

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

ZONING CASE: KCR Properties is seeking to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land (parcel 12-163-04-004) containing a total of 3.69 acres located at 1280 Veterans Drive. The tract is currently developed with a single 31,000 sq. ft. commercial/manufacturing structure. The rezoning request is sought to serve the purpose of permitting commercial use of the property rather than manufacturing, based on the needs of the prospective lessee:

The surrounding uses and zoning are as follows: 1) to the north, is a 23-acre tract containing a large manufacturing structure and operation zoned M-2; 2) to the east, is a 39.6-acre tract of land that is part of the Smith Industrial Park owned by the City of Dalton zoned M-2; 3) to the south, is a continuation of the Smith Industrial Park; 4) To the west, are two adjacent tracts across Veterans Dr. The largest of the western adjacent tracts contains a church and is zoned C-2, while the smaller western adjacent tract is zoned M-2 and contains a smaller structure utilized as a base of operations for a cleaning business. A review of the zoning map and land use indicates that this area is a convergence of various commercial and manufacturing developments.

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 a rezoning?	—	<u>X</u>	—
B. Have all procedural requirements been met?	<u>X</u>	—	—
1. Legal ad April 10, 2020 (16 days notice)			
2. Property posted April 10, 2020 (Yes -- one sign on the lot frontage; 16 days notice.)			
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 (land is filled to the 100-year flood level)	<u>X</u>	—	—
Site Plan (none required)	—	<u>X</u>	—
Buffer Zones (none required)	—	<u>X</u>	—
Soil Erosion/Sedimentation Plan	—	<u>X</u>	—
Storm Water Requirements	<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.

In this area of the City of Dalton, a mix of commercial and manufacturing land use has occurred over time. Most commercial development has favored the North Bypass and Glenwood Avenue corridor in this area. Manufacturing land use in this area has no clear pattern and exists throughout this area. When looking at the immediate area, commercial land use exists in view of the subject property with no obvious adverse impact to the manufacturing properties, and the C-2 zone district can be seen adjacent to and nearby the subject property.

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

When comparing the nature of the C-2 and M-2 zone districts, one will not find that they are each intended for high-intensity land use. Both zone districts tend to create significant trip generation, noise, and often require large commercial truck pickup/delivery on a daily basis. There are certainly situations where introducing a commercial zone district into a manufacturing area may be ill-advised, but in this case, there is no indication that a C-2 rezoning would harm any of the adjacent or nearby property values.

(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's existing structure has the characteristics of both the commercial and manufacturing type. While we may not consider the subject property to be in a hardship situation, it is fair to say that the property and structure could be readily utilized for either manufacturing or commercial use with little alteration to the property.

(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-2) 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.

(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 indicated that the subject property is within the Industrial character area. This character area is intended primarily for industrial and manufacturing uses, but commercial uses are also recommended as a primary land use in this 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 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.

If approved, this rezoning would simply shrink the existing M-2 zone district and enlarge the existing C-2 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.

The subject property has been developed for some time now as a manufacturing/commercial property. One will note, however, that the southern portion of the subject property is impacted by the 1% and 2% annual flood zones. While there are no structures on the southern portion of the subject property,

CONCLUSION:

The staff can provide a recommendation to approve the requested C-2 rezoning of the subject property based on the following factors:

1. No adverse impact to existing adjacent or nearby property values is expected.
2. No issues with the intent of the Comprehensive Plan or character area were noted.
3. No issues in regard to the established zoning or land uses in the area were found.