

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: The request of Dale Reed to rezone from Transitional Residential (R-6) to Neighborhood Commercial (C-1) a tract of land totaling 0.48-acres located at 709 Arbella St, Dalton, Georgia. Parcel (12-161-01-018)

The subject property is developed as a low-density single-family dwelling. This rezoning request was made with the petitioner's intent to redevelop the subject property for a medical office building.

The surrounding uses and zoning are as follows: 1) to the north, is a 1.1-acre tract of land zoned C-1 that contains an office building; 2) to the east, is a 0.34-acre tract of land zoned R-6 that contains a single-family detached dwelling; 3) to the south, is a 6-acre undeveloped tract of land zoned C-1; 4) to the west, is one adjacent 0.58-acre tract that contains a medical office building zoned C-1. All in all, a review of the zoning map is very consistent in the vicinity of the subject property with a convergence of the R-6 and C-1 zone districts at the boundary of the subject property.

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 property.

The proposed C-1 rezoning would allow for the subject property to be redeveloped from residential use to a commercial use similar to those established in this area. This area of Dalton developed into the city's medical district a number of decades ago. The subject property is part of a pocket neighborhood where many of the lots were developed in the late 1950's. The subject property is flanked along three of its boundaries by commercial zoned properties that are each developed for medical or office space. The proposed rezoning and medical office redevelopment would not be out of character with the majority of adjacent land use and zoning established in this area.

(B) Whether the proposed C-1 amendment would adversely affect the economic value of adjacent and nearby property.

The proposed C-1 rezoning would be unlikely to have a negative affect on the values of the adjacent residential property due to that property already being adjacent to multiple commercial properties in a commercially dominated area of the city. The subject property would also have to provide for a 15' buffer along the entire eastern boundary of the subject property to soften the residential to commercial transition.

(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property of the proposed zoned uses.

The subject property is not in an ideal placement for conventional single-family occupation based on the fact that it is flanked along three of its boundaries by commercially zoned or developed properties. While it is certainly not impossible for the subject property to be occupied as a single-family dwelling, there is a strong argument that an office-style commercial use would be more appropriate based on the established surrounding development pattern.

(D) Whether there is relative gain to the health, safety, morals, or general welfare to the public as compared to any hardship imposed upon the individual owner under the existing zoning.

N/A

(E) Whether the proposed (C-1) 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.

The limitations of the subject property's size and nature of the C-1 zone district do not create concern for a burden to public infrastructure at this location. Any redevelopment would, of course, prompt current City code compliance.

(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 reasoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The Comprehensive Plan shows this property as within the Suburban Neighborhood character area. This character area is intended to protect established neighborhoods from dissimilar development that would threaten the integrity of said neighborhoods. The subject property would first appear to be in conflict with the intent of the Comprehensive Plan and Suburban character area if it were rezoned C-1. However, a closer look at the existing development pattern for this area clearly shows the medical and office commercial development to be well-established at this location. One of the struggles in comprehensive land use planning are the areas in transition or convergence such as this location where the commercial and residential zones collide. The comprehensive plan's future development map also shows the Medical District in rather close proximity to the subject property. The Medical District character area would be a perfect fit for the proposed rezoning and medical office proposal. This planner believes that the proposed rezoning would not undermine the integrity of the comprehensive plan or be in conflict with the established development pattern at this location.

(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 zoning) as interpreted by current Georgia law.

The proposed rezoning would simply enlarge the existing C-1 zone district and shrink the R-6 zone district.

(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, stormwater, or historical issues that influence the development of the subject property under any zoning designation.

N/A

Conclusion:

The staff can recommend approval of the requested zoning change from R-6 to C-1.

Reasons for approval:

1. The C-1 rezoning would create a more consistent transition between the residential neighborhood and medical commercial district than currently exists.
2. The limited size and location of the subject property coupled with the limitations of the C-1 zone district
3. The C-1 rezoning would not be out of compliance with the comprehensive plan in this planner’s opinion due to the existing development pattern of this area along with the proximity of the Medical District character area.