

Rezoning Petition No. 22-02

(1911 L Street & 2207 Bartow Street)

Staff Report
John Hunter
Director
Planning, Development, & Codes

City of Brunswick
Planning and Appeals Commission
Public Hearing
February 9, 2022

Table of Contents

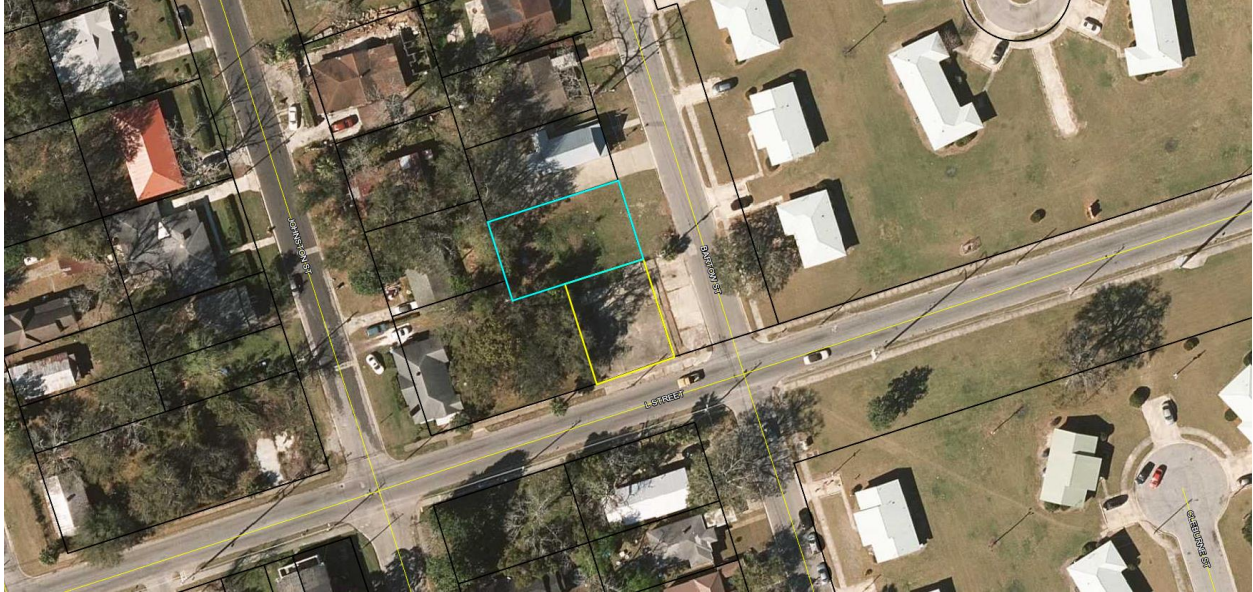
Requested Rezoning.....	1
Existing Conditions.....	1
Existing Zoning.....	1
Requested Zoning	2
Staff Analysis.....	2
Staff Recommendation.....	2
Appendix A – zoning standards and policies.....	1
Appendix B – Local Commercial Code.....	4
Appendix C –Application	Error! Bookmark not defined.
Appendix D – Correspondence from the Public.....	7

Requested Rezoning

Cathy Slay-Chipp, owner, is petitioning to rezone the subject parcels to Local Commercial (LC) from General Residential (GR).

Existing Conditions

The subject parcels comprise .24+/- acres. The parcel at 19011 L Street contains a slab from a demolished structure and 2207 Bartow Street is a vacant lot.



Location map

Existing Zoning

The subject parcels are zoned GR. The adjacent parcel immediately to the north is zone Local Commercial (LC), and contains the Coastal Community Health Services, which is owned by the applicant. All the remaining surrounding parcels are zoned GR.



Requested Zoning

The applicant has requested rezoning the parcels to Local Commercial (LC). This would facilitate the combination of all lots owned by the applicant into a single classification.

Staff Analysis

The applicant has asked for a rezoning to Local Commercial. The intent of Local Commercial zoning district is that it be developed and reserved for local or neighborhood oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities, reduce traffic and parking congestion, avoid the development of "strip" business districts and to discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

Character Area: New Town/Town Commons

New Town/Town Commons is the second oldest area of the City. The character area extends northwards from Old Town/F Street up to 4th Street and east to the Hercules Plant and includes both sides of MLK Boulevard. New Town includes three large public squares that were set aside when it was originally platted. The New Town Character Area is defined by a regular rectangular block pattern which serves to connect diverse land uses in a highly integrated pattern, but also makes it more difficult to identify boundaries between distinct neighborhoods. Land uses in New Town are predominantly single-family, though there are many commercial land uses along Norwich and some churches and schools scattered through the area. There are also several large multifamily Brunswick Housing Authority properties in this character area which tend to stand out from their surroundings.

There are three major corridors that help define the New Town area. MLK Boulevard runs north-south through the New Town area. The MLK area is somewhat underdeveloped. It has a very wide right-of-way in comparison with its traffic volume, and the corridor contains a large median with a tall utility corridor down its center. The Norwich corridor also runs north-south through the New Town area. Land uses along the Norwich corridor tend to be commercial or institutional in nature with some outdoor storage such as automobile sales, and buildings are generally situated directly adjacent to the corridor as characteristic of a 'main street'. Along the western edge of New Town is the Newcastle/US 341 corridor, which functions as a main Gateway to Brunswick (along with US 17). Due to the waterfront and the rail line running adjacent to Newcastle, land uses and architectural styles are quite diverse, with commercial, industrial, institutional, and residential land uses scattered in an incoherent fashion on the corridor.

Vision

The vision for the New Town/Town Commons area is a revitalized, diverse, urban single-family neighborhood with quality infrastructure. The neighborhood will be improved through a variety of infrastructure investments, including drainage improvements, curb and gutters, street lights,

and sidewalks. Neighborhood parks will be improved by additional amenities such as benches, lighting, walking paths, and playgrounds. Dilapidated housing will be renovated and new infill single-family housing will be developed on vacant lots. The neighborhood will continue to be mixed-use with schools and churches as part of the neighborhood, and neighborhood-oriented commercial development will occur along Norwich and MLK. Newcastle will become a gateway into the City with new, street-oriented redevelopment and an improved streetscape. The City's waterfront will become more accessible to neighborhood residents.

Appropriate Land Uses

- Single-family residential development
- Neighborhood scale commercial development along Norwich St and MLK Jr Blvd, developed in a *Main Street* fashion with the building fronting the streetscape and parking to the rear
- Community facilities such as schools, parks, museums, and libraries predominantly located on the major corridors of Norwich St, MLK Jr Blvd, and Newcastle St
- Multifamily development along the MLK Jr Blvd and Newcastle St corridors but compatible in scale with single-family surroundings
- Townhouse development along the Norwich St and Newcastle St corridors
- Mixed-use development along the Newcastle St corridor south of P Street

Staff Recommendation

Local Commercial is intended to blend and complement residential zoning and provide neighborhood scale services and historically have been located throughout the New Town/Town Commons area. As this is adjacent to an existing Local Commercial zoned parcel, it does not represent the introduction of a new zoning category within the area. Staff recommends approval of the application for rezoning.

Appendix A – zoning standards and policies

ZONING STANDARDS AND POLICIES AND PROCEDURES FOR ZONING HEARINGS

Approved by the Commission City of Brunswick, Georgia
April 5, 1989

Part I. Standards

The current Georgia statutory law, O.C.G.A. ;s; 36-66-5(b) expressly mandates that each local government exercising zoning power establish and consider such factors in the form of substantive standards for zoning decisions. That subsection provides:

[E]ach local government shall adopt standards governing the exercise of the zoning power, and such standards may include any factors which the local government finds relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property. Such standards shall be printed and copies thereof shall be available for distribution to the general public.

In keeping with the foregoing statutory requirement, the City of Brunswick has adopted the following substantive standards to govern its zoning decisions:

A. A PROPOSED ZONING CLASSIFICATION OR CONDITIONAL USE REQUEST SHOULD BE COMPATIBLE WITH EXISTING USES AND ZONING OF ADJACENT AND NEARBY PROPERTY, AND ``SPOT ZONING'' SHOULD ALMOST ALWAYS BE REJECTED.

(1) Would the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?

(2) Is the proposed rezoning a logical extension of a zoning boundary which would improve the pattern of uses in the general area?

B. A PROPOSED ZONING CLASSIFICATION SHOULD NOT DESTABILIZE THE SURROUNDING NEIGHBORHOOD.

(1) Is the proposed zoning classification one which would promote integrity of the neighborhood and preserve its general character?

(2) Would the proposed rezoning precipitate similar rezoning requests which would generate or accelerate adverse land use changes in the neighborhood?

C. A PROPOSED ZONING CLASSIFICATION SHOULD MAXIMIZE THE ECONOMIC VALUE OF THE SUBJECT PROPERTY WITHOUT DEPRECIATING THE VALUE OF ADJACENT AND NEARBY PROPERTY.

(1) To what extent does the existing zoning classification depress the value of the subject property?

(2) To what extent would the proposed zoning classification result in appreciation of the value of the property?

(3) What effect does the existing zoning classification have on the values of adjacent and nearby property?

(4) What effect would the proposed zoning classification have on the values of adjacent and nearby property?

D. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE AN ADVERSE EFFECT ON TRAFFIC FLOW, TRAFFIC SAFETY OR POPULATION DENSITY.

(1) Is there adequate public or private parking for the proposed use and other uses permitted within the classification?

(2) Would such uses create any problem of traffic congestion in the area?

(3) Would such uses create any traffic safety problem with regard to ingress and egress, visibility or otherwise?

(4) Would such uses necessitate changes in streets or sidewalks or traffic signage or signalization?

(5) Would such uses contribute to an undesirable level of population density?

(6) Would such uses substantially conflict with existing density patterns in the neighborhood?

E. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE ENVIRONMENTAL IMPACT.

(1) Would the proposed use or other uses permitted within the classification create noise, dust, smoke or odors?

(2) Would such uses affect air quality or water quality and quantity?

(3) Would such uses create problems with drainage or soil erosion and sedimentation?

(4) Would such uses aggravate problems with flood damage control?

(5) Would such uses aggravate waste disposal problems?

F. A PROPOSED ZONING CLASSIFICATION SHOULD NOT HAVE ADVERSE AESTHETIC EFFECTS.

(1) Would the proposed rezoning lead to removal of existing vegetation?

(2) Would the proposed use incorporate new planting?

(3) Would the proposed use necessitate unattractive structures or result in removal or alteration of historic structures?

(4) Would the proposed use be visually compatible with the surrounding neighborhood?

(5) Would the proposed use include machinery or work visible from the street or neighboring property?

(6) Would the proposed use be adequately separated from conflicting uses by an appropriate buffer?

G. A REZONING SHOULD NOT RESULT IN COSTS TO THE PUBLIC DISPROPORTIONATE TO TAX REVENUES GENERATED BY THE PROPOSED USE.

(1) Would the rezoning increase the cost of government in providing public utilities, schools, streets, police and fire protection, etc.?

(2) What additional public facilities would be required?

(3) To what extent would such increased costs be offset by increased tax revenues?

H. THE SUBJECT PROPERTY SHOULD BE SUITABLE FOR THE ZONED PURPOSES.

(1) Is the property suitable for uses within the existing zoning classification?

(2) Has the property been vacant as zoned, and if so, for what period or periods of time?

(3) Are there substantial reasons why the property cannot be economically used in accordance with existing zoning?

(4) Would the proposed rezoning benefit the general public in any way?

(5) Would the proposed rezoning conform to or diverge from the comprehensive land use plan?

* * *

It is obvious that the foregoing standards are very general, not at all specific, and that the public and private interests cannot be balanced with mathematical certainty in a zoning decision. Moreover, particular zoning issues which may arise, considered in context, may suggest concerns in addition to the foregoing standards and further questions which will need to be addressed by the Commission. It can only be said that any zoning decision, to be lawful, must be based on a relative gain to the public, as compared to the hardship imposed upon private parties. Such decisions must never be based simply upon the numbers of supporters or opponents or other political factors without consideration of the standards.

(excerpt from addendum that was added to the zoning ordinance by the City Commission on April 5, 1989)

Appendix B – Local Commercial Code

Sec. 23-8-1. - Intent of district.

It is the intent of this section that the LC zoning district be developed and reserved for local or neighborhood oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities, reduce traffic and parking congestion, avoid the development of "strip" business districts and to discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

(Ord. No. 1006, § 1, 11-19-2008)

Sec. 23-8-2. - Permitted uses.

The following uses shall be permitted in any LC zoning district:

- (a) Retail business involving the sale of merchandise on the premises, in stores having a size of under 6,000 feet, specifically including:
 - (1) Antique store.
 - (2) Appliance, radio, television store.
 - (3) Art supply store.
 - (4) Book, magazine, newspaper shop.
 - (5) Candy store.
 - (6) Clothing store.
 - (7) Drug store or pharmacy.
 - (8) Florist shop.
 - (9) Fruit, nut and/or vegetable store.
 - (10) Gift or curio shop.
 - (11) Grocery store.
 - (12) Hardware store.
 - (13) Hobby and/or toy shop.
 - (14) Household furnishings store.
 - (15) Millinery or hat store.
 - (16) Music store and/or record shop.
 - (17) Notion, general or variety store.
 - (18) Office supply and equipment store.
 - (19) Package liquor store.
 - (20) Paint store.
 - (21) Photographic and camera supply and service store and studio.
 - (22) Shoe store.
 - (23) Sporting goods store.
 - (24) Marina.

- (b) Business involving the rendering of a personal service or the repair and servicing of small equipment, specifically including:
 - (1) Appliance, radio.
 - (2) Bank, savings and loan association, personal loan agency, and branches.
 - (3) Barber shop, beauty shop, or combination thereof.
 - (4) Bicycle repair and sales shop.
 - (5) Dressmaker, seamstress, tailor.
 - (6) Dry cleaning self-service and/or laundry self-service facility.
 - (7) Furniture repair, upholstery.
 - (8) Insurance agency.
 - (9) Jewelry and watch repair shop.
 - (10) Medical, dental or chiropractic office, clinic and/or laboratory.
 - (11) Office for governmental, business, professional or general purposes.
 - (12) Photographic studio.
 - (13) Public utility business office.
 - (14) Real estate agency.
 - (15) School offering instruction in art, music, dancing, drama or similar cultural activity.
 - (16) Secretarial and/or telephone answering service.
 - (17) Shoe repair shop.
 - (18) Telephone office.
 - (19) Telephone exchange.
- (c) Radio and/or television station.
- (d) Private or semi-private club, lodge, union hall or social center.
- (e) Church.
- (f) Residential use lawfully existing within the district at the time of adoption of this chapter.
- (g) Off-street commercial parking lot.
- (h) Publicly owned and operated building, facility or land.
- (i) Accessory use in compliance with the provisions of section 23-3-17.
- (j) Any use permitted in any GR (General Residential) district, in compliance with the provisions of section 23-6-2 unless otherwise set forth herein.
- (k) Two-family dwelling, including patio dwelling in compliance with section 23-6-4.
- (l) Multi-family dwelling in compliance with section 23-6-4.
- (m) Townhouse dwelling in compliance with section 23-6-4.
- (n) Group dwelling in compliance with section 23-6-4.
- (o) Boarding house in compliance with section 23-6-4.
- (p) One-family dwelling, attached in compliance with section 23-6-4.

(Ord. No. 1006, § 1, 11-19-2008; Ord. No. 1012, § 1, 9-2-2009)

Sec. 23-8-3. - Conditional uses.

The following uses shall be permitted on a conditional basis in any LC zoning district, subject to the conditions set forth in section 23-25-4.

- (a) Auto accessory store, provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.
- (b) Automobile service station, provided that operations involving major repairs, body and fender work, painting or the sale or rental of new or used cars or trucks, trailers of any type, or boats, are not conducted on the premises, all pumps are set back at least 25 feet from the right-of-way line of all abutting streets and parking and/or service areas are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six feet in height above finished grade.
- (c) Bakery, provided that goods baked on the premises are sold only at retail on the premises.
- (d) Contractor's office, provided there is no storage of vehicles, equipment or materials on the premises.
- (e) Delicatessen, restaurant, soda fountain or other eating and/or drinking establishments (other than drive-in establishments), provided that no outside loud speaker systems are utilized, all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties, and parking and/or service areas are separated from adjoining residential properties by a suitable planting screen, fence or wall at least six feet in height above finished grade.
- (f) Dry cleaning or laundry pick up agency, provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.
- (g) Meat, fish, and/or poultry shop, provided that no slaughtering be permitted except the killing of fish or poultry and except that the cleaning of fish or poultry may be permitted provided that all permitted killing and cleaning activities are conducted within the principal building enclosure on the premises.
- (h) Pet shop, provided all animals are housed within the principal building so that no sound is perceptible beyond the premises.
- (i) Public utility substation or sub-installation, including water or fire towers, provided that such use is enclosed by a painted or chain-link fence or wall at least six feet in height above finished grade, there is neither office nor commercial operation nor storage of vehicles or equipment on the premises and a landscaped strip not less than five feet in width is planted and suitably maintained.
- (j) Temporary use in compliance with the provisions of section 23-23-5.

(Ord. No. 1006, § 1, 11-19-2008; Ord. No. 1012, § 1, 9-2-2009)

Sec. 23-8-4. - Other requirements.

Unless otherwise specified elsewhere in this chapter, uses permitted in LC local commercial zoning districts shall be required to conform to the following standards:

- (a) Minimum lot area: 3,000 square feet.
- (b) Minimum lot width: 30 feet.
- (c) Minimum front yard: Ten feet.
- (d) Minimum side yard: None.
- (e) Minimum rear yard: 15 feet.
- (f) Maximum building height: 35 feet.

Appendix D – Application

(Original application included on next page)



CITY OF BRUNSWICK, GEORGIA

APPLICATION FOR REZONING

RZ

APPLICANT: After completely reading this form, the applicant will answer each item as completely as possible. Please print or type. The Planning Staff will assist you if necessary.

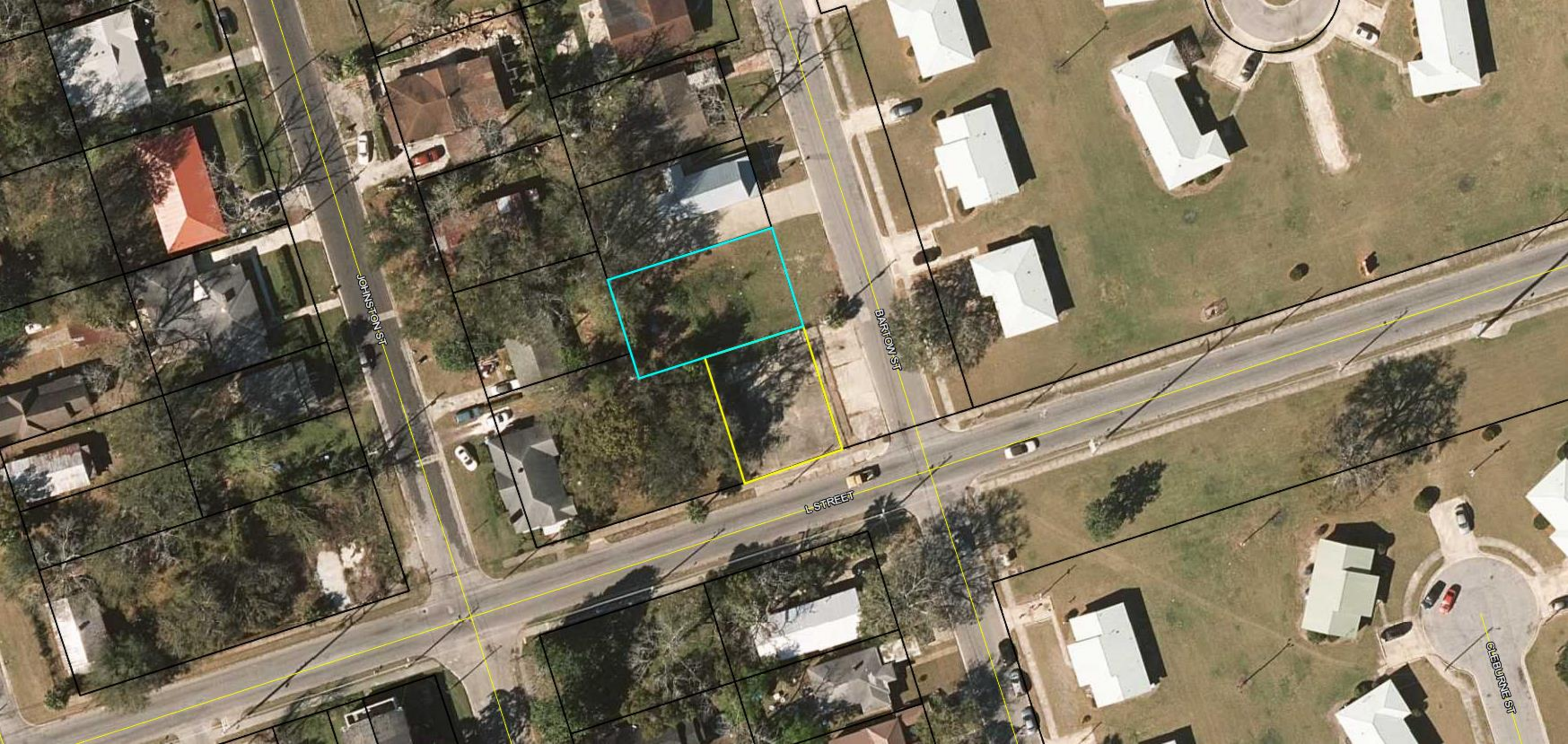
This is a request for a **REZONING** to the Official Zoning Ordinances of the City of Brunswick. Please read Article XXIII of Zoning Ordinance which applies to your proposal.

- Applicant (Your Name): Cathy Slay-Chipp Daytime Phone: 230-1556 Email: cslaychipp@gmail.com
Mailing Address 4862 Malabar Dr. Brunswick, GA Zip: 31520
- Location of Property forming the basis for this text amendment: 2207 BARTON ST, 1911 L ST
Street Brunswick (District 01) Tax Map and Parcel Number: 01-03788, 01-03787
- Is this rezoning due to annexation? YES NO
- Total Parcel area (indicate square feet or acres): 0.14 Square Feet Acres
- Present Zoning: GAR3 Abutting zones (list all zones that touch the parcel): E-3, E-3GR, LC
- Proposed Zoning: E-3 LC
- Are any special use(s), variance(s), covenant(s), or prior rezoning(s) present on the parcel?
 YES NO If 'YES', list ALL and date: _____
- The following data shall be attached as applicable:
 Petition signed by Property Owner or agent requesting the Rezoning.
 Full text of the proposed amendment in the format of the ordinance it is intended to amend.
- Reasons for the rezoning request: FUTURE EXPANSION
- Do you have legal possession of the parcel(s) proposed for this zoning text amendment? YES NO
(If 'NO' then this application cannot be processed until an application is received for all parcels intended to be affected by the text amendment and legal authorization provided.)
- Owner's Name (If different from Applicant*): _____
Address: _____ Zip: _____ Daytime Phone: _____ (*If applicant is different from Owner, a legal authorization to represent the Owner must be attached to this application.)

I understand that the City of Brunswick will not process this application until I have submitted **ALL** required materials on or before the date of the approved schedule, which shall be **not less than 20 days prior to the regularly scheduled and advertised monthly meeting of the Planning and Appeals Commission**. The PAC meets on the Second Wednesday of each month at 5:15 PM in Commission Chambers, Old City Hall. The recommendation of the Planning Commission is forwarded to City Commission for their review at the next regularly scheduled meeting following the PAC meeting.

Signed: Cathy Slay-Chipp Date: 01/16/2022

(Printed Name: Cathy Slay-Chipp)



JOHNSTON ST

L STREET

BARTON ST

CLEBURNE ST

Appendix F – Correspondence from the public