

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

ZONING CASE: ECM (Crawford McDonald) is seeking to rezone a tract of land from General Commercial (C-2) to High-Density Residential (R-7) (parcel 12-200-24-000) containing a total of 0.74-acre located at 501 N. Hamilton St. The tract is currently developed with a commercial building. The rezoning request to (R-7) is sought to serve the purpose of allowing the petitioner to convert the existing commercial building into 11 apartment units:

The surrounding uses and zoning are as follows: 1) to the north, is a single tract of land containing a single-family detached dwelling zoned R-3; 2) to the east, there are four adjacent tracts across N. Hamilton St that each contain commercial/industrial buildings that are all zoned Light Manufacturing M-1; 3) to the south, is a single adjacent tract of land zoned M-1 that contains an aging commercial building; 4) To the west, are three adjacent tracts of land that each contain a single-family detached dwelling and are zoned M-1.

The subject property is within the jurisdiction of the City of Dalton Mayor and Council.

<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 July 9, 2021 (16 days notice) 2. Property posted July 9, 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.

The area surrounding the subject property is one of great diversity from a land use perspective. In this area there is a mix of single-family, multi-family, commercial, and manufacturing zoning and land use. The subject property itself has also seen multiple uses within the existing building since it was constructed in 1959 ranging from a grocery store to a funeral home. The subject property appears to have been vacant for some time now. Based on the size of the subject property's existing structure and existing parking area, there is sufficient space for the proposed 11 apartment units. The proposed rezoning would create a softer transition from the existing residential properties to the manufacturing properties in this area.

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

No impact to the economic value of adjacent property is expected if this rezoning is approved based on the fact that the intensity of the subject property will be reduced greatly if this request is approved. Since the roads separate the subject property from the adjacent commercial and manufacturing properties, none of the adjacent manufacturing or commercial properties would be required to create a buffer. While the subject property should have a buffer along the northern and western boundaries of the property, a proper buffer area does not exist based on the property's existing structure and parking lot.

(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 has been host to several different commercial businesses since it was first developed over a half-century ago. The subject property is certainly developed for a commercial use as is, but it is likely feasible for the existing structure to be redeveloped into the proposed apartment units. All building and fire codes will be followed since this redevelopment will require significant interior construction and permitting.

(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-7) 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 is expected based upon the existing development character of this area along with the reduction in potential development intensity as compared to the existing C-2 zone district. Public utilities are abundant throughout this area.

(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 Town Neighborhood Revitalization character area. This character area is intended to focus on aging neighborhoods within the city that have seen a decline in residential investment and that have been impacted by the encroachment of commercial and industrial developments. The goals for this character area are to restore the residential integrity to these areas by phasing out the aging commercial and industrial developments. While the existing development pattern throughout most of this area is single-family detached residential, the subject property lies at the point of convergence of the residential and manufacturing zones. The transition from medium-density to high-density is not an unusual one when compared to the current transition from commercial to medium-density

(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.

While the proposed rezoning would, if approved, create an island of R-7 “sandwiched” between the R-3 and M-1 zone districts. Since this would be a reduction in land use intensity and adjacent to residential property, the concern for an entering wedge is not of concern.

(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 recommend the subject property be rezoned R-7 based on the following factors:

1. The R-7 rezoning would create a more appropriate transition from single-family residential to the adjacent manufacturing developments.
2. Anticipation for adverse impact to property values surrounding the subject property is not an expected issue based on the existing development in the area and reduction in the land use intensity potential for the subject property if rezoned R-7.
3. The requested R-7 rezoning would be a much better fit for the Comprehensive Plan and Future Development Map than the existing C-2 zoning on the subject property.