

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Teresa Acevedo is seeking to rezone from Medium-Density Single-Family Residential (R-3) to High-Density Residential (R-7) a tract of land (parcel 12-180-01-024) containing a total of 0.4-acres located at 407 Sassafras Street. The subject property currently contains a single-family detached dwelling: The petitioner's request is to be able to redevelop the subject property with a six-unit two-story apartment complex.

The surrounding uses and zoning are General Commercial to the north, Medium Density Single Family Residential to the east, south, and west.

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 point of convergence of the C-2 and R-3 zone districts. The R-3 zone district in which the subject property occupies is part of the fringe of a larger neighborhood to the east. All adjacent residential properties, in relation to the subject property, are single-family detached in character. The proposed rezoning would create an opportunity to introduce a multi-family character to the subject property. The pocket neighborhood where the subject property is located has been single-family detached in character for a number of decades, and there is no adjacent high-density zoning in immediate proximity. A small block of Transitional Residential zoning exists nearby to the east, but the majority of development in this R-6 zone district is single-family detached in character.

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

The proposed rezoning would be unlikely to impact the values of adjacent properties based on the amount of commercial zoning and development in immediate proximity.

(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 was developed for single-family detached use for a number of decades with no issues observed. This same statement applies to all adjacent residential tracts of land as well. The introduction of a high-density zone district at this location would change the character of the existing neighborhood.

(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-7) 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 R-7 zone district would allow for additional dwelling units to be added to the subject property. With limited area on the subject property, it is likely that off-street parking spaces would be provided at the minimum required by the zoning ordinance. Sassafras St. also lacks sidewalks on either side of the street which creates concern regarding pedestrian walkability to nearby community facilities such as the John Davis Recreation Center. While the increase in dwelling unit density of the subject property may not create a burden on public infrastructure, there are concerns with parking and pedestrian safety that would increase with added density.

(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. This character area is intended to promote reinvestment into aging neighborhoods. The intent of the character area is for neighborhoods to be revitalized while maintaining their historic character. The proposed rezoning would introduce a new character to this pocket neighborhood, which may not incentivize adjacent and nearby renovation of single-family detached dwellings.

(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 proposed rezoning would create an island of R-7 almost entirely surrounded by R-3 zoning. While this rezoning would not be considered a spot zone, it would act as an entering wedge for other adjacent or nearby properties to be considered for similar zoning and redevelopment. With the small size of this pocket neighborhood, its character could be notably altered if additional properties are rezoned for multi-family development.

(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 deny the requested R-7 rezoning of the subject property based on the following factors:

1. The requested R-7 zone district would introduce a multi-family character to this single-family detached pocket neighborhood.
2. The lack of pedestrian infrastructure in this area and limited area for off-street parking on the subject property create cause for concern regarding public safety.
3. The requested R-7 zone district would alter the single-family detached character of the existing neighborhood, which would be in conflict with the intent of the comprehensive plan's Neighborhood Revitalization character area at this location.