

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

ZONING CASE: Hammer Properties is seeking a rezoning a tract of land along East Morris St. The property totals 0.34-acres and their request is to rezone from General Commercial (C-2) to Rural Residential (R-5). The tract is presently undeveloped. The request was prompted by the desire to develop this tract of land for a single-family detached dwelling.

The surrounding land uses and zoning are as follows: 1) To the north is a 1.13-acre tract of land zoned M-2 that contains an industrial operation; 2) to the east, are two tracts of land that each contain single-family detached dwellings but are zoned C-2 and M-2; 3) To the south across E. Morris St. are two tracts of land that each contain a single-family dwelling and each zoned R-5; and 4) to the west is a tract of land containing a small multi-fronted commercial building zoned C-2.

The rezoning request is in the jurisdiction of the Mayor and Council of Dalton near Blue Ridge Elementary School.

<u>Administrative Matters</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
A. Is an administrative procedure, like a variance, available and preferable to annexation?	—	<u>X</u>	—
B. Have all procedural requirements been met? 1. Legal ad October 8, 2021 (16 days-notice) 2. Property posted October 8, 2021 (Yes -- one sign on the lot frontage; 16 days-notice.)	<u>X</u>	—	—
C. Has a plat been submitted showing a subdivision of land?	—	<u>X</u>	—
D. The following special requirements have an impact on this request: 100-year flood plain Site Plan (none required) Buffer Zones (none required) Soil Erosion/Sedimentation Plan Storm Water Requirements	— — — — —	<u>X</u> <u>X</u> <u>X</u> <u>X</u> <u>X</u>	— — — — —

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.

This area of the City is a point of convergence between the industrial, high-density, and medium-density residential areas. The east side of Dalton has long been known as a center for commercial and industrial development. High-traffic corridors, such as E. Morris St, often end up with the majority of adjacent property zoned for commercial use. As Dalton's commercial and industrial development grew in the mid-20th century, areas that were once residential were redeveloped for commercial and industrial use. As a result of this long-term commercial and manufacturing sprawl, nodes of urban workforce residential property were located throughout this area. Several properties around the subject property are mid-century single-family detached urban dwellings from the industrial boom of that era. The subject property is also near a crossroad where commercial nodes are often located. The proposed rezoning would be considered an infill development which would permit similar development as already exists in this area.

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

The introduction of a residential zone and single-family detached residential dwelling adjacent to a commercial property does not typically have any negative impact on the commercial property. There can be, however, an unintended consequence of an imposed buffer burden for the adjacent commercial property should that commercial property be redeveloped or heavily remodeled in the future. The adjacent commercial building to the west was developed under the previous pyramid zoning ordinance that permitted zero lot line development in the C-2 zone district at that time, so the adjacent commercial building would already be considered non-conforming regarding current UZO setbacks.

(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 could be developed as it is currently zoned, but the subject property is also a good candidate for the proposed rezoning and single-family detached dwelling.

(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 (C-2) zoning.

N/A

(E) Whether the proposed 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.

No impact to utilities or public infrastructure is expected as the proposed rezoning is of a much less intensity than the existing C-2 zone. The size of the subject property is also a greatly limiting factor in relation to potential burden to public infrastructure.

(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 and future development map show the subject property to be within the

commercial character area. One will note, however, that the subject property is adjacent to the Town Neighborhood character area. The nature of comprehensive planning and the character area development model is such that areas receive a more general overlay. A close look around the subject property indicates that there are several tracts that are a better fit for the Town Neighborhood Revitalization Area than the Commercial character area. The proposed rezoning and development would be a great fit for the Town Neighborhood Revitalization character area.

(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 (MU) 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.

This rezoning would simply enlarge the existing R-5 zone district and shrink the C-2 zone district in this area. No new zone district or character of land use is expected if this rezoning is approved.

(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.

The subject property has remained vacant now for some time, but the site is buildable with no issues regarding the above-mentioned factors.

CONCLUSION: The staff recommendation is that the requested R-5 rezoning be approved based on the following factors:

- 1) The proposed rezoning is consistent with the established development pattern and zoning of the area;
- 2) There is no expectation for negative impact to any of the adjacent or nearby properties; and
- 3) There are no issues identified regarding the Comprehensive Plan and Future Development Map based on the proposed R-5 rezoning and single-family detached dwelling when considering the adjacent Town Neighborhood Revitalization Area.