

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

ZONING CASE: East Morris Properties is seeking to rezone from Heavy Manufacturing (M-2) to Central Business District (C-3) a tract of land (parcel 12-238-18-023 containing a total of 0.17-acres located at 411 South Glenwood Ave. The tract is currently undeveloped. The rezoning request to C-3 is sought to for the petitioner to develop the subject property for retail use:

The surrounding uses and zoning are as follows: 1) to the north, is a 0.65-acre tract of land zoned M-2 that is currently an undeveloped parking lot ; 2) to the east, is a 0.17-acre tract of land zoned M-2 that is also an undeveloped tract; 3) to the south, is a 0.19-acre tract of land zoned M-2 that contains a small commercial building; 4) To the west, is a 2.13-acre tract of land zoned MU that contains a large repurposed manufacturing building occupied by a nonprofit. A review of the zoning map and established land use indicates that all adjacent and nearby properties are zoned and developed for either commercial or manufacturing use.

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 if the city is at a point of transition from the conventional historic downtown and the fringe of manufacturing and commercial development. Unlike the historic downtown district, this area is less pedestrian friendly and more vehicle oriented. While the requested change in zoning from manufacturing to commercial is an appropriate transition, the issue of available public parking in this area creates a concern with the C-3 zone district. The C-4 zone district permits the same commercial uses as the C-3 district while requiring conventional setbacks and off-street parking.

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

All adjacent and nearby tracts of land are already zoned and developed with commercial or manufacturing zoning uses. There is no evidence to suggest the requested rezoning would have any negative effect on any of the property values in this area.

(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 limited size of the subject property greatly limits the potential development of the property for manufacturing use. The majority of properties in this area are zoned and/or developed for commercial use. As stated previously, the C-3 zone district does not create concern in terms of permitted uses or general characteristics, but the lack of public parking in this area creates a concern with the C-3 zone district at this location. The C-4

zone district would permit the same commercial uses as the C-3 zone district while requiring that the subject property provide off-street parking and meet conventional building setbacks.

(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-3) 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 change in zoning from C-2 to C-3 would have little to no effect on City infrastructure or utilities with the exception of parking. The subject property is of significantly limited size and public parking is exceptionally limited in this area. If the subject property is to be redeveloped, it is highly recommended that adequate off-street parking be provided. While the subject property is currently adjacent to multiple tracts of land suited for off-street parking, each of these properties is privately owned and could be restricted or developed at any point in time. The volume and speed of traffic along Glenwood Ave. is notably higher than that of the majority of corridors within the historic downtown, and there are no on-street parking spaces provided for in the vicinity of the subject property. With the conditions such as they are along Glenwood Ave, it is important that any development of the subject property provide off-street parking where vehicles can safely enter and exit in a forward direction to minimize risk for vehicle conflicts.

(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 future development map shows this property to be within the Downtown Town Center character area. This character area is intended to define the areas that are part of the central business district of the city. The characteristics of the downtown are predominantly commercial with opportunities for urban residential use as well. One of the primary focuses of this character area for the City of Dalton is to incentivize reinvestment and redevelopment in order to grow the downtown into a thriving central business district. The requested C-3 rezoning would be in alignment with the Comprehensive Plan and future development map.

(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 rezoning would simply shrink the M-2 zone district and create an island of C-3 zoning. Neither the C-3 nor C-4 zone district would create any concern for spot zoning or an 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 a C-4 rezoning of the subject property based on the following factors:

1. The requested C-4 zone district provides for the same commercial uses as found in the C-3 zone district while requiring off-street parking and conventional setbacks. It is important to ensure off-street parking is provided if the subject property is developed because we cannot be certain that the adjacent privately owned parking area will remain accessible in the future.
2. Adverse economic impact in regard to the nearby or adjacent properties is not expected if the request is approved based on the similarly zoned and developed commercial properties throughout this area.
3. The C-3 or C-4 zone districts would be consistent with the Downtown Town Center character area in the Comprehensive Plan.