

834 N Hill Street
REZONING REQUEST
 (Project No. 14-REZ-01)

Applicant: M. Michael Kendall
Owner: Tanya C. Touchstone



Current Land Use Classification	Residential
Current Zoning	High Density Residential “A” (HDR-A)
Proposed Zoning	Neighborhood Business District (NBD)
Future Land Use Designation	Residential
Proposed Use	Commercial
Parcel Size	0.27 +/- total acres (three parcels)
Map, Block & Lot Number	003-02-012, 003-02-013, & 003-02-014
Planning & Zoning Board	May 19, 2014 Public Hearing
City Commission	May 27, 2014 Public Hearing
City Commission Member	Cynthia Ward, District 1
Planning Board Member	K.D. Fisher, District 1

Proposal/Site Location:

The applicant, M. Michael Kendall is seeking to rezone the three contiguous parcels addressed as 836, 834 & 0 N. Hill Street, located at the northeast corner of N. Hill Street and Kentucky Avenue. The three parcels consist of 0.27 +/- acres or 11,761 square feet and are located in the High Density Residential "A" (HDR-A) zoning district. The applicant's request is to rezone the three parcels from HDR-A to Neighborhood Business District (NBD) to operate a neighborhood convenience store.

Zoning Ordinance Sections applicable to this Application:

The following sections of the City of Griffin Zoning Ordinance apply to the rezoning request:

- Article 4. Section 405 - Standards for review for zoning amendments (Rezoning)
- Article 4. Section 408 - Public Hearings
- Article 7. Section 709 - High Density Residential "A" (HDR-A)
- Article 7. Section 711 – Neighborhood Business District (NBD)

The following sections of the City of Griffin 2014 - 2034 Comprehensive Plan Update apply to this request:

Section	Consistency	Reason
Housing	N/A	N/A
Citizen Notification & Participation	Yes	Legal Notice ran in the May 2, 2014 edition of the <i>Griffin Daily News</i> for Planning & Zoning Meeting and for City Board of Commissioners Public Hearing. A sign was placed on the proposed property, illustrating the purpose, date and time of both meetings on May 3, 2014.
Economic Development	No	Provide commercial services.
Natural & Historic Development	N/A	To staff's knowledge, the property has no historical significance.
Community Facilities	Yes	Water & sanitary sewer are accessible; electricity served by City of Griffin.
Land Use	No	Proposed rezoning is inconsistent with the Comprehensive Plan Future Land Use Map which designates the subject parcels as Residential. The proposed commercial use is inconsistent with the North Hill Redevelopment Plan that identifies the parcels as Residential land use.

Application Review:

“Article 3. Section 307. Rezonings. All amendments (rezoning) to the Zoning Ordinance shall be evaluated in accordance with the following standards used to interpret the balance between an individual’s right to the use of their property and the public health, safety or general welfare of the community. In applying these standards, expression of opinions unsupported by objective factual analysis, using the criteria set forth below, should not be considered by the Board of Commissioners.”

a. Existing uses and zoning of adjacent property.

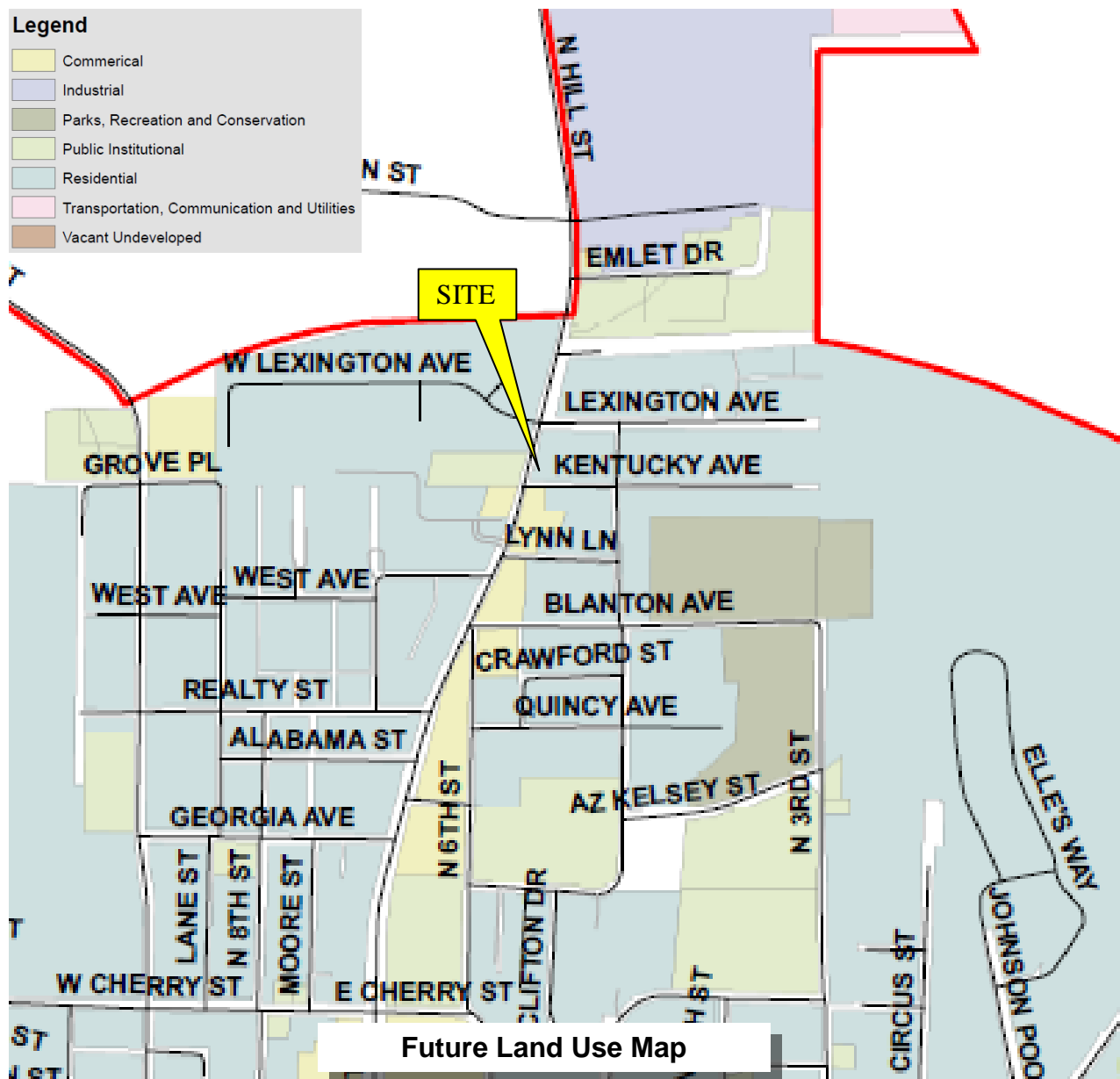
Direction	Zoning	Existing Uses
North	HDR-A	Single Family Residential
South	HDR-A	Car Wash-Commercial
East	HDR-A	Single Family Residential
West	HDR-B	Church

The applicant’s properties are presently zoned High Density Residential “A” (HDR-A) *“which is reserved for development of high density residential uses only. The provisions which apply to this district are designed and intended to encourage the formation and continuation of a stable, healthy environment for the residents of multi-family dwellings and to prevent developments that may adversely affect the intended character or integrity of the district. These provisions are also intended to permit neighborhood retail and office uses, to primarily serve residents of the development, by special use permit approved by the board of commissioners, and which will not adversely affect the residential character of the district”.* (UDC Article 7, Section 709 A. Intent)

The properties to the north and east are zoned HDR-A and developed as single-family residential homes. The property directly west of the subject properties, across N. Hill Street, is zoned HDR-B and is developed as a church. The property directly south of the subject properties, across Kentucky Avenue, is developed as a car wash, zoned HDR-A. The car wash is a legal non-conforming use pursuant to UDC_Article 5, Section 505 B.

b. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned, although such use may not be its highest and best potential use.

The properties to be affected by the zoning proposal have a reasonable economic use as currently zoned. The proposed 0.27 acres is adequate in size to develop duplexes as permitted in the HDR-A zoning district. Other special uses in the HDR-A zoning district require a special use permit and include; neighborhood retail, service or office, and single-family detached. Water, sewer and electricity service is available for the subject properties. (*Electricity is provided by Griffin Power*)



The proposed access along North Hill Street is +/- 90 feet from the intersection of North Hill and Kentucky Avenue. This access is also aligned with the one way exit drive of the church located west, directly across N. Hill Street, from the proposed sites. This creates another intersection in close proximity to the existing Kentucky Avenue intersection. Traffic is facilitated in and out of the sites with one drive. The site plan does not indicate existing or proposed sidewalks. See attached site plan (*Exhibit A*).

- f. **The compatibility of the applicant's proposed use of the property, if rezoned, with surrounding properties and uses (the applicant should address measures to reduce negative impacts of the proposed use, including any conditions attached to a recommendation for rezoning by the Zoning Administrator and/or Planning and Zoning Board).**

The applicant's rezoning request from HDR-A to NBD states the desire to serve the community by providing a service that is within walking distance from the neighborhoods. The site plan does not indicate sidewalks.

The subject properties are located at the intersection of Kentucky Avenue and N. Hill Street. N. Hill Street is designated as a Minor Arterial. This section of N. Hill Street has an average daily volume of 8,400 vehicles per day (GDOT 2004 through 2006). The estimated daily volume for this location in the year 2030 is 10,600 average trips per day (GDOT, FDOT's Quality/Level of Service Handbook, Table 4-2). GDOT crash data for the years 2004 through 2006 indicate, on average, 74 crashes per year for the North Hill Street Redevelopment Study area. Specifically, GDOT shows one crash per year (total of 3 crashes) from 2004 to 2006 at the intersection of N. Hill Street and Kentucky Avenue. Within the Study area, 57% of all collisions occurred at intersections.

The applicant's site plan proposes a new drive location approximately 90 feet north of Kentucky Avenue. This proposed site access will align the access one way exit drive of the church parking lot on the west side of N. Hill with the proposed drive of the subject properties on the east side N. Hill Street.

If the proposed rezoning is approved, planning staff recommends that the access into the site shall be limited to Kentucky Avenue. This recommendation is to limit the amount of new curb cuts along N. Hill Street, pursuant to GDOT crash data previously noted. If approved, sidewalks 5 feet in width shall be provided along Kentucky Avenue and N. Hill Street frontage with a 5' landscape strip between the edge of the right-of-way and new sidewalk.

If the proposed rezoning is approved, planning staff recommends the applicant adhere to, as applicable, the Commercial Character Standards from the North Hill Street Redevelopment Plan as follows:

Commercial Character Standards

The following minimum design standards are recommended where a commercial character is desired.

Building Placement

- Place front facades a maximum distance of 5 feet from the back of the sidewalk.
- Provide a first story at-grade with the adjacent sidewalk.
- Prohibit frontal parking.

Fences and Walls

- Prohibit fences or walls between a building and street.

Building Facades

- Provide doors and vertical windows arranged horizontally at the sidewalk-level.
- Provide windows for between 20 and 40 percent of the area of upper story street-facing facades, with each façade calculated independently.

- Provide equally-sized upper story windows in a grid pattern.
- Provide storefronts at the ground level consisting of:
 - A non-glass base or knee wall beginning at grade and extending not more than 24 inches above the sidewalk.
 - A tinted glass window beginning at the top of the bulkhead or knee wall, to a height not less than 10 feet and not more than 12 feet above the adjacent sidewalk. Such glass should provide views into display windows having a minimum depth of two and one-half feet and that are accessible from the building interior.
 - A main entry door remaining unlocked during normal business hours, and having a surface area that is a minimum of 70 percent glass.
 - A glass transom located above the glass display window between 18 and 36 inches in height.
 - A minimum of 75 percent of the length of the first floor facade shall be provided in glass, including glass doors and display windows.
 - No linear distance of more than 10 feet without intervening glass display windows or glass doors.
 - First story drop ceilings recessed a minimum of 18 inches from the display window opening.
- Require stair risers and foundations to be enclosed.
- Prohibit garage doors within 20 feet of the front facade, and discourage them facing the street.
- Prohibit snap-in window muntins or grids-between-glass. Rather, encourage one-over-one windows or simulated divided lights.
- Limit street facing facades to brick, stone, or hard coat stucco.
- Require facade materials to be arranged horizontally, with materials having a more visually-heavy appearance placed below lighter ones. No more than two different materials or colors should be used on one facade.

g. Any environmental, historic, cultural or aesthetic concerns unique to the subject property or proposed use, and how applicant proposes to mitigate any negative impacts on surrounding properties and the community at large.

Planning and Development Staff is not aware of any historic or cultural concerns unique to the subject property.

h. Whether there has been a change in conditions of the subject property or properties in the vicinity of the subject, which give supporting grounds for either approval or disapproval of the zoning proposal.

There have not been any changes in conditions of the subject properties or others in its vicinity.

- i. **If applicable, the length of time the subject property has been vacant or substandard as zoned, when considered in the context of land development in the vicinity of the property.**

According to the applicant, the properties have been vacant long enough to become overgrown with trees. The Spalding County tax assessor's record indicates that no improvement value is associated with the properties.

Staff Comments:

Planning Staff has evaluated the proposed rezoning request submitted by M. Michael Kendall for the three contiguous parcels located at the northeast corner of N. Hill Street and Lexington Avenue, addressed as 836, 834 and 0 N. Hill Street. Staff reviewed the request for its compatibility with the Future Land Use Map (FLUM) of the Comprehensive Plan and the North Hill Street Redevelopment Study, 2008. The applicant's request is not compatible with the FLUM, which has identified the three parcels for residential land use. The applicant's rezoning request to NBD, if approved by the Board of Commissioners, will permit the properties to be used for a convenience store.

The applicant's three parcels have not been developed, according to city records. The applicant is permitted, in the HDR-A zoning district, to apply for a Special Use Permit to operate a convenience store pursuant to the requirements provided by the Unified Development Code, Article 7. Section 709 C.

Planning and Zoning Board Recommendation:

The Planning and Zoning Board recommend **APPROVAL** of the request (14-REZ-01) to rezone three parcels of land consisting of 0.27+/- acres from HDR-A to NBD with staff recommendations.

Submitted by:

Wanda D. Moore, RLA
Principal Planner
Planning and Development Services