

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

ZONING CASE: Construction Consultants is seeking to rezone from Heavy Manufacturing (M-2) to General Commercial a tract of land (parcel 12-163-05-008) containing a total of 2-acres located at 914 Vista Drive. The subject property is currently undeveloped: The petitioner's proposal is to construct a financial services structure.

The surrounding uses and zoning are General Commercial to the north, across the north Bypass, is a large R-2 zone district which contains the Dalton Golf and Country Club. Also to the north is a large R-7 zone district that contains a large condominium development. To the east, south, and west is a large M-2 zone district containing a mix of commercial and manufacturing operations.

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.

This area is a convergence of multiple zone districts and existing land uses ranging from manufacturing to residential. The proposed rezoning would allow the subject property to be redeveloped for commercial use as a financial services outpost. While there is not an adjacent C-2 zone district at this location, the uses of some adjacent and nearby properties could be described as commercial in appearance. There are a number of commercial nodes along this portion of the North Bypass as well.

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

The M-2 zone district is a more intensive zone district than that of the C-2 zone district. With the established manufacturing and commercial presence in this area, there is no expectation that the rezoning or commercial development of the subject property would negatively impact the values of any adjacent properties.

(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 is limited in its size which limits opportunity for manufacturing development. The C-2 zone district would provide for more development opportunity than the M-2 zone district at this location based on the size of the subject property.

(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.

The present M-2 zoning of the subject property would permit more intensive land use than that of the requested C-2 zone district. Utilities and infrastructure are prevalent in this area. The subject property has existing access to Vista Drive with exceptional sight distance.

(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 Industrial character area. This character area is intended to represent the areas where industrial and manufacturing uses should be permitted. Some commercial use can be permitted in this character area as well. Based on the size and location of the subject property, the C-2 zone district would not create a conflict with the Comprehensive Plan at this location.

(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 requested C-2 rezoning would create an island of C-2, but the M-2 zone district bounds the subject property on three sides. The nature of the C-2 and M-2 zone districts is not dissimilar enough to consider the proposed rezoning a spot zone.

(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 C-2 rezoning of the subject property based on the following factors:

1. The requested C-2 zone district does not pose a zoning or land use conflict based

on multiple adjacent M-2 zoned properties and adjacency to the North Bypass corridor in a heavily commercialized area.

2. Adverse economic impact in regard to the nearby or adjacent properties is not expected if the request is approved based on the existing M-2 zone district and commercial and longstanding commercial and manufacturing presence in this area.
3. The requested C-2 zone district is good fit for this location based on the Comprehensive Plan's future development map and narrative based on the established zoning and development character of this area.