



## GLPC AGENDA ITEM # 4

MARCH 27, 2023

### Rezoning Request by Anthony Tong File #: VA-2023-03

Mr. Anthony Tong is requesting to rezone 0.33 acres from Residential Professional (R-P) to Office Professional (O-P). The subject property is located at 307 East Jane Street, which is along the south side of the street about 300 feet east of Williams Street and about 500 feet west of North Ashley Street. The property contains a small vacant office building (2,034-sf) with a small rear yard parking area. The applicant is proposing to relocate his existing "Urban Ink" tattoo studio from its current location at 1507 North Ashley Street, to become a tenant in this new location in order to be closer to VSU. The applicant is not proposing any exterior changes to the building nor to the site.

The subject property is located within a **Transitional Neighborhood (TN)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P zoning.

This proposed use requires a CUP in O-P zoning, and would otherwise require C-C or C-H zoning as a Permitted Use. The property's "Transitional Neighborhood" Character Area designation does not allow these commercial zoning districts, and therefore the applicant is requesting the O-P zoning in order to make the property "eligible" for a subsequent CUP application for his proposed use.

The surrounding zoning pattern is clearly dominated by R-P, with C-H zoning on the properties which face North Ashley Street (500' to the east) and either R-6/R-10 zoning in the residential areas along Williams Street and Lola Drive to the north. Although not completely out of character with R-P, the applicant's request for O-P would be the introduction of a new zoning district not found anywhere nearby and could be considered a form of spot zoning. As one might expect from an area that is solidly zoned R-P, the surrounding land use pattern is dominated by a mixture of both residential and professional office type uses. However, in terms of overall character, this area has a strong "residential" feel to it in terms of older homes that have been converted to offices but keeping their residential style, the urban tree canopy, narrow streets with light traffic, etc..

Despite O-P being a compliant zoning in the TN Character Area, some of the more intensive uses allowed by O-P (such as a bank, drug rehab center, certain personal services, etc..) could be considered too intensive for this area along East Jane Street, and it just seem unnecessary. The subject property and all of its surrounding properties have been zoned R-P for many years and have successfully hosted a variety of professional office type uses, or residential uses during this time. Building occupancy in this surrounding area remains high and there are no apparent "changing conditions" that warrant this zoning change and introduction of a new zoning designation to this neighborhood. Rather than intrude into this established neighborhood with a more intensive zoning, staff recommends that the applicant instead stay in a more commercial area --- such as where they are currently operating or other similar such area.

**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

<b>Applicant:</b>	Anthony Tong (prospective tenant)		
<b>Owner:</b>	Sandy Mac Properties LLC		
<b>Request:</b>	Rezone from R-P to O-P *** (Applicant's written description and rationale for the request): "I am looking to move my tattoo studio (Urban Ink Body Art) into 307 East Jane Street, which is currently zoned R-P. This will be a serviced-based business that sells no taxable retail products. There will be no structural changes made to the building or property, We would like to rezone the property to O-P and the apply for a Conditional Use Permit (CUP).		
<b>Property General Information</b>			
<b>Size &amp; Location:</b>	One tract of land comprising 0.33 acres located along the south side of East Jane Street, about 500 feet west of North Ashley Street.		
<b>Street Address:</b>	307 East Jane Street		
<b>Tax Parcel ID:</b>	Map # 0116C Parcel 064	<b>City Council District:</b>	2 <i>Councilwoman Tooley</i>
<b>Zoning &amp; Land Use Patterns</b>			
		<b>Zoning</b>	<b>Land Use</b>
<b>Subject Property:</b>	Existing:	R-P	Vacant office
	Proposed:	O-P	Tattoo Studio – with a CUP approval
<b>Adjacent Property:</b>	North:	R-P	Duplex Residential
	South:	R-P	Professional offices, residential
	East:	R-P	Duplex residential
	West:	R-P	Law office
<b>Zoning &amp; Land Use History</b>	This property has been zoned R-P & developed as an office for more than 30 years.		
<b>Neighborhood Characteristics</b>			
<b>Historic Resources:</b>	Located about 300 feet outside the local Historic District (at Williams Street). Several of the nearby properties contain "historic eligible" buildings.		
<b>Natural Resources:</b>	Vegetation:	Urban forest	
	Wetlands:	No known wetlands on or near the subject 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.	
<b>Public Facilities</b>			
<b>Water &amp; Sewer:</b>	Existing Valdosta water & sewer services along East Jane Street.		
<b>Transportation:</b>	East Jane Street (local street)		
<b>Fire Protection:</b>	Fire Station # 1 (S Oak Street) = approximately 1.50 miles to the south The nearest City fire hydrant is along East Jane Street		

## Comprehensive Plan Issues

**Character Area:** Transitional Neighborhood

**Description:** An area that has most of its original housing stock in place but housing conditions may be worsening due to low rates of homeownership and/or decline of property maintenance. There may be a lack of neighborhood identity and gradual invasion of different type and intensity of uses that may be incompatible with the neighborhood residential use. These areas may be transitioning into a mix of single-family residential, multi-family, light office professional and light commercial uses. These areas are typically located in the older, core areas of the community.

**Development Strategy:** Focus should be on strategic public investments to improve conditions, allow appropriate infill development on scattered vacant sites, and encourage more homeownership and maintenance or upgrade of existing properties. Public assistance and investment should be focused where needed to ensure that the neighborhood becomes a more stable, mixed-income community with a larger percentage of owner-occupied housing. Vacant properties offer an 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:

Objective 3.2.3 – Protect well established neighborhoods from incompatible uses.

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

**GOAL 4: NATURAL & CULTURAL RESOURCES** – To provide for the continued protection of our natural and cultural resources for current and future generations.

**POLICY 4.4** –The continued protection and utilization of historic resources shall be encouraged and actively supported.

### 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) Is the proposed zoning change consistent with the surrounding land use pattern and will it permit a range of uses that are suitable with regard to the use and development of adjacent and nearby properties?.</b>	
<b>Applicant:</b>	Yes, the small block is comprised of both residential and professional parcels, as well as commercial parcels at the ends of the street.
<b>Staff:</b>	No. The surrounding area is dominated by a mixture of both residential and professional office type uses, but with an overall character that is “residential” in nature (older homes that have converted to offices, urban tree canopy, narrow streets with light traffic, etc..)
<b>(2) How will the proposed rezoning will adversely affect the existing use(s) or usability of adjacent or nearby properties ?</b>	
<b>Applicant:</b>	It will have no effect on the existing use or usability of adjacent or nearby properties.
<b>Staff:</b>	Some of the more intensive uses allowed by O-P zoning could be considered too intensive for this immediate area, and therefore have adverse impacts on surrounding properties.
<b>(3) How does the property to be affected by a proposed rezoning have a reasonable economic use as currently zoned ?</b>	
<b>Applicant:</b>	The property has previously housed the Stacey Abrams campaign, the Humane Society, and a doctor’s office as currently zoned. After the Human Society moved, the building remained unoccupied for quite some time.
<b>Staff:</b>	Yes. The subject property and all of its surrounding properties have been zoned R-P for many years and have successfully hosted a variety of professional office type uses, or residential uses during that time. R-P zoning is the only zoning district that offers this full range of professional and residential type uses.

<b>(4) Will the proposed rezoning result in a use that will or could cause an excessive or burdensome use of existing streets or other transportation facilities, and capacity of other public facilities – including utilities, parks, schools and other community facilities ?</b>	
<b>Applicant:</b>	No. .
<b>Staff:</b>	No significant adverse impact other than likely increases in traffic volumes from some O-P uses.
<b>(5) Is the proposed rezoning in conformity with the policy and intent of the Greater Lowndes Comprehensive Plan ?</b>	
<b>Applicant:</b>	Yes..
<b>Staff:</b>	Yes, O-P zoning is allowable in the Transitional Neighborhood character area, but it may be considered a little too intensive for the surrounding land use pattern.
<b>(6) What existing or changing conditions affecting the use and development of this property, support grounds for either approval or disapproval of the proposed rezoning ?</b>	
<b>Applicant:</b>	The proposed rezoning will have little to no impact on the area. No structural changes are being made the flow of traffic will continue to be extremely minimal. We have personally spoke to our neighboring occupants on the street, notified them of our intentions, to which they had no issue or objection.
<b>Staff:</b>	Building occupancy in this surrounding area remains high and there are no apparent “changing conditions” that warrant this zoning change and introduction of a new zoning designation to this neighborhood.
<b>(7) To what extent will the proposed rezoning result in significant adverse impacts on the natural environment (including trees, wetlands, floodplain, groundwater, air quality, water quality, etc...) ?</b>	
<b>Applicant:</b>	There will be no adverse impacts.
<b>Staff:</b>	No adverse impacts.
<b>(8) Will the proposed change constitute a grant of special privilege to the individual owner as contrasted with adjacent or nearby property owners or the general public ?</b>	
<b>Applicant:</b>	No.
<b>Staff:</b>	Yes. The proposed rezoning could be considered a grant of special privilege due to its difference from ALL of the surrounding R-P zoned properties.

**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:** It appears that the driveway for this property was installed/repaved with physical work in the City right-of-way without a Permit from the Engineering Dept, and also appears that several trees have been recently removed without a required Tree Removal Permit. These existing violations need to be discussed with City Engineering staff --- regardless of any approved/disapproved zoning change..

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

**Building Plan Review:** No comments or concerns

**Public Works:** No issues or concerns .

**Police:** < No comments received >

**Fire:** No comments

**Landscaping:** No issues or concerns

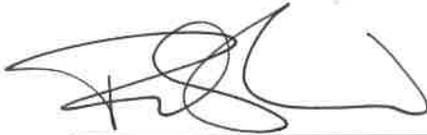
**Attachments:**

Letter of Authorization  
Zoning Location Map  
Future Development Map  
Aerial Location Map  
Boundary Survey & Site Plan  
Zoning District Comparison Chart

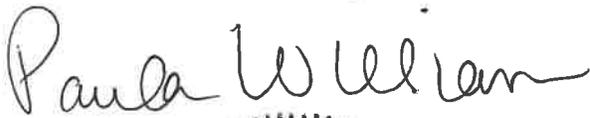
Sandy Mac Properties, LLC  
PO Box 609 Valdosta, GA 31603

To Whom it May Concern,

The applicant Tony Tong with Urban Ink has authorization to submit an application with the City of Valdosta for the purpose of rezoning the property located at 307 E. Jane Valdostas, GA 31601 to commercial zoning.



Robin C McGhin  
Sandy Mac Properties  
229.561.3810



# VA-2023-03 Zoning Location Map

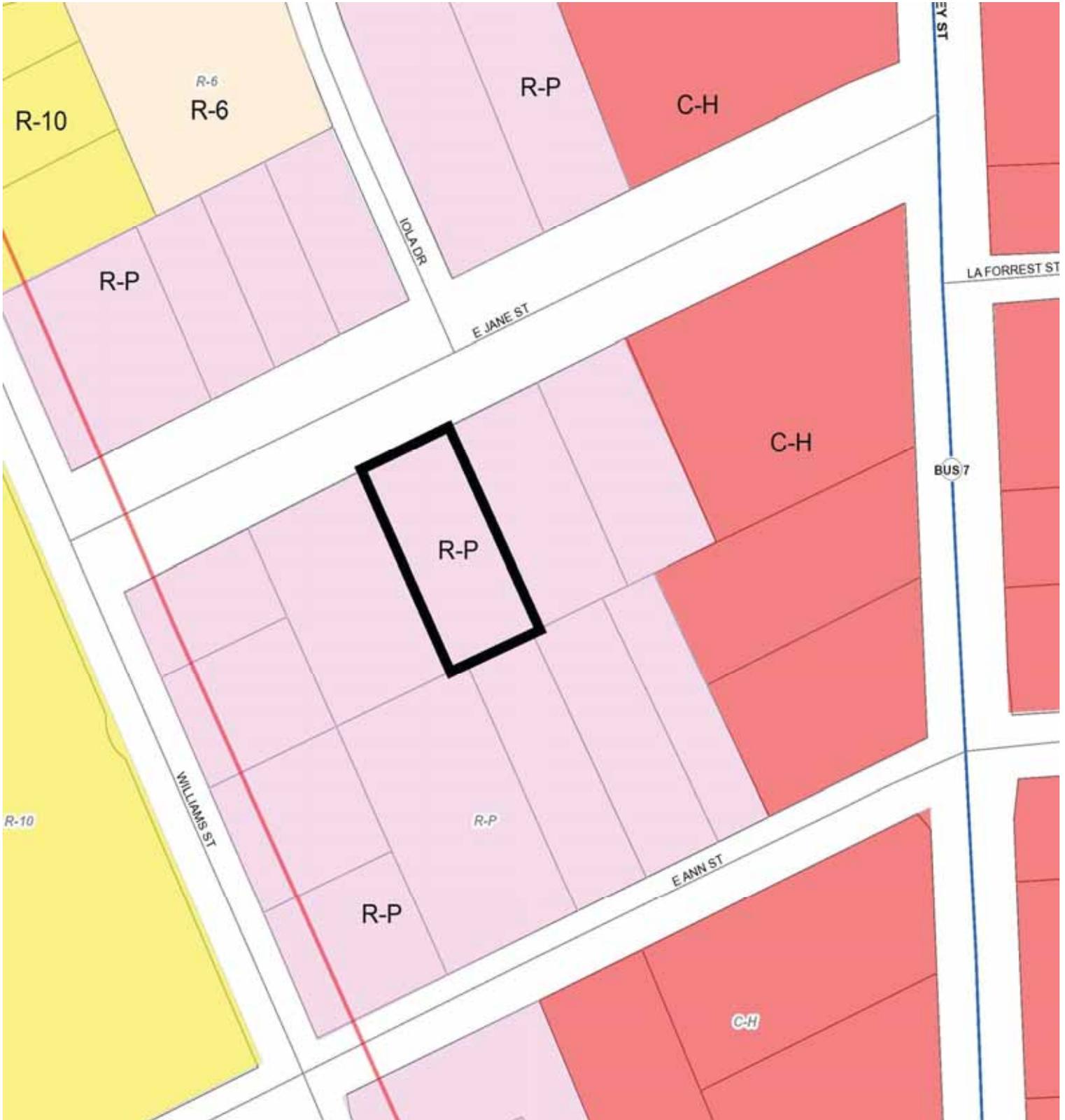


Anthony Tong  
Rezoning Request

307 East Jane Street  
Tax Parcel #: 0116C - 064

Current Zoning = R-P

\*\* Map NOT to scale    Map Data Source: VALOR GIS March 2023



# VA-2023-03 Future Development Map

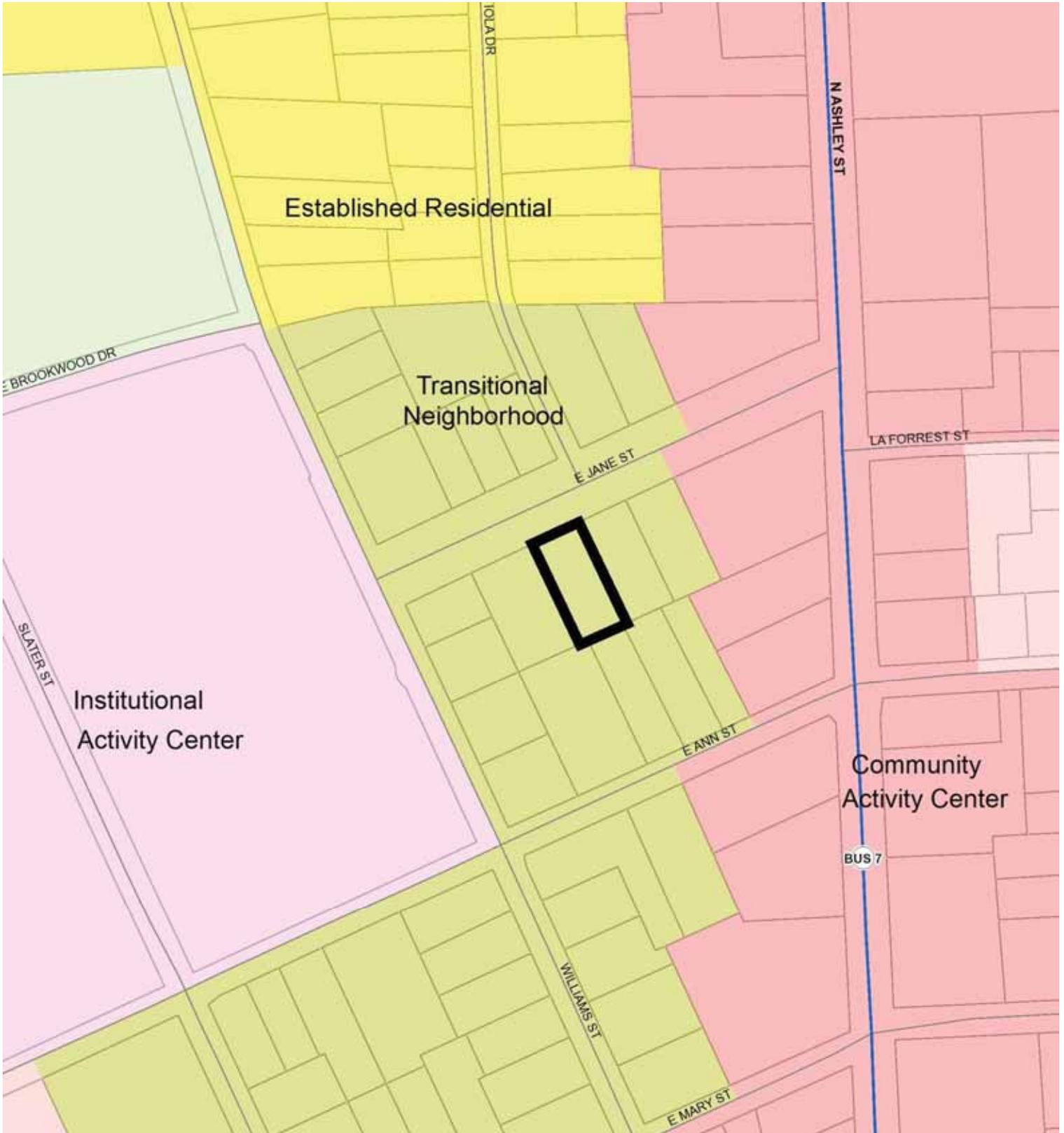


Anthony Tong  
Rezoning Request

307 East Jane Street  
Tax Parcel #: 0116C – 064

Character Area:  
"Transitional Neighborhood"

\*\* Map NOT to scale    Map Data Source: VALOR GIS March 2023



# VA-2023-03 Aerial Location Map



**Anthony Tong**  
**Rezoning Request**

307 East Jane Street  
Tax Parcel #: 0116C - 064

Aerial Imagery = 2007

\*\* Map NOT to scale      Map Data Source: VALOR GIS March 2023



REZONING SURVEY PLAT FOR

**ANTHONY TONG**

BEING IN LAND LOT 61 OF THE  
11TH LAND DISTRICT, VALDOSTA,  
LOWNDES COUNTY, GEORGIA

SURVEY DATE: FEBRUARY 16, 2023  
PLAT DATE: FEBRUARY 17, 2023



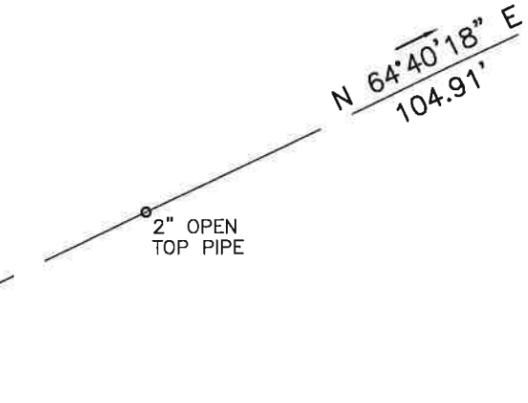
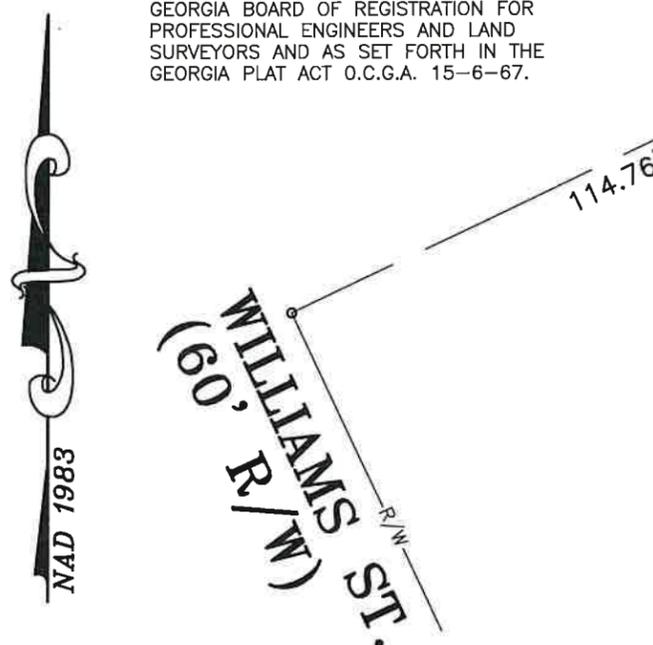
GRAPHIC SCALE : 1 INCH = 30 FT.

I hereby certify that this property is located in a "X" zone,  
and not within a 100-yr flood zone according to the Federal  
Emergency Management Agency's Insurance Rate Map  
Panel Number 13185C0210E, Dated 9-26-08.

THIS SURVEY WAS PREPARED IN CONFORMITY  
WITH THE TECHNICAL STANDARDS FOR  
PROPERTY SURVEYS IN GEORGIA AS SET FORTH  
IN CHAPTER 180-7 OF THE RULES 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.



**EAST JANE STREET (100' R/W)**  
(DIVIDED ROAD WITH LANDSCAPED MEDIAN)



PROPERTY OF  
EJA COMPANY, LLC  
TAX MAP 116C, PAR 63  
DB 6659, PG 931  
PB 31, PG 72

PROPERTY OF  
JERRY & LINDA DAVIS  
TAX MAP 116C, PAR 58  
DB 3125, PG 25

PROPERTY OF  
CLIFTON THOMAS COPPAGE  
TAX MAP 116C, PAR 65  
DB 1166, PG 286

PROPERTY OF  
CHARLENE MONTGOMERY  
TAX MAP 116C, PAR 56  
DB 484, PG 412

PROPERTY OF  
SANDY MAC  
PROPERTIES, LLC  
ZONED R-P  
TAX MAP 0116C,  
PAR 064  
DB 6924, PG 142

0.326 ACRES  
ASPHALT PARKING

- AC - AIR CONDITIONER
  - GV - GAS VALVE/METER
  - IPS - IRON PIN SET - 5/8" REBAR
  - R/W - RIGHT OF WAY
  - X--X-- - FENCE
  - OP - POWER POLE
  - OU - OVERHEAD UTILITY
  - GW - GUY WIRE
- EQUIPMENT USED: TOPCON PS-103A "TOTAL STATION"  
THE FIELD DATA UPON WHICH THIS SURVEY WAS PREPARED HAS A POSITIONAL TOLERANCE OF PROPERTY CORNERS WITH RESPECT TO EACH OTHER OF 0.02 FEET.  
PLAT CLOSURE: 1'/109,953  
BEARINGS SHOWN WERE CALCULATED FROM FIELD ANGLES TURNED REFERENCED TO NAD 1983 GEORGIA WEST ZONE

**Southeastern Surveying, Inc.**  
601 N. St. Augustine Rd. Telephone: 229-259-9455  
Valdosta, GA 31601 Fax: 229-259-9926  
E-mail: bherring@sesurveying.com  
GA Certificate of Authorization No. 685

NAD 1983

WILLIAMS ST.  
(60' R/W)

ASA #06