



GLPC AGENDA ITEM # 3

FEBRUARY 26, 2024

Rezoning Request by Trevor Shaw File #: VA-2024-02

Trevor Shaw is requesting to rezone a total of 9.89 acres from Single-Family Residential (R-15) to a combination of Single-Family Residential (R-10) [4.18 acres], and Single Family Residential (R-6) [5.71 acres]. The subject properties are located at 3305 & 3317 Cherry Creek Road, which are along the west side of the road about 300 feet south of the intersection with Beckenridge Drive. This is also directly west of the traffic light intersection with North Oak Street Extension. Each parcel currently contains a single-family residence. The applicant is proposing to demolish both residences, combine the properties together, and then replat and redevelop the total property as a conventional single-family residential subdivision on public streets and lot sizes based on the proposed R-10 and R-6 zoning pattern. The R-10 portion of the development would have about 14 lots, and the R-6 portion about 20 lots (about 34 lots total).

The subject property is located within a **Established Residential (ER)** Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of both R-10 and R-6 zoning.

The subject properties are the last remnants of a semi-rural estate subdivision with 5-acre lots along North Oak Street Extension and Cherry Creek Road, which was first developed more than 60 years ago. Over the past 35+ years in response to growth pressures along these road corridors, all of these lots have been redeveloping into higher density residential subdivisions as well as small office parks. Individual houses on 5-acre lots is no longer consistent with the surrounding land use, nor zoning patterns of the area.

This request is a classic example of proposed “infill development of a residential nature. However, the challenge in this case is how to balance or mitigate the existing pattern of low density residential on one side, and relatively higher density development on the other. The Windsor Park and Windsor-2 neighborhoods to the north and west are zoned R-15, while the Kingswood subdivision to the south is zoned PRD with an R-6-like lot pattern. Also to the south there is a vacant tract (1.7 acres) that is zoned R-P, which allows apartments or offices, To the east, through the street intersections is the Three Oaks Apartment complex. With this existing pattern of a graduated scale of density from one side of the property to the other, that applicant is proposing a transitional pattern of R-10 zoning next to the R-15, and regular R-6 zoning next to the PRD and R-P development. These proposed zonings are consistent with the zoning and land use patterns for the “overall area”, and serve as a transitional pattern between these opposing development densities.

Another point to consider in all of this is that of development access. Although the subject property abuts the existing R-15 development area, it has no direct means of access connection to that other neighborhood. However, the PRD development to the south contains two (2) stub-out streets into the subject property. By code, development of the subject property is **REQUIRED** to connect to this PRD development, unless a variance otherwise granted. Both the PRD development and the subject property each need more than one access connection to the City street system, and connecting through each other satisfies this requirement for both. Developing the subject property entirely as an R-15 subdivision with frontage along this portion of Cherry Creek Road and mandated two (2) points of connected access to existing R-6 density development, seems a little out of character with what should be a transitional pattern of infill development.

Staff Recommendation: Find the requested combination of R-10 and R-6 zoning 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

Applicant:	Trevor Shaw		
Owner(s):	Peggy W. Wright, June D. Brown		
Request:	Rezone from R-15 to a combination of R-10 & R-6		
Property General Information			
Size & Location:	Two (2) parcels totaling 9.89 acres located along the west side of Cherry Creek Road, about 300 feet south of the intersection with Beckenridge Drive. This is also directly west of the traffic light intersection with North Oak Street Extension.		
Street Address:	3305 Cherry Creek Road & 3317 Cherry Creek Road		
Tax Parcel ID:	Map # 0107D Parcels 064 & 065	City Council District:	5 <i>Councilman Tim Carroll</i>
Zoning & Land Use Patterns			
		Zoning	Land Use
Subject Property:	Existing:	R-15	Single-family residences (2)
	Proposed:	R-10 & R-6	Single-family subdivision (about 34 lots)
Adjacent Property:	North:	R-15	Single-family subdivision
	South:	PRD, R-P	Single-family subdivision, vacant R-P land
	East:	R-M	Three Oaks Apartments
	West:	R-15	Single-family subdivision
Zoning & Land Use History	These properties were part of the “annexed islands” (island # 25) which were annexed into the City in 2006. The properties had R-1 zoning in Lowndes County, and were given R-15 zoning in the City upon annexation. These properties have been used for single-family residential uses for more than 60 years		
Neighborhood Characteristics			
Historic Resources:	The existing houses on this property are historic age, but they are not officially designated historic resources. No other historic properties in the immediate area.		
Natural Resources:	Vegetation:	Urban forest	
	Wetlands:	There are no wetlands on or near the subject property.	
	Flood Hazards	The property is located well-outside the FEMA designated 100-year floodplain	
	Groundwater Recharge:	No significant recharge areas in the area	
	Endangered Species:	No known endangered species in the area	
Public Facilities			
Water & Sewer:	Existing Valdosta water & sewer service along Cherry Creek Road (12” water, 8” sewer), Lenox Drive & Sussex Drive (6” water, 8” sewer)		
Transportation:	Cherry Creek Road (major collector) Lenox Drive (local street) Sussex Drive (local street)		
Fire Protection:	Fire Station # 5 (N Oak Street Ext) = approximately 0.25 miles to the south. The nearest fire hydrants are along Cherry Creek Road, and along Lennox Drive and Sussex Drive		

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 3: HOUSING – To ensure access to adequate and affordable housing options for all residents in all income levels.

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

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 7.4 – 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) 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?.	
Applicant:	Yes, all adjacent properties have been zoned residential. The rationale behind the proposed split zoning is to have a less dense zoning of R-10 abutting R-15, with a more dense zoning of R-6 within the proposed development abutting a similar density to the south.
Staff:	Yes, the proposed zonings are consistent with the zoning and land use patterns for the “overall” area, and serve as a transition from R-15 on one side of the development, to R-6 and R-P/R-M densities on the other.
(2) How will the proposed rezoning adversely affect the existing use(s) or usability of adjacent or nearby properties ?	
Applicant:	The proposed zoning will in no way adversely affect adjacent properties
Staff:	No adverse impacts.
(3) Does the subject property have a reasonable economic use as it is currently zoned ?	
Applicant:	Yes. The proposed rezoning is to increase the ability to add character to the design.
Staff:	Yes. However, developing this property <u>entirely</u> as an R-15 subdivision with frontage along this portion of Cherry Creek Road and mandated two (2) points of connected access to existing R-6 density development seems a little unreasonable.
(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 ?.	
Applicant:	No. The proposed rezoning will utilize existing dead-ends, therefore helping the flow of traffic.
Staff:	No significant adverse impacts on existing infrastructure, beyond what is already allowed under R-15 zoning.

(5) Is the proposed rezoning in conformity with the policy and intent of the Greater Lowndes Comprehensive Plan ?	
Applicant:	Yes.
Staff:	Yes, the proposed R-10 and R-6 zoning are compliant with the Established Residential (ER) character area designation.
(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 ?	
Applicant:	This development is a continuation of the development trend set in this area.
Staff:	The only recent development trends in this area have been for the higher density residential and office park developments to the south.
(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...) ?	
Applicant:	No impact.
Staff:	No adverse impact.
(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 ?	
Applicant:	No.
Staff:	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.

Building Plan Review / Inspections: Inspections has no comments on this request .

Engineering: No comments on at this time. Subdivision review comments will be provided at the time of plat submittal.

Fire: Fire Dept has no comments or concerns. **GIS:** No comments

Landscape: Must comply with subdivision regulations in the LDR Chapter 328 for landscape..

Police: No issues or concerns **Public Works:** < No comments received >

Utilities: < No comments received >

Attachments:

- Letters of Authorization (2)
- Zoning Location Map
- Character Area Map
- Aerial Location Map
- Rezoning Survey
- Conceptual Lot Layout
- Zoning Use Comparison Chart
- Public Participation Letters

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LETTER of AUTHORIZATION

To: Greater Lowndes Planning Commission
Valdosta City Council

Regarding property located at 3305 Cherry Creek 0107D 065
(street address) (Tax Map/Parcel #)

I / We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby authorize Trevor Shaw to act as agent on my/our behalf, in submitting an application requesting the Rezoning of my/our property to a _____ zoning classification, and to represent me/us in all public hearings and other matters with the City of Valdosta relating to this application.

Peggy W. Wright
Signature(s)

Peggy W. Wright
PRINT name(s)

1-16-2024
Date

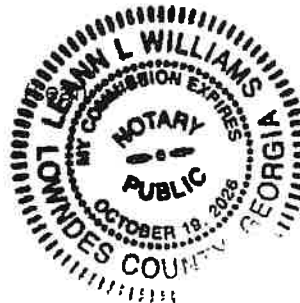
NOTARY PUBLIC

State of Georgia, County of Lowndes

Sworn to and subscribed to me on this 16th day of January 2024.

My commission expires Oct 19, 2026.

[Signature]
Notary Public



VA-2024-02

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LETTER of AUTHORIZATION

To: Greater Lowndes Planning Commission
Valdosta City Council

Regarding property located at 3317
~~3305~~ Cherry Creek 0107D 064
(street address) (Tax Map/Parcel #)

I / We the owner(s) of the above described real property in the City of Valdosta, Georgia, do hereby authorize Trevor Shaw to act as agent on my/our behalf, in submitting an application requesting ~~Planned Development~~ ^{Rezoning} approval for my/our property, and to represent me/us in all public hearings and other matters with the City of Valdosta relating to this application.

D June Brown D June Brown 01.12.24
Signature(s) PRINT name(s) Date

NOTARY PUBLIC

State of ~~South Carolina~~ County of SPARTANBURG

Sworn to and subscribed to me on this 12TH day of JANUARY 2024.

My commission expires 06/20/2024.

David L. Hastie
Notary Public

(seal)



#VA-2024-02

VA-2024-02 Zoning Location Map

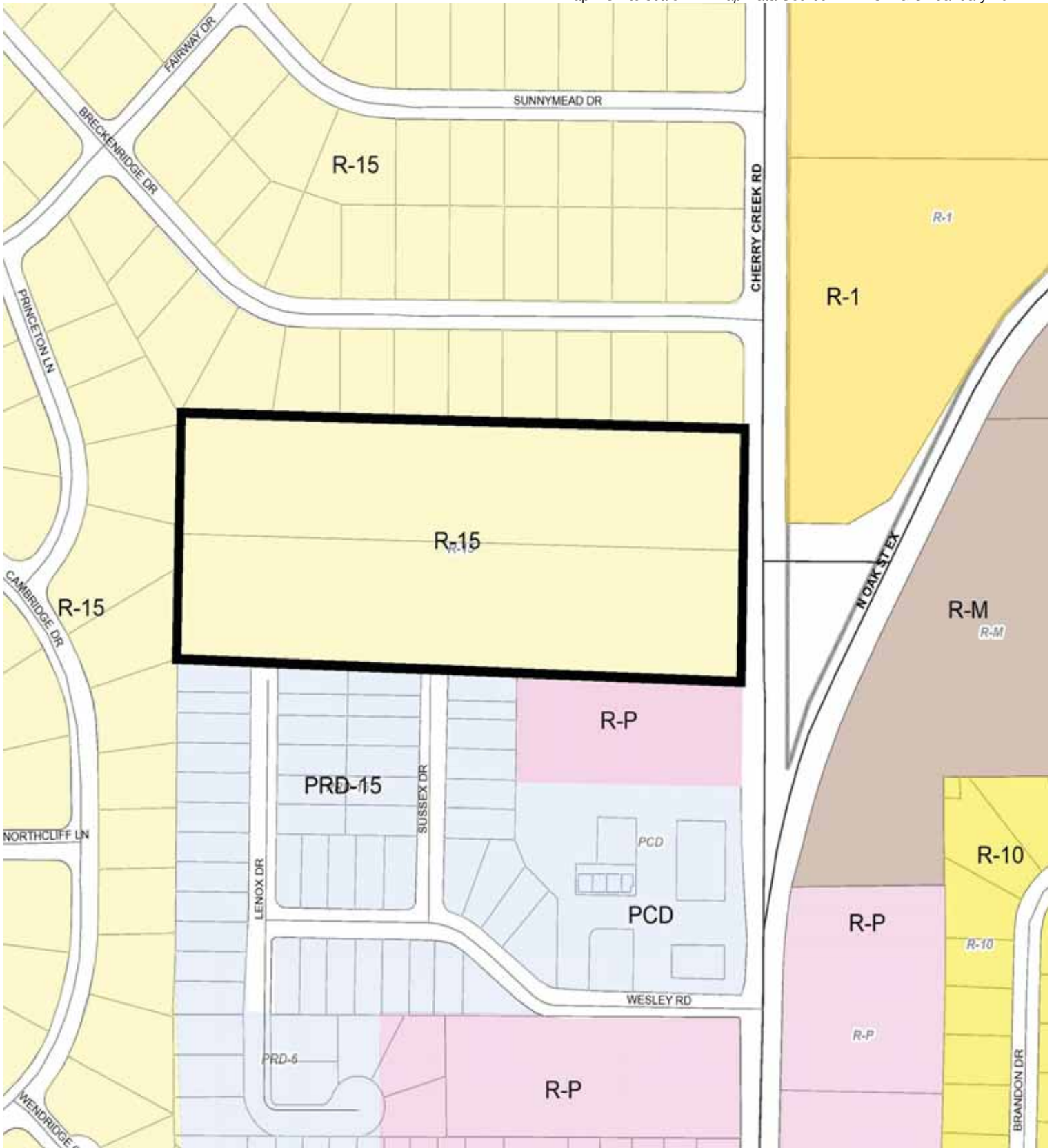


Trevor Shaw
Rezoning Request

3305 & 3317 Cherry Creek Road
Tax Map # 0107D Parcels # 064 - 065

Current Zoning = R-15

** Map NOT to scale Map Data Source: VALOR GIS January 2024



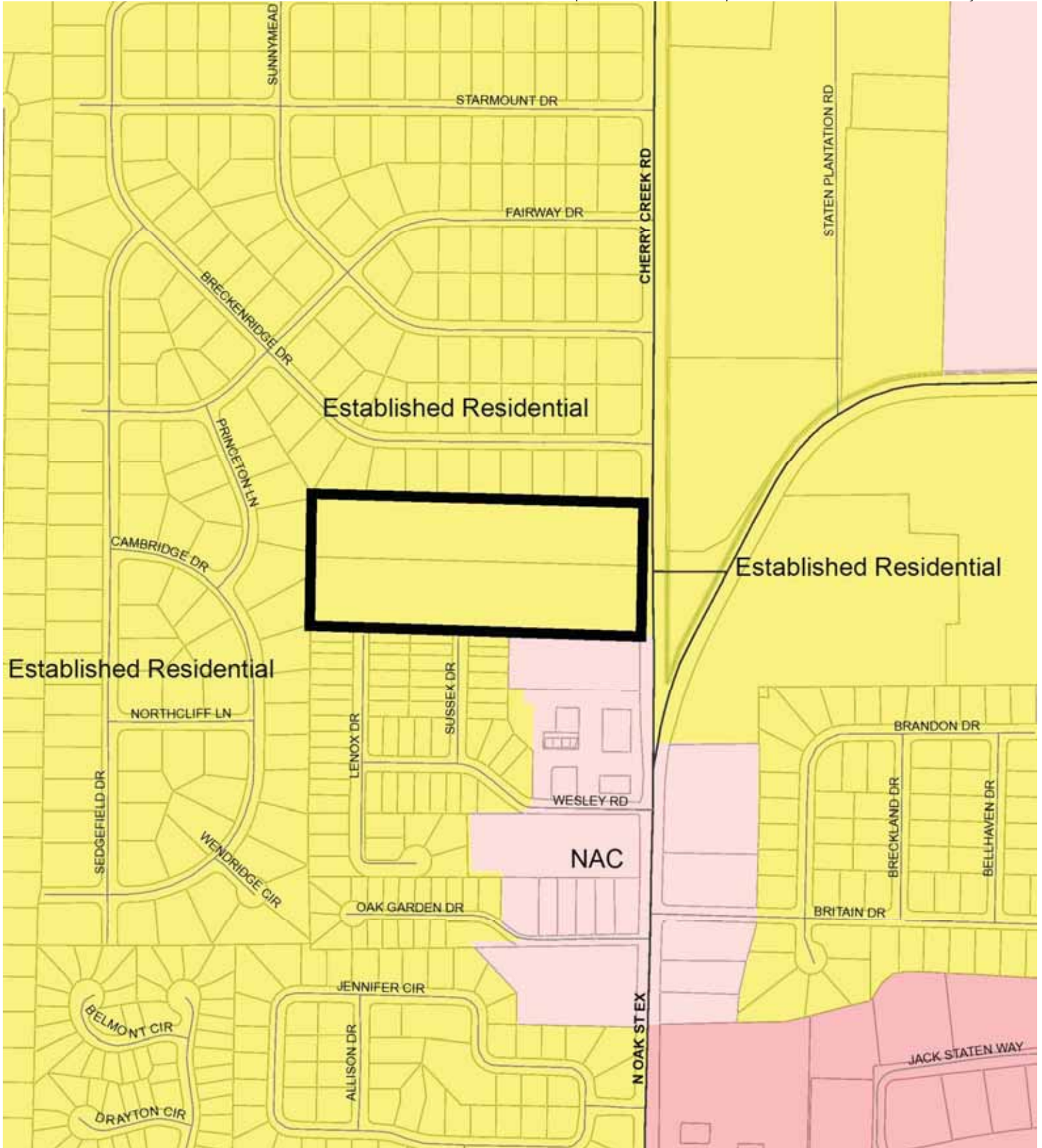
VA-2024-02 Future Development Map



Trevor Shaw
Rezoning Request

3305 & 3317 Cherry Creek Road Character Area: Established Residential
Tax Map # 0107D Parcels # 064 - 065

** Map NOT to scale Map Data Source: VALOR GIS January 2024



VA-2024-02 Aerial Location Map

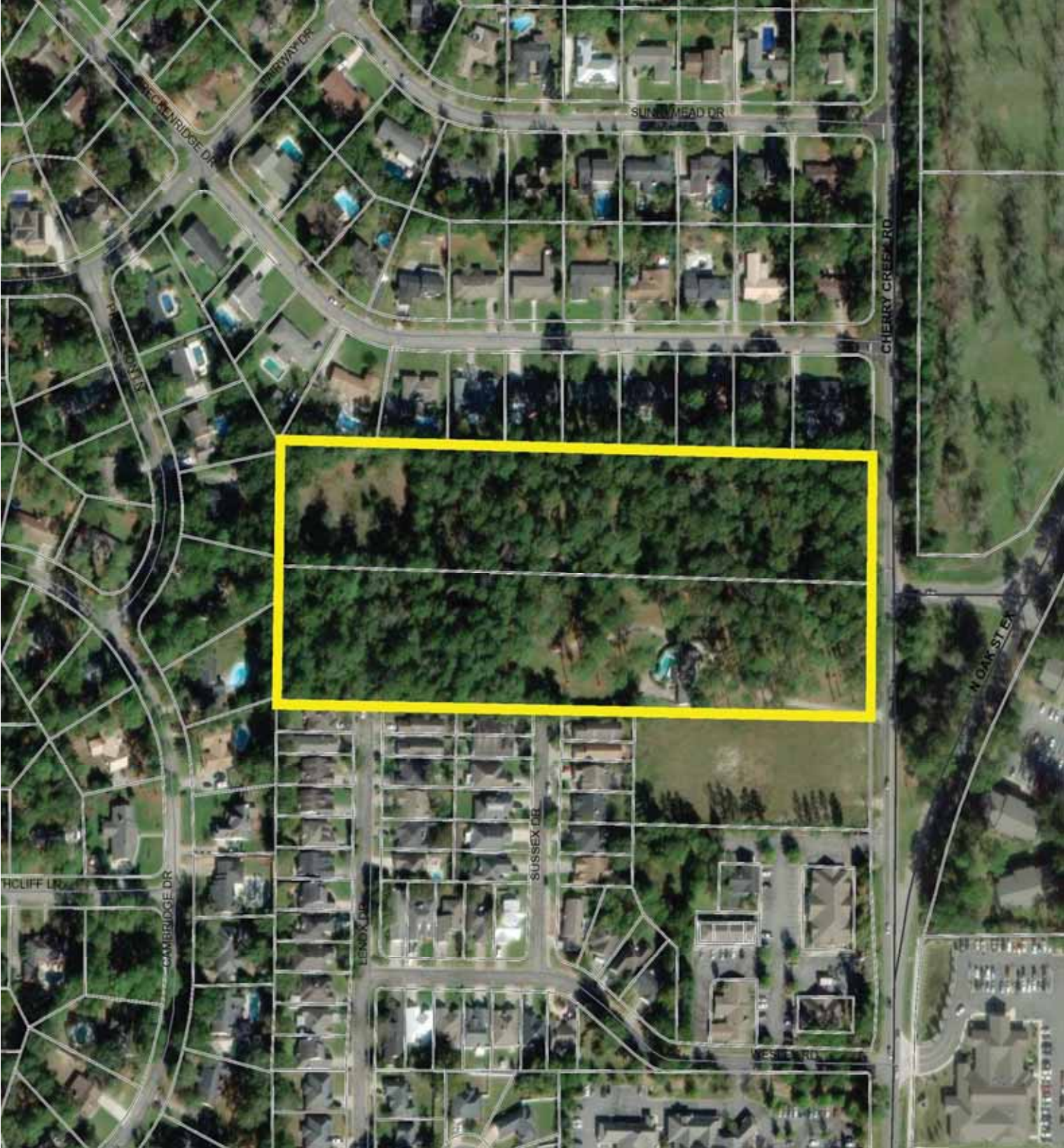


Trevor Shaw
Rezoning Request

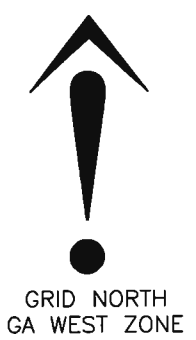
3305 & 3317 Cherry Creek Road
Tax Map # 0107D Parcels # 064 - 065

~ 2022 Aerial Imagery

** Map NOT to scale Map Data Source: VALOR GIS January 2024



I:\PROJECTS\AAAA JOBS\2023 (818-1086)\SURV 1072 CHERRY CREEK SD\1072 REZONE.DWG 1/15/2024 4:20 PM



LOT 9 WINDSOR PARK SUBDIVISION SEC 1
LOT 8 WINDSOR PARK SUBDIVISION SEC 1
LOT 7 WINDSOR PARK SUBDIVISION SEC 1
LOT 6 WINDSOR PARK SUBDIVISION SEC 1
LOT 5 WINDSOR PARK SUBDIVISION SEC 1
LOT 4 WINDSOR PARK SUBDIVISION SEC 1
LOT 3 WINDSOR PARK SUBDIVISION SEC 1
LOT 2 WINDSOR PARK SUBDIVISION SEC 1
LOT 1 WINDSOR PARK SUBDIVISION SEC 1

S 88°53'39" E 1038.10'

PROPOSED R-10
18,2059 SQ FT
CURRENT ZONING: R-15

S 88°53'39" E 592.26'

S 56°55'42" E
166.17'

S 88°53'39" E
153.68'

PROPOSED R-6
24,8742 SQ FT
CURRENT ZONING: R-15

S 00°40'11" W 200.48'
S 00°40'11" W 214.52'

CHERRY CREEK ROAD (80'R/W)

SOUTHEAST CORNER OF THAT TRACT OF LAND RECORDED IN PLAT BOOK 31 PAGE 21

LOT 15 WINDSOR PARK SUBDIVISION SECTION 4 PHASE 1

LOT 16 WINDSOR PARK SUBDIVISION SECTION 4 PHASE 1

LOT 17 WINDSOR PARK SUBDIVISION SECTION 4 PHASE 1

LOT 18 WINDSOR PARK SUBDIVISION SECTION 4 PHASE 1

LOT 19 WINDSOR PARK SUBDIVISION SECTION 4 PHASE 1

N 00°40'19" E 415.00'

N 01°07'01" E 302.49'

N 88°53'39" W 149.52'

LENOX DR (50'R/W)

LOT 12 KINGSWOOD SUBDIVISION PHASE 1

LOT 11 KINGSWOOD SUBDIVISION PHASE 1

LOT 18 KINGSWOOD SUBDIVISION PHASE 1

SUSSEX ROAD (50'R/W)

N 88°53'39" W 888.60'

LOT 12 KINGSWOOD SUBDIVISION PHASE 1

NOW OR FORMERLY
LUANNE BRYANT SMITH
DB 6479 PG 207
PARCEL# 0107D 066



LOCATED IN
LAND LOT 36
11th LAND DISTRICT
CITY OF VALDOSTA
LOWNDES COUNTY, GA

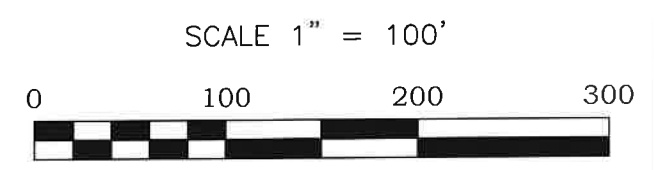
• ACCORDING TO FLOOD INSURANCE RATE MAP FOR LOWNDES COUNTY, GA. MAP #13185C0120E EFFECTIVE DATE SEPTEMBER 26, 2008. THIS PROPERTY IS IN FLOOD ZONE " X ". AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

INNOVATE !

Engineering & Surveying

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

REZONING MAP FOR: ROWELL-SHAW INVESTMENTS



Zoning District Comparison Chart

Development Standards	R-15	R-10	R-6
Minimum Lot Area (square feet): Single-family Duplex	15,000 ----	10,000 ----	6,000 9,000
Minimum Lot Width (feet)	100	80	60
Minimum Building Setbacks: Front, Side, Rear (feet)	30 15 25	20 10 25	20 8 20
Land Use	P - Permitted Use C - Conditional Use --- - not permitted		
Dwellings: single-family detached	P	P	P
Dwellings: single-family attached (townhouses)	---	---	C
Dwellings: duplex	---	---	P
Dwellings: accessory dwelling	C	C	C
Dwellings; Manufactured Home (mobile home)	---	---	C
Home Occupation	P	P	P
Home Business	C	C	C
Fraternity / Sorority House or Fraternal Facility *	C	C	C
Halfway House	---	---	C
Cemetery, Mausoleum, Country Club/Golf Course	C	C	C
Community Center	C	C	C
Church or Place of Worship	C	C	C
Library, Museum	---	C	C
Park (passive)	P	P	P
Personal Care Home – Family (2-3 persons)	P	P	P
Personal Care Home – Family (4-6 persons)	C	C	C
Personal Care Home – Group (7-15 persons)	---	---	---
School: pre-K – grade 12, private residential boarding	C	C	C
Daycare Facility; family size (6 or less children/adults)	P	P	P
Daycare Facility; group size (7-18 children/adults)	C	C	C
Utility Substations	C	C	C

From: Rouse Vallotton <vallotton@bellsouth.net>
Sent: Monday, February 19, 2024 10:19 AM
To: Matt Martin
Subject: Cherry Creek Rezoning

CAUTION: This email originated from outside the City of Valdosta. Maintain caution when opening external links/attachments

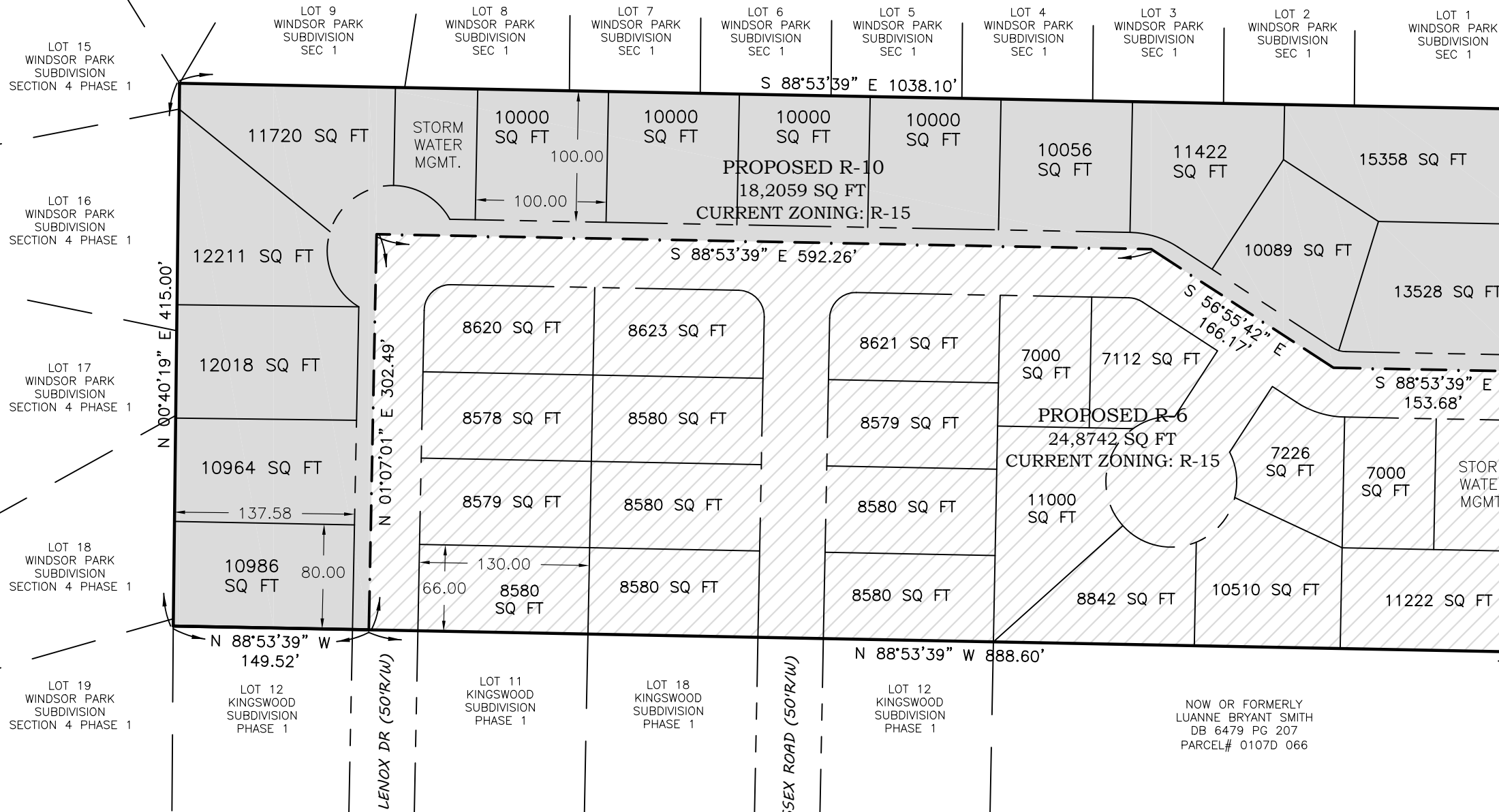
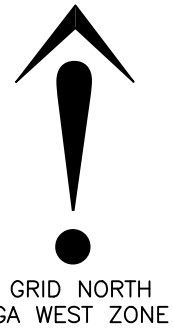
Dear Sir,

I am opposed to the plans that have been submitted. The density would be too much. There have already been numerous noise complaints coming from the smaller subdivision behind us. The traffic would not be able to safely handle the volume. I propose R15 lots on the exterior and R10 lots on the interior. This would blend more comfortably with Windsor Park's R15 zoning and be safer and better suited for the area.

Respectfully,

Rouse Vallotton
114 Princeton Lane
Valdosta, GA 31605

I:\PROJECTS\AAAA JOBS\2023 (818-1086)\SURV 1072 CHERRY CREEK SD\1072 CONCEPT.DWG 2/14/2024 12:19 PM



SOUTHEAST CORNER OF THAT TRACT OF LAND RECORDED IN PLAT BOOK 31 PAGE 21

NOW OR FORMERLY LUANNE BRYANT SMITH DB 6479 PG 207 PARCEL# 0107D 066

LOCATED IN LAND LOT 36 11th LAND DISTRICT CITY OF VALDOSTA LOWNDES COUNTY, GA

• ACCORDING TO FLOOD INSURANCE RATE MAP FOR LOWNDES COUNTY, GA. MAP #13185C0120E EFFECTIVE DATE SEPTEMBER 26, 2008. THIS PROPERTY IS IN FLOOD ZONE " X ". AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

INNOVATE

Engineering & Surveying



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

CONCEPTUAL SITE PLAN FOR: ROWELL-SHAW INVESTMENTS

SCALE 1" = 100'

