

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

ZONING CASE: Wayne Burgess is seeking to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land (parcel 12-255-03-028) containing a total of 0.25 acres located at 913 Riverbend Road. The subject property is currently undeveloped: The petitioner's request to rezone was made in order to redevelop the subject property with a duplex dwelling.

The surrounding uses and zoning are as follows: The M-2 zone district can be seen adjacent to the subject property on all but one boundary. The adjacent tracts to the east and west are developed for commercial/industrial use. The southern adjacent tract of land is undeveloped, and the northern adjacent tract of land is zoned R-5 and developed with a single-family detached dwelling.

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 both industrial/commercial and residential development. The subject property can be seen on the edge of a small pocket neighborhood. There are a number of nearby properties that are zoned M-2 that contain residential structures, of which several have been recently rezoned R-5 and R-6. The proposed rezoning of the subject property would restore conformity based on its existing residential character. The R-5 zone district would reflect the zoning and character of several other properties within this pocket neighborhood. The subject property's size is not conducive for industrial land use, however, the R-5 zone district would grant a viable zoning for the subject property.

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

There is no expectation for any negative impact on the values of the adjacent or nearby property values given the similarity in proposed zoning, development, and unit/acre residential density to that of the adjacent and surrounding area. The proposed R-5 rezoning would be far less impactful to the adjacent residential property values than the existing M-2 zone district.

(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 too small for any type of modern heavy industrial or manufacturing use, and the residential character of this area is far more appropriate. The proposed R-5 rezoning would allow for the subject property to be developed in a manner more appropriate to the adjacent residential properties than could occur under the current M-2 zone.

(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-5) 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.

There is no expectation that public water or sewer would be burdened by the proposed development. Utilities are available in this area and the subject property's limited size do not give cause for concern. The proposed unit/acre residential density is similar to that already established throughout this area. The

subject property would be required to provide for off-street parking at a minimum of four spaces for the proposed duplexe.

(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 public and private investment in aging neighborhoods to catalyze reinvestment in the area. Development patterns for this character area are to promote single-family development and accommodate infill development that complements the scale, style, and setbacks of existing adjacent homes. The proposed R-5 rezoning would be in alignment with the Town Neighborhood Revitalization character area in the Comprehensive Plan based on the existing zoning and development in this area. Duplexes are a permitted use in the adjacent R-5 zone district.

(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 R-5 rezoning would simply enlarge the adjacent R-5 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 R-5 rezoning of the subject property based on the following factors:

1. The requested R-5 zone district would allow for the subject property to be developed in a manner that is compatible with the established zoning and development of adjacent properties.
2. The Town Neighborhood Revitalization character area in the comprehensive plan would align with the proposed R-5 rezoning at this location based on the existing zoning and development pattern of this area.
3. The R-5 zone district would better protect the values of the adjacent and nearby residential properties than the existing M-2 zone district.