

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Bryan Spence is seeking to rezone from Medium-Density Single-Family Residential (R-3) to Rural Residential (R-5) a tract of land (parcel 12-218-02-000) containing a total of 0.45-acres located at the corner of Straight St. and Frederick St. The subject property was formerly developed for commercial use: The petitioner's request is to be able to redevelop the subject property with a duplex and single-family detached dwelling.

The surrounding uses and zoning are Medium Density Single Family Residential to the north, east, south, and Heavy Manufacturing to the west.

The subject property is within the jurisdiction of the City of Dalton Mayor and Council.

CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS

(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.

The subject property lies at the point of convergence of the M-2 and R-3 zone districts. The R-3 zone district in which the subject property occupies is part of a small pocket neighborhood. While the subject property is part of a large R-3 zone district, the eastern adjacent property is a non-conforming apartment complex and the southern adjacent property is a City elementary school.

(B) Whether the proposed amendment would adversely affect the economic value or the uses of adjacent and nearby properties.

The proposed rezoning would be unlikely to impact the values of adjacent properties based on the amount of manufacturing zoning and development the vicinity as well as adjacent multi-family development.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.

The subject property was developed for commercial use and existed as a non-conforming property for a number of years. The subject property could currently be described as blighted. The proposed rezoning would allow for the subject property to be redeveloped similarly to multiple adjacent properties.

(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner under the existing zoning.

N/A

(E) Whether the proposed (R-5) amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.

The R-5 zone district would allow for additional dwelling units to be added to the subject property. With the maximum permissible density in R-5 being a duplex, the amount of additional units would be limited by the size of the subject property. The subject property has sidewalk access along two of its boundaries as well as access to two City streets. This area is conducive for safe pedestrian walkability connecting to multiple community facilities such as the Mack Gaston Community Center as well as the adjacent elementary school.

(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The comprehensive plan's future development map shows this property to be within the Town Neighborhood Revitalization character area. This character area is intended to promote reinvestment into aging neighborhoods. The intent of the character area is for neighborhoods to be revitalized while maintaining their historic character. The proposed rezoning would redevelop a former commercial property with a single-family dwelling as well as a duplex. Since there is an adjacent multi-family apartment within the pocket neighborhood, the proposed rezoning would not alter the established pattern of development.

(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an "entering wedge" and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.

The proposed rezoning would create an island of R-5 at this location, but the R-3 and R-5 zone districts share similar characteristics with the primary exception of duplexes permitted in the R-5 zone district. With the subject property lying at the western terminus of the pocket neighborhood and being adjacent to an apartment complex, there is no concern for the issue of a spot zone or entering wedge at this location.

(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.

N/A

CONCLUSION:

The staff can provide a recommendation to approve the requested R-5 rezoning of the subject property based on the following factors:

1. The requested R-5 zone district would allow for the redevelopment of the subject property in a manner that is similar to that of the surrounding neighborhood.
2. The existence of pedestrian infrastructure in this area creates the opportunity for safe pedestrian walkability to multiple public facilities.
3. The requested R-5 zone district would allow for development of the subject property that would not be in conflict with the intent of the Town Neighborhood Revitalization character area.