STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Juan Figueroa is seeking to rezone from Heavy Manufacturing (M-2) to Rural Residential (R-5) a tract of land (parcel 12-218-07-039) containing a total of 0.99 acres located at the intersections of Water, Ford, and Rowena Streets. The subject property is currently undeveloped: The petitioner's request to rezone was made in order to divide and develop up to five new residential lots with a combination of duplexes and single-family detached units.

The surrounding uses and zoning are as follows: The R-7 zone district can be seen to the north of the subject property containing an apartment complex. The subject property is flanked on the east and west boundaries by the M-2 zone district. The eastern and western tracts of land each contains a single-family detached dwelling despite being zoned M-2. To the south of the subject property are two tracts of land zoned R-5 that each contains a single-family detached dwelling.

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 within a residential area of the city despite being zoned M-2. This area is the point of convergence between multiple residential zone districts consisting of primarily single-family detached dwellings and various multi-family developments. The R-5 zone is established in this area and adjacent to the subject property. The R-5 zone district and proposed lot sizes and development would be much more reflective of the established development pattern than the current M-2 zone district

(B) Whether the proposed amendment would adversely affect the economic value or the uses of adjacent and nearby properties.
There is no expectation for any negative impacts on the values of the adjacent or nearby property values given the similarity in proposed zoning, development, and unit/acre residential density to that of the adjacent and surrounding area.

(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 is too small for any type of heavy industrial or manufacturing use, and the residential character of this area is a far more appropriate. The proposed R-5 rezoning would allow for the subject property to be developed similarly to other adjacent residential properties.

(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-5) 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.
There is no expectation that public water or sewer would be burdened by the proposed development. Utilities are available at high capacity in this area and the subject property's limited size do not give cause for concern. The proposed unit/acre residential density is similar to that already established throughout this area. Each of the proposed new lots would front existing city maintained streets and would be required to go through the Final Plat review process pending rezoning action.

(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. This character area is intended to promote public and private investment in aging neighborhoods to catalyze reinvestment in the area. Development patterns for this character area are to promote single-family development and accommodate infill development that complements the scale, style, and setbacks of existing adjacent homes. The proposed R-5 rezoning would be in alignment with the Town Neighborhood Revitalization character area in the Comprehensive Plan based on the existing zoning and development in this 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.

The proposed R-5 rezoning would simply enlarge the adjacent R-5 zone district and shrink the existing M-2 island in this area.

(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-5 rezoning of the subject property based on the following factors:

1. The requested R-5 zone district would allow for the subject property to be developed in a manner that is compatible with the established zoning and development of adjacent properties.

2. The Town Neighborhood Revitalization character area in the comprehensive plan would align with the proposed R-5 rezoning at this location based on the existing zoning and development pattern of this area.

3. The R-5 zone district would better protect the values of the adjacent and nearby residential properties than the existing M-2 zone district.