

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

**ZONING CASE:** Nancy Dagoberto Hernandez is seeking to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land (parcel 12-241-13-006) containing a total of 0.71 acres located at 417 Sheridan Avenue. The subject property has been developed with a 5,100 sq ft warehouse building since 2000 according to the County tax records.: The petitioner's request was made to remodel the former office building to be used as an indoor cheer and gymnastics business.

The surrounding uses and zoning areas follows: To the north is a 1.08-acre tract of land zoned M-2 that contains a large industrial building. To the east are two adjacent tracts of land zoned M-2 and C-2 that each contain industrial style buildings. To the south is a small tract of land zoned M-2 that contains a church. To the west across Sheridan Avenue is a 2.1-acre tract of land zoned M-2 that contains an industrial building.

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 convergence of the C-2 and M-2 zone districts. The character of the subject property can be more accurately described as commercial than manufacturing. All adjacent zoning and development is manufacturing and commercial.

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

All adjacent zoning and developments are manufacturing or commercial in character. There is no expectation for any negative impact on the values of the 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 zoned for heavy manufacturing, yet the building occupying the subject property is identified as an office building by the County Tax Assessor's information. The existing character of the subject property is more accurately described as commercial than manufacturing.

**(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.**

This is an area with an abundance of public utility capacity for both water and, so there would be no expectation for a burden in regard to public infrastructure if this rezoning is approved. The potential traffic generation of the proposed development of the subject property would be comparable to that which could occur under the current M-2 zone district.

**(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. While this character area is intended to encourage neighborhood reinvestment and redevelopment, the character and zoning of the subject property are not conducive for residential use. The change from manufacturing to commercial, however, would be a notable reduction in permitted land use intensity. A reduction in land use intensity would better serve the nearby residential properties as the area continues to redevelop. The proposed rezoning and land use would be more beneficial to nearby neighborhoods than the current zoning of the subject property.

**(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.**

No issues were identified here. The proposed rezoning would increase the C-2 zone district and shrink the M-2 zone district in this area.

**(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 would allow for the use of the subject property in a manner that would not conflict with the established pattern of development in this

area.

2. There is no expectation that the proposed rezoning and development would harm the values of adjacent or nearby properties given the reduction in proposed land use intensity.
3. The requested C-2 zone district would allow for the remodeling of the existing warehouse building in order to be used for commercial purposes rather than industrial. The Industrial character area in the Comprehensive Plan indicates the subject property is already appropriately zoned, but the C-2 rezoning would help to create a more gradual transition between the R-2 and M-2 zone districts.