

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

ZONING CASE: Manny David is seeking to rezone from Rural Residential (R-5) to Transitional Commercial (C-4) a tract of land (parcel 12-258-02-102) containing a total of 0.19 acres located at the corner of Bryant Ave. and Frances St. **The subject property is currently undeveloped:** The petitioner's request to rezone was made in order to use the subject property for commercial trailer parking.

The surrounding uses and zoning are as follows: The R-5 zone district is adjacent to the north of the subject property, but the northern adjacent tract of land has been developed for commercial use. The C-2 and C-4 zone districts are adjacent to the east, south, and west of the subject property. The residential and commercial zone districts converge in this area.

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.

While it is zoned R-5, the subject property contains no residential structures and exists as a paved lot. The only adjacent tract of land with residential zoning could be described as similar to the subject property with no residential character or structures. The subject property is bound on three sides by the C-2 and C-4 commercial zone districts.

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

There are no adjacent residential properties that would be negatively impacted by the proposed rezoning. The only adjacent residentially zoned tract of land is developed for commercial use.

(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 a poor candidate for residential development based on the amount of adjacent commercial zoning and development. The proposed C-4 zone district would be a more appropriate fit for the subject property than the existing R-5 zone district.

(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-4) amendment, if adopted or approved, would result in a use which would or could cause 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.

No issues were identified.

(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 character area. This character area is intended to protect existing single-family neighborhoods and preserve existing housing stock within said neighborhoods. Given the subject property is bound on all sides by non-residential uses, along with the fact that it does not contain a residential dwelling, there is no concern regarding the existing neighborhood to the north. The subject property is also bound on three sides by the Commercial Corridor character area which suggest that commercial use may be within reason from a planning perspective.

(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 subject property is bound by multiple commercial zone districts and entirely surrounded by non-residential uses.

(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-4 rezoning of the subject property based on the following factors:

1. The requested C-4 zone district would allow for the use of the subject property in a manner that would not conflict with the established pattern of zoning and development in this area.
2. The requested C-4 zone district would allow for a use of the subject property that better reflects the majority of surrounding zoning and development than currently

exists. The Future Development Map in the Comprehensive Plan shows the subject property to be bound on three sides by the Commercial Corridor character area which indicates that the proposed commercial rezoning is not out of character with this area.