

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

**ZONING CASE:** BC Acquisitions, LLC is seeking to rezone from Rural Residential (R-5) and Light Manufacturing (M-1) to Zero Lot Line Residential (R-4) three adjacent tracts of land (parcels 12-275-05-063, 060, and 064) containing a combined total of 13 acres located along the south R/W of Conway Street and the north R/W of Threadmill Street. The subject property is currently undeveloped: The petitioner's request to rezone was made in order to develop approximately 58 single-family detached dwellings as part of a major subdivision.

The surrounding uses and zoning are as follows: To the north of the subject property are two adjacent tracts of land zoned R-2 and R-7. The R-2 tract of land contains Threadmill Lake and the R-7 tract contains an 8-unit condominium development. To the east are six adjacent tracts of land zoned R-5 and M-2. Each of the five R-5 tracts contains a single-family detached dwelling, while the M-2 tract contains a manufacturing/industrial operation. To the south of the subject property four adjacent tracts of land zoned R-3 and M-2. Three of the southern tracts contain manufacturing operations while the fourth contains a city-maintained recreation park. To the west is a single adjacent tract of land zoned M-1 that contains a manufacturing operation.

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 six different zone districts, of which four of these adjacent zone districts are residential in character. The existing R-5 zoning of the subject property would permit single-family detached dwellings as well as duplex dwellings. The proposed F-4 rezoning would only permit single-family detached dwellings. Based on the attached preliminary site plan, the proposed development would create a similar unit per acre density as compared to that of the adjacent neighborhood. Considering the adjacent manufacturing zoning and operations, as well as the adjacent multi-family zoning and development, the proposed R-4 rezoning and neighborhood development is a reasonable fit for this location.

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

As previously stated, the proposed R-4 rezoning would limit the development potential of the subject property to single-family detached dwellings. The size, scale, and setbacks of the proposed development would be comparable to the adjacent neighborhood in both character and unit/acre lot density. It is unlikely that the proposed rezoning and development would have any negative impact on the values of the adjacent or nearby properties if this rezoning is approved.

**(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.**

There is no hardship observed regarding the subject property's existing R-5 and M-1 zoning. However, the proposed R-4 rezoning and development would better reflect the established adjacent neighborhood than the potential use of the subject property under its current zoning. The petitioner has completed notable due diligence in preparing a preliminary site plan, which includes new public roads as well as stormwater infrastructure.

**(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-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.**

The proposed rezoning and development would create a new public street that would access American Drive and Birch Street. The new street would be required to be designed and constructed to current city standards as part of the plat review process if the rezoning is approved. Only three of the proposed lots will access Threadmill Road, which has exceptional ingress/egress visibility from the subject property. Considering that the proposed development will be required to pass both the preliminary and final plat review processes, the R-4 zoning would permit comparable development potential to the R-5 zone district regarding impact to public utilities and infrastructure. All new streets, stormwater infrastructure, and water and sewer improvements to serve this development will come at the expense of the developer.

**(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 Joint Comprehensive Plan's future development map (FDM) shows this property to be within the Suburban character area. This character area is intended to protect the integrity of the established suburban residential neighborhoods from dissimilar development. The primary land use recommended for this character area is single-family detached dwellings. The recommendation for infill development within this character area should be reflective of the scale and type of the existing neighborhood. The R-4 zone district strictly prohibits any other development type than single-family residential dwellings. The adjacent R-5 neighborhood's existing lots average 7,000-8,000 square feet, while the proposed development's lots average 5,000 square feet. While the proposed development's lots are slightly smaller on average as compared to the adjacent neighborhood, the new development must comply with modern stormwater requirements

that the existing neighborhood did not. The unit per acre density of the proposed development compared to the overall unit/acre density of the existing neighborhood could be considered comparable when calculating the amount of greenspace and stormwater infrastructure. It is also notable that the R-4 zone district would limit dwelling types to single-family detached, which is notable as the existing R-5 zoning would permit duplex 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 R-4 rezoning will create an island of R-4 zoning at this location. However, the proposed island of R-4 zoning would be comparable in development character to that of the subject property’s existing R-5 zoning. One will also note the adjacent R-7 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, 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-4 rezoning of the subject property based on the following factors:

1. The requested R-4 zone district would allow for the subject property to be zoned and utilized similarly to other adjacent properties, while restricting the development potential to single-family detached dwellings.
2. The Suburban character area in the comprehensive plan would not conflict with the proposed R-4 rezoning at this location based on the similarity in density and dwelling type to the adjacent residential development.
3. The R-4 zone district would be unlikely to have a negative impact on the values of surrounding or nearby properties based on the established single-family detached neighborhood.