

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Gonzalo Galvan is seeking to rezone from Medium-Density Single-Family Residential (R-3) to Rural Residential (R-5) a tract of land (parcel 12-200-11-018) containing a total of 0.29-acres located Mitchell Street. The subject property is undeveloped: The petitioner's request is to be able to redevelop the subject property with a duplex.

The surrounding uses and zoning are Light and Heavy Manufacturing to the north, Medium-Density Single-Family Residential to the east and south, and General Commercial 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 several zone districts from manufacturing, commercial and single-family residential character. Both development and zoning in this area is diverse. The proposed rezoning would slightly increase residential density of the subject property. Given the amount of commercial and manufacturing zoning and development in this area, the proposed rezoning would not be out of line.

(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 and commercial zoning and development in the vicinity.

(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 could be developed as it is currently zoned with a single-family detached dwelling. The intense adjacent commercial and manufacturing zoning, however, gives reason to seek additional density such as a duplex. The subject property's size and shape could support a duplex at this location.

(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 direct sidewalk access along its lot frontage. This area is conducive for safe pedestrian walkability connecting to a number of commercial businesses and manufacturing job centers.

(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 allow a single-family dwelling as well as a duplex. Since the subject property lies along the periphery of this pocket neighborhood and is bounded by commercial and manufacturing development, the proposed duplex is not expected to alter the character of this neighborhood.

(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 intense commercial and manufacturing developments, 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 development of the subject property in a manner that is reasonable for this location.
2. The existence of pedestrian infrastructure in this area creates the opportunity for safe pedestrian walkability to job centers and commercial development.
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 based on the established development pattern.