

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

**ZONING CASE:** Maria Amaya is seeking to rezone from Medium-Density Single-Family Residential (R-3) to Neighborhood Commercial (C-1) a tract of land (parcel 12-3255-02-024) containing a total of 0.17 acres located at 900 Riverbend Road. The subject property currently contains a single-family detached dwelling: The petitioner's request to rezone was made in order to expand their adjacent restaurant operation.

The surrounding uses and zoning are as follows: All adjacent tracts of land to the north and west are zoned R-3. The subject property is adjacent to two C-2 and M-2 zone districts to the south as well as a C-1 tract adjacent to the south. The subject property lies at the convergence of multiple zone districts.

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 is near the convergence of the R-3, C-1, C-2, and M-2 zone districts. This area can be described as a mix of zone districts and land use from single-family detached dwellings to heavy manufacturing. The existing development of this area is that of a commercial character near Walnut Avenue that transitions to manufacturing to the south with pockets of aging residential properties.

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

This area has long been in a transitional state with the growth associated with Walnut Avenue. The subject property, while residential, has been adjacent to multiple commercial and manufacturing zones and businesses for a number of years. The proposed development would improve the consistency of this area in terms of zoning and development with no expectation of an adverse impact on the values of the adjacent properties.

**(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, as stated previously, borders multiple manufacturing and commercial properties. The subject property is suitable for commercial redevelopment given the established character of the area. The limited area of the petitioner's adjacent restaurant raises the need for expansion, and the subject property would be suitable to accommodate additional parking and space for the adjacent business.

**(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-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 subject property is limited in size, but its purpose would be to serve as an expansion for an adjacent business with a limited site area. Increasing the site area of the adjacent restaurant would help improve off-street parking and service access. The limited size and intensity of the subject property do not raise a concern in regard to utility or public infrastructure burden.

**(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. The Town Neighborhood Revitalization character area is intended to represent areas of the city that are aging and in need of investment and redevelopment. The proposed rezoning would create the opportunity for a limited expansion of a small business already in operation. The majority of adjacent properties are already zoned and developed for higher-intensity commercial and manufacturing land use. The neighborhood commercial zone district is intended to provide limited commercial retail and dining options for adjacent and nearby neighborhoods. The C-1 zone district at this location would serve as a transition between the residential and commercial/manufacturing zone districts and the pocket neighborhood to the west.

**(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 C-1 rezoning would simply enlarge the existing C-1 zone district and shrink the R-3 zone district. The proposed rezoning would help to create a smooth transitional transition between the commercial and manufacturing districts and the adjacent pocket neighborhood.

**(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-1 rezoning of the subject property based on the following factors:

1. The requested C-1 zone district would allow for the use of the subject property in a manner that would not conflict with the established pattern of development in this area.
2. There is no expectation that the proposed rezoning and development would harm the values of adjacent or nearby properties given the established commercial zoning and development pattern of this area.
3. The requested C-1 zone district would allow for the expansion of the adjacent restaurant without encroaching on the adjacent pocket residential neighborhood. The C-1 zone district is a good fit based on the Town Neighborhood Revitalization character area in the Comprehensive Plan.