

**STAFF ANALYSIS
REZONING REQUEST
*Unified Zoning Ordinance***

ZONING CASE: Enrique Meza is seeking to rezone from Heavy Manufacturing (M-2) to Transitional Residential (R-6) a tract of land (parcel 12-238-18-017) containing 0.18-acres located at 429 S. Glenwood Ave. The tract is currently developed with a non-conforming single-family detached dwelling. The rezoning request to R-6 is sought to serve the purpose of converting the dwelling into a triplex.

The surrounding uses and zoning are as follows: 1) To the north, is a 1.5-acre tract of land that contains a large industrial building zoned M-2; 2) to the east is a continuation of the northern adjacent property; 3) to the south, is a 0.41-acre tract of land containing a non-conforming single-family detached dwelling zoned M-2; and 4) to the west, across S. Glenwood Ave, are two adjacent tracts of land that are each approximately 0.2-acres in size. The northernmost western tract is zoned M-2 and is part of a larger industrial property while the southernmost eastern tract contains a single-family detached dwelling. All in all, a review of the zoning map shows the subject property to be at the boundary between the R-5 and M-2 zone districts. Land use in this area of the city is predominantly manufacturing and commercial with small pockets of residential.

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 has been developed, in its current state, since 1960 based on tax records. The petitioner listed the dwelling as being a triplex apartment building on the rezoning application, but tax records and the visual appearance of the structure indicate that it has always been a single-family detached dwelling. The petitioner's intentions to convert the single-family detached dwelling into a triplex would likely require significant alterations to the interior and exterior of the building. The current size of the single-family dwelling is 15,88SF, which would mean that the proposed triplex units would only total approximately 500SF each. The subject property lies adjacent to the Rural Residential R-5 zone district where several single-family detached dwellings exist as well as the southern adjacent single-family detached dwelling. While single-family detached dwellings have survived over a half century in this area, dwellings in sight of the subject property show signs of blight and forgone maintenance. The declining conditions of single-family detached dwellings, in the vicinity, is likely an indicator of lower demand for single-family housing. The impact of commercial, manufacturing, and perpetually heavy traffic along Glenwood Ave. does not create an attractive location for single-family detached development. The existing development of the subject property, however, does not make it a good candidate for manufacturing development based on the limited size and existing development.

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

Based on the existing development of the adjacent properties, the proposed rezoning would have little to no affect on the values of the surrounding properties if rezoned R-6. One could argue that, if the subject property is rezoned residentially, the adjacent manufacturing property would be in non-conformity based on the lack of a buffer along the boundary with the subject property, but the adjacent manufacturing property is already in non-conforming status since it was built to 0-lot line with no setbacks.

(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 has been developed as a single-family detached dwelling since 1960 based on tax records. The ability to utilize the subject property for heavy manufacturing use is quite limited due to the small size of the subject property. The proposed zone district would allow a more suitable use for the subject property than exists currently.

(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-6) 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 limited size of the subject property prevents the concern for impact to public utilities or other public services. There is a considerable concern, however, with the ability to create sufficient parking with safe access to Glenwood Avenue. The subject property was developed as a single-family detached dwelling, which tends to have notably less demand for parking than multi-unit housing. If the subject property were remodeled into a triplex, the subject property would need at least 5 parking spaces with the ability to exit the subject property in the forward direction. The current driveway accessing the subject property is narrow and unable to be widened based on the property line and dwelling location. The driveway also lacks an area large enough to turn a vehicle around without backing onto the busy street. Staff do not believe sufficient space exists to create 5 parking spaces for the proposed triplex based on the limitations of the subject property's built character. There is, however, a possibility to create additional parking as well as a turn around in the rear yard of the subject property to address the safe street access issue.

(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 Future Development Map designates this area as the "Downtown" character area.

This character area is intended to represent areas where the downtown will eventually grow into. One of the challenges in this area, in regards to the growth of downtown, lies in the issue of the railroad separation that currently exists. Walkability is key to the resilience of a healthy downtown, and the subject property is a 0.3 mile walk for a pedestrian alongside a heavily trafficked corridor where cars and commercial trucks reach speeds in excess of 30mph. It is safe to say that the growth pressure of the downtown has not yet reached the subject property. If the subject property were within the downtown C-3 zone district, neither single-family, duplex, nor triplex dwellings would be permitted. Only loft apartments and urban dwellings are permitted in the C-3 zone district.

(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.

This rezoning, if approved, would shrink the M-2 zone district and enlarge the adjacent R-5 zone district.

(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: Staff can recommend an R-5 rezoning of the subject property based on the following;

- 1) There is no concern for adverse impact to the values of adjacent property if the subject property is rezoned R-5, and there is an established R-5 zone district with similarly developed properties;
- 2) The Comprehensive Plan future development map indicate that the subject property will eventually be part of the greater downtown, but actual development patterns at this time suggest that downtown growth may be a number of years in the future;
- 3) The subject property is not a good fit for the M-2 zone district.
- 4) While a triplex was requested, the necessary space for living quarters and parking make this project a stretch. The R-5 zone district would permit both single-family as well as a duplex.