

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

ZONING CASE: Brian Long is seeking to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land (parcel 12-255-06-016) containing 1.6 acres located at 604 Sheridan Avenue. The tract is occupied by a single building that most recently served a light manufacturing or commercial business. The rezoning request to C-2 is sought to serve the purpose of establishing an event center.

The surrounding uses and zoning are as follows: 1) To the north, is a tract totaling a little over seven acres occupying the same (M-2) zone district as the subject property. This tract contains two large industrial structures; 2) to the east is a tract of similar size to the subject property occupying the C-2 zone district containing a small commercial structure utilized as an auto rental business; 3) to the south is an eight acre tract zoned M-2 that contains two non-conforming single-family dwellings; and 4) to the west, is the same property that is adjacent to the north. All in all, a review of the zoning map in color shows a convergence of two zone districts, C-2 and M-2, along the Highway 76 Walnut Ave corridor.

The subject property is within the jurisdiction of the 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.

With primarily two zone districts in this vicinity, there is a certain consistency in existing land use, but there are a few properties nearby containing conforming single-family dwellings. When looking at this area, it is evident that there is a consistency of commercial/industrial development adjacent to Highway 76 (Walnut Ave.). Being adjacent to an arterial corridor, both the zoning districts and existing development greatly favor that of industrial/commercial character. Even though the subject property is not technically adjacent to Hwy. 76, it can be accessed via Sheridan Avenue approximately 100 feet south of Hwy. 76. Although the type of development along this corridor tends to favor the more intensive uses, an event center would certainly not be out of place. If the subject property is rezoned C-2 it would simply enlarge the adjacent C-2 district and shrink the existing M-2 district.

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

The C-2 zone is a somewhat less-intense district than M-2 that allows a variety of commercial uses. Every adjacent property, surrounding the subject property, is zoned either C-2 or M-2. The only non-conforming uses adjacent to the subject property are the two single family dwellings on the southern adjacent eight-acre M-2 tract. The requested C-2 rezoning would not increase the intensity of the subject property or change the

existing character of the subject property.

(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.

It is fair to say that the subject property could be effectively utilized for light industrial purposes as well as commercial with little alterations to the property or existing structure. The size of the subject property along with the existing structure lead this planner to believe that the property would be better suited for commercial development rather than heavy manufacturing. Being near the arterial corridor allows for good visibility and access to those travelling along Walnut Ave, which provides the high-volume of traffic desired by most commercial businesses.

(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 (C-2) 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.

We will minimize comment here, knowing that Sheridan Ave. already gets its fair share of traffic. Based on the surrounding land uses and the limited size of the subject property, impact on infrastructure or services is expected to be minimal if this petition is approved.

(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 a "Town Neighborhood Revitalization" character area which would propose the location of single family residences, town houses, parks, public institutional, mixed use live/work, and neighborhood commercial. Restoration of existing houses to maintain and stabilize existing housing stock is the preferred development in this character area. It also accommodates a mix of housing types and small lot single family residences. When observing the future development map one will note that the subject property is flanked along approximately 75% of its boundaries by the Commercial character area. When considering the majority of adjacent land is slated to remain commercial as well as the fact that the subject property has been commercially occupied for over a decade, this planner believes that the Commercial character area would have been a better fit for the subject property than Town Neighborhood Revitalization.

(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.

N/A. This rezoning, if approved, would simply enlarge the adjacent C-2 zone district and shrink the existing M-2 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 approval of the requested C-2 rezoning based on the following;

- 1) 100% of adjacent properties are zoned either M-2 or C-2;
- 2) The Comprehensive Plan future development map shows the subject property surrounded by the commercial character area along over the majority of its boundaries.
- 3) The subject property is already developed for light industrial/general commercial use and, if rezoned C-2, would not burden utilities or traffic patterns in the area.