

486 S. 16th Street
REZONING REQUEST
 (Project No. 15-REZ-01)

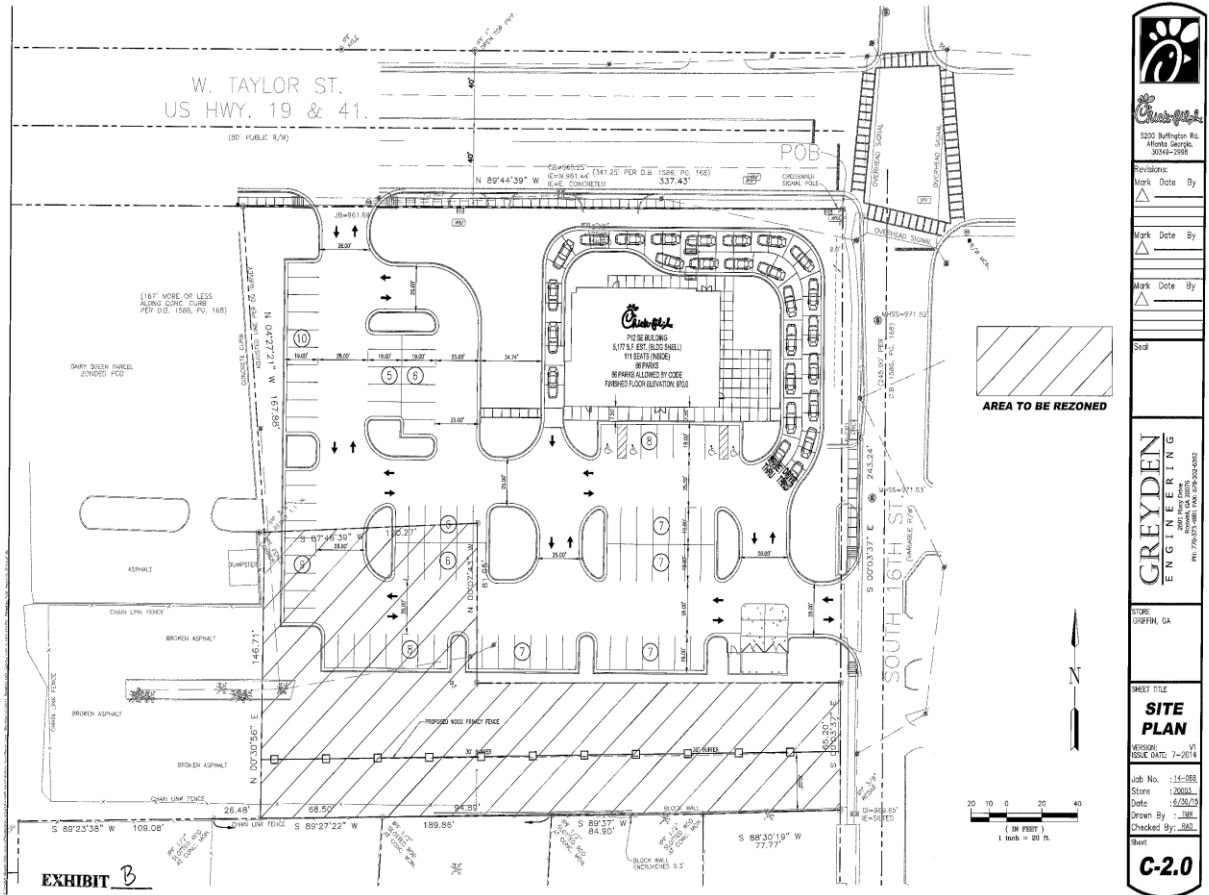
Applicant: David C. Kirk - Troutman Sanders, c/o Chick-Fil-A, Inc.
Owner: Andrew E. Blake



Current Land Use Classification	Residential
Current Zoning	High Density Residential-A (HDR-A)
Proposed Zoning	Planned Commercial Development (PCD)
Future Land Use Designation	Residential
Proposed Use	Commercial
Parcel Size	0.72 +/- total acres
Map, Block & Lot Number	057 07001
Planning & Zoning Board	September 21, 2015 Public Hearing
City Commission	September 22, 2015 Public Hearing
City Commission Member	Cora Flowers, District 2
Planning Board Member	J. Roger Miller, District 2

Proposal/Site Location:

The applicant, Mr. David Kirk, is seeking to rezone the property located at 486 S.16th Street consisting of 0.72 +/- acres from High Density Residential-A (HDR-A) to Planned Commercial Development (PCD). The area to be rezoned is identified by the hash markings.



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 714 - Planned Commercial Development (PCD)

The following sections of the City of Griffin 2034 Comprehensive Land Use Plan apply to this request:

Section	Consistency	Reason
Housing	N/A	N/A
Citizen Notification & Participation	Yes	Legal Notice ran in the September 4, 2015 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 September 4, 2015.
Economic Development	No	The lot to be rezoned will be combined with the current Chick-Fil-A site being redeveloped.
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 not consistent with the Comprehensive Plan Future Land Use Map. The Future Land Use Map designates the subject parcel for residential. However, it is being utilized currently by Chick-Fil-A as over flow parking.

Application Review:

“Article 3. Section 307. Rezoning. 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	PCD	Commercial
South	HDR-A	Residential
East	PCD	Commercial
West	PCD	Commercial

The applicant's property is presently zoned High Density Residential-A, and is being used as over flow parking for Chick-fil-a. All of the surrounding parcels are existing commercial uses.

- 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 property to be affected by the zoning proposal may have a reasonable economic use as currently zoned, but because of the odd shape of the parcel will be hard pressed to meet the minimum development standards as prescribed by the UDC for HDR-A land use. Moreover, the property is located along the rear of two commercial businesses and would not be ideal for residential development.

- c. **Whether the zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The zoning proposed will permit a use that is suitable in view of the use and development of adjacent and nearby properties. All properties to the north, east and west of the applicant's parcel are being utilized as commercial businesses. The property to the south is being utilized as residential. The applicant is seeking to rezone the property to PCD which is in line with the property along W. Taylor Street. Once replatted it will become part of the Chick-fil-a parcel.

- d. **The relative gain to the public as compared to the hardship imposed upon the individual property owner (applicant) by maintaining the existing zoning.**

The relative gain to the public, if this property is rezoned to PCD, is that the parcel will be combined with the current Chick-fil-a property to be redeveloped. The proposed parcel addition will be incremental in the redevelopment allowing improved traffic flow on the site. The parcel in question has been vacant for many years and unlikely to be developed under the HDR-A zoning district.

- e. **The suitability of the subject property for the purposes for which the applicant seeks to have it rezoned, including availability of existing infrastructure.**

The proposed rezoning is not consistent with the City of Griffin Comprehensive Plan, which identifies the property as residential. However, the property is a vacant parcel located behind two commercial businesses. It is more likely to be developed as commercial property, rather than the current HDR-A zoning. There is adequate water and sewer that serves this property as a commercial use. Electricity is provided by Griffin Power.

- 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 request for rezoning to Planned Commercial Development (PCD) is compatible with the commercial properties along W. Taylor Street. As a requirement for commercial property that abuts single-family residential, there must be a 30ft

vegetated buffer consisting of 50% evergreens standing at least 6ft tall within 2 years of planting. Chick-fil-a has offered beyond the minimum requirements for this location.

- 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.**

At this time, there have not been any changes in conditions of the subject property or others in its vicinity. The intent for this parcel is to be combined and re-platted with the parcel where the Chick-fil-a Dwarf House currently exist.

- 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.**

There is no record of the property being identified as substandard. However, the property is vacant and well maintained.

Staff Comments:

Planning Staff has evaluated the proposed rezoning request submitted by David C. Kirk on behalf of Chick-fil-a for the property located at 486 S. 16th St. for its compatibility with the Future Land Use Map (FLUM) of the 2014-2034 Comprehensive Plan and the zoning district being requested. The applicant's request is not compatible with the FLUM, which has identified this parcel for future residential land use. However, the property abuts commercial property that does comply with the FLUM. The applicant's rezoning request from HDR-A to PCD, if approved by the Board of Commissioners, will not negatively impact the adjacent property owners.

The applicant's request for rezoning stems from Chick-fil-a's desire to redevelop their present store property. Chick-fil-a is in the process of preparing development plans to demolish the exiting Dwarf House Restaurant to construct a new Chick-fil-a Restaurant on this site. With the property located at 486 S. 16th Street being zoned HDR-A and the properties located at 1000 and 1006 W. Taylor Street being zoned Planned Commercial Development, rezoning the property to commercial would yield the highest and best use of the property and allow the parcels to be combined and re-platted. Further, adequate space is available for screening from the residential properties.

Planning and Development Staff Recommendation:

Planning staff recommends **APPROVAL** of the request (15-REZ-01) to rezone 0.72 +/- acres of land located at 486 S. 16th Street from HDR-A to PCD submitted by David C. Kirk on behalf of Chick-fil-a.

Submitted by:

Toussaint M. Kirk, MURP
Director - Planning and Development Services