not have an adverse impact on the natural environment.
<i>Staff:</i>	No significant adverse impact.
<b>(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.</b>	
<i>Applicant:</i>	The proposed rezoning meets the characteristic of the surrounding properties and does not grant a special privilege.
<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 or concerns.

**Utilities:** < No comments received >.

**Building Plan Review:** No comments

**Public Works:** < No comments received >

**Police:** < No comments received >

**Fire:** < No comments received >

**Landscaping:** Development must comply with LDR Chapter 328

**Attachments:**

- Zoning Location Map
- Character Area Map
- Aerial Location Map
- Boundary Survey
- Proposed conceptual layout
- Market Street PMD master plan – zoomed
- Land Use Certificate from Rezoning # VA-2022-09

# VA-2022-21 Zoning Location Map



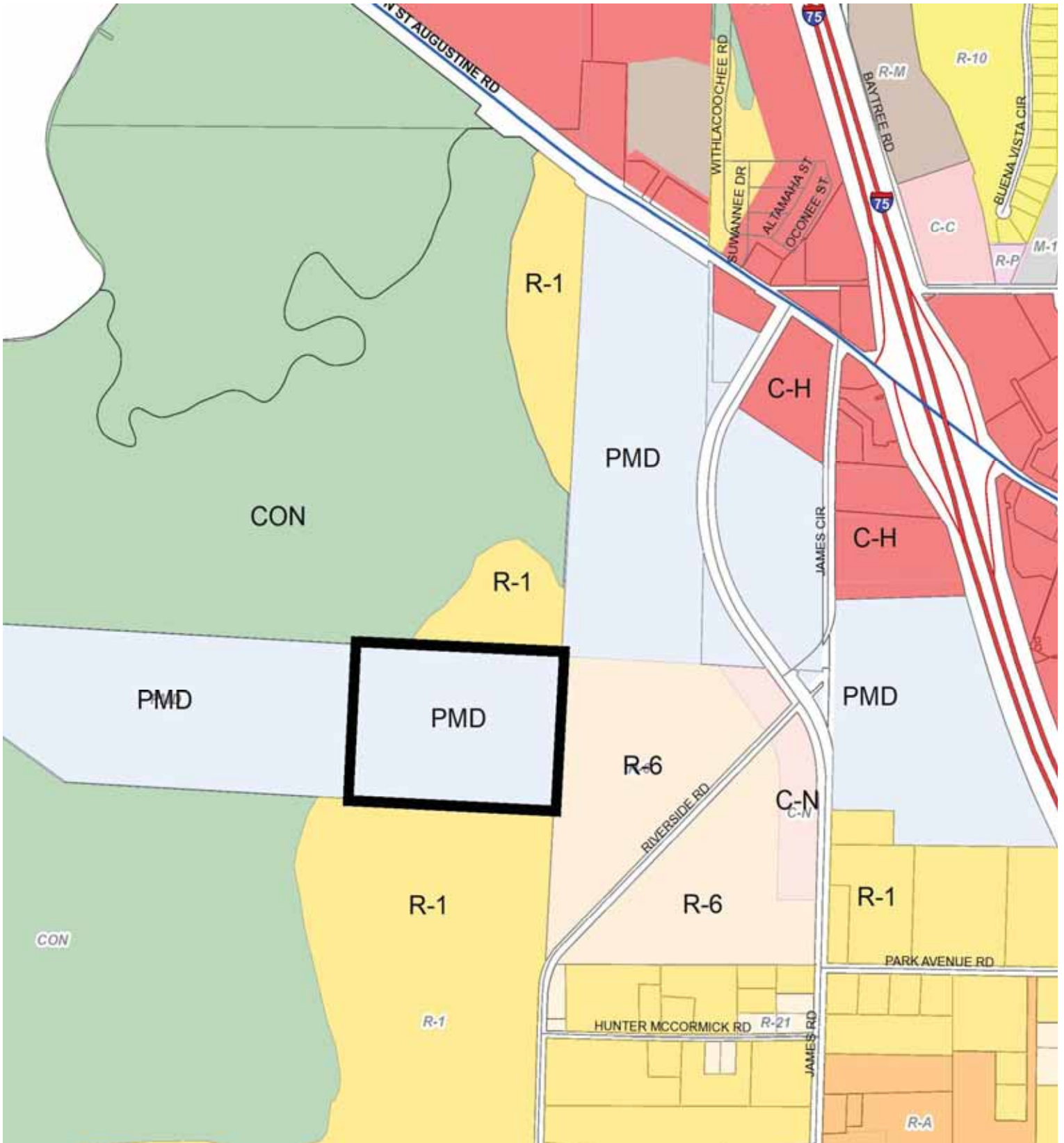
T.W. Paine  
Rezoning Request

Riverside Road  
Tax Parcel #: 0083A – 001

Current Zoning: PMD

\*\* Map NOT to scale

Map Data Source: VALOR GIS November 2022



# VA-2022-21 Future Development Map



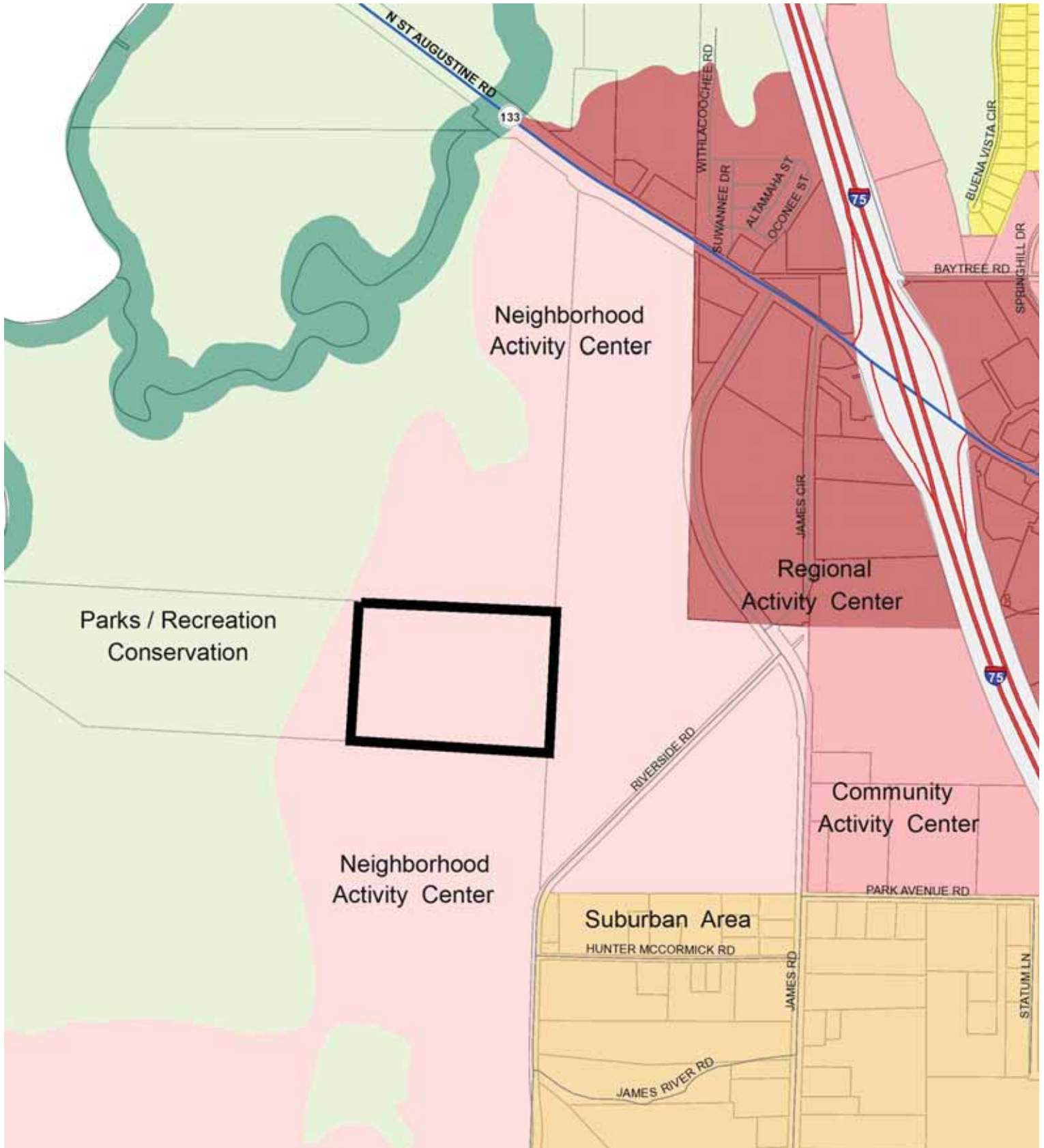
T.W. Paine  
Rezoning Request

Riverside Road  
Tax Parcel #: 0083A – 001

Character Area:  
"Neighborhood Activity Center"

\*\* Map NOT to scale

Map Data Source: VALOR GIS November 2022



# VA-2022-21 Aerial Location Map



T.W. Paine  
Rezoning Request

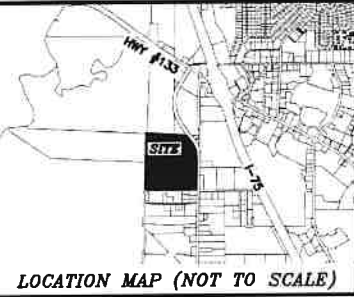
Riverside Road  
Tax Parcel #: 0083A – 001

~ 2020 Aerial Imagery

\*\* Map NOT to scale

Map Data Source: VALOR GIS November 2022



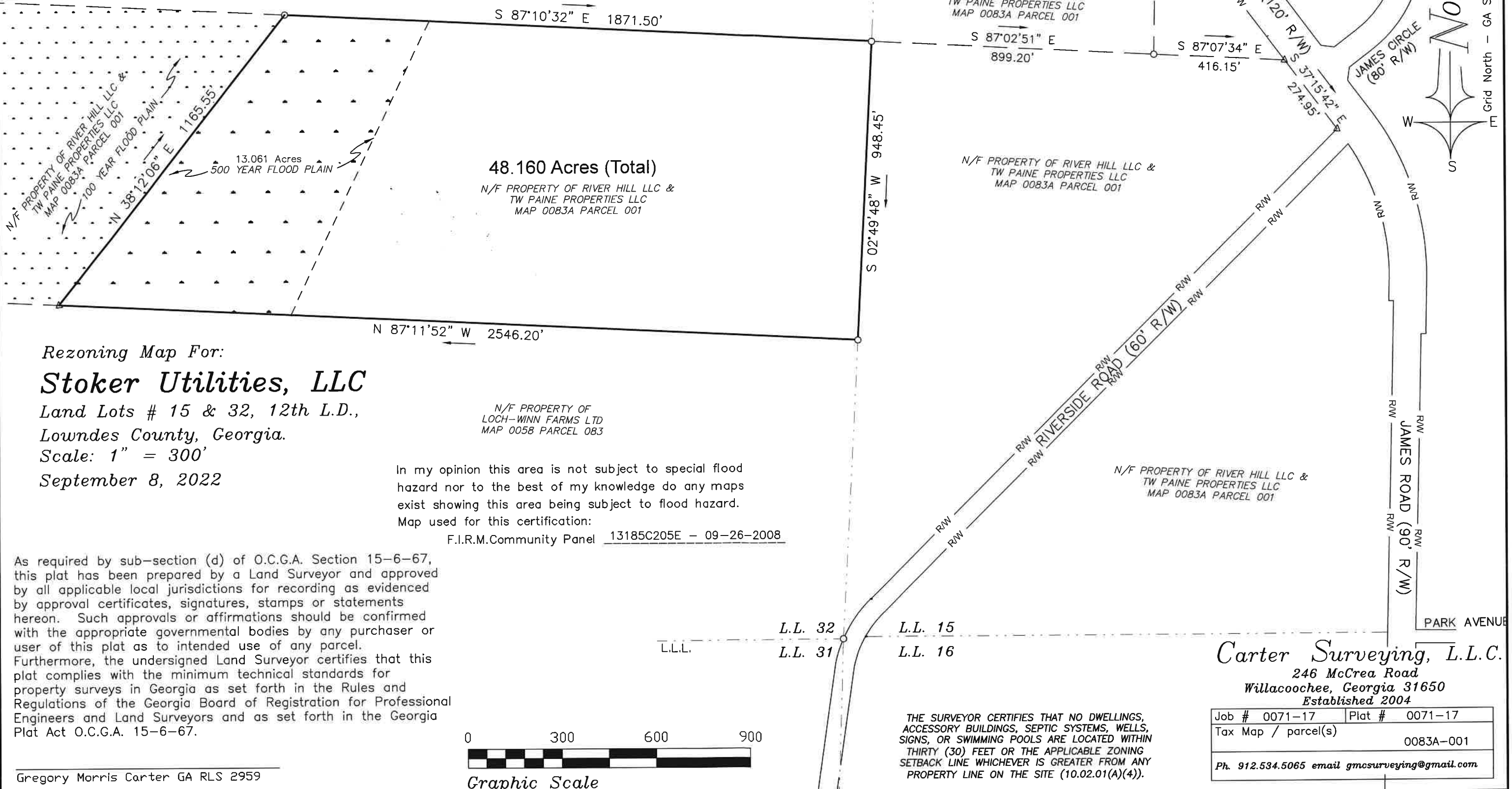


**SURVEY DATA**

Error of closure (plat): 1 in 50,000+  
 Error of closure (field): Relative Positional Precision 0.05'  
 Field work started on: 04-15-2022  
 Field work completed on: 09-08-2022

N/F PROPERTY OF LOCH-WINN FARMS LTD  
 MAP 0057 PARCEL 004

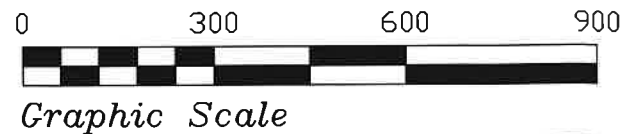
LEGEND	
○	= Iron Pin Found
●	= Iron Pin Set (1/2" rebar)
□	= Concrete Marker Found
■	= Concrete Marker Set
△	= Corner NOT monumented



Rezoning Map For:  
**Stoker Utilities, LLC**  
 Land Lots # 15 & 32, 12th L.D.,  
 Lowndes County, Georgia.  
 Scale: 1" = 300'  
 September 8, 2022

In my opinion this area is not subject to special flood hazard nor to the best of my knowledge do any maps exist showing this area being subject to flood hazard.  
 Map used for this certification:  
 F.I.R.M. Community Panel 13185C205E - 09-26-2008

As required by sub-section (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 as set forth in the Rules and Regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.



**Carter Surveying, L.L.C.**  
 246 McCrea Road  
 Willacoochee, Georgia 31650  
 Established 2004

Job # 0071-17	Plat # 0071-17
Tax Map / parcel(s)	0083A-001
Ph. 912.534.5065 email gmcsurveying@gmail.com	

THE SURVEYOR CERTIFIES THAT NO DWELLINGS, ACCESSORY BUILDINGS, SEPTIC SYSTEMS, WELLS, SIGNS, OR SWIMMING POOLS ARE LOCATED WITHIN THIRTY (30) FEET OR THE APPLICABLE ZONING SETBACK LINE WHICHEVER IS GREATER FROM ANY PROPERTY LINE ON THE SITE (10.02.01(A)(4)).





## CERTIFICATE OF LAND USE DECISION

### CITY OF VALDOSTA, GEORGIA

The following described property is subject to the following site-specific land use approvals, conditions, and regulations as of the date set forth below:

**Tax Map Number: 0083A**                      **Parcel Number: 001**

**Property Size and Location: 66.87 acres located along the west side of James Road, both north and south of its intersection with Riverside Road.**

**Address: < no street address assigned >**

REZONING REQUEST	
Applicant: <b>T.W. Paine Properties LLP &amp; River Hill LLC</b>	File #: <b>VA-2022-09</b>
Original Zoning Classification: <b>Planned Mixed-Use District (PMD)</b>	
Requested Zoning Classification: <b>Single-Family Residential (R-6) [58.73 acres] &amp; Neighborhood Commercial (C-N) [8.14 acres]</b>	
Date of Final Public Hearing: <b>June 9, 2022</b>	
Valdosta Mayor/Council <u>approved</u> the requested rezonings to R-6 and C-N as submitted (4-0 vote):	

The summaries of information and conditions on this Certificate are for general information only, and may not be relied upon exclusively. Except for approved variances, this property is still subject to applicable zoning, subdivision, building, and other codes and regulations of the City of Valdosta, Georgia.

This Certificate reflects the status of the property as of June 9, 2022.

PLANNING & ZONING ADMINISTRATOR

DATE



FUTURE DEVELOPMENT  
4.9 ACRES

FUTURE DEVELOPMENT  
1.38 ACRES

**SITE PLAN NOTES:**

- 1. Approximately 37% open/green space is provided.



LOCH-WINN FARMS LTD.  
C/O DR TOM H SMITH

RIVER HILL LLC & T W  
PAINE PROPERTIES LLC C/O  
T W PAINE VALDOSTA LLLP

JAMES RD RW VARIES

JAMES CIRCLE

500 YEAR  
FLOOD PLAIN

STORMWATER  
AREA / NO  
DEVELOPMENT  
±17.6 AC

PROPOSED R-6  
ZONING ±30.5 AC

ZONED R-6

EXISTING DIRT ROAD

RIVERSIDE DR



ALBANY VALDOSTA  
1741 PHILEMA RD 4560-E VALNORTH DR.  
WARNER ROBINS  
110A TOMMY STEINAKER DR.  
(800) 416-8136





SITE INFORMATION	
PROJECT ADDRESS	JAMES ROAD, VALDOSTA, GEORGIA 31602
PARCEL NUMBER	MULTIPLE
PARCEL ZONING	N/A
PROJECT AREA	VARIABLES
BUILDING SETBACK	LANDSCAPE SETBACK
FRONT	30' FRONT N/A
SIDE	6' SIDE N/A
REAR	20' REAR N/A

LOCH-WINN FARMS LTD.  
C/O DR TOM H SMITH

**CONCEPTUAL DISCLAIMER:**

INFORMATION SHOWN ON THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY AND IS NOT FOR CONSTRUCTION. BOUNDARY AND SETBACK INFORMATION SHOWN MAY NOT BE FIELD LOCATED OR VERIFIED AND ARE SUBJECT TO CHANGE. MEASUREMENTS SHOWN ARE BASED ON THIS INFORMATION.

**HATCH LEGEND:**

	CURRENTLY ZONED R-6		PROPOSED COMMON AREAS / RECREATION
	PROPOSED R-6 ZONING		500 YEAR FLOOD PLAIN

SECTION OF  
RIVERSIDE DR  
TO BE PAVED  
(±880 FT)

ROBERTS, MARY C.

HUNTER, THEODORE &  
JAMES O. HOMER

STATUM, OREN

HARRELL, MARY E.

PARK AVENUE RD

HUNTER-MCCORMICK RD (EXISTING PAVED ROAD)