

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

**ZONING CASE:** Elda Ramirez is seeking to rezone from Rural Residential (R-5) to General Commercial (C-2) two tracts of land (parcels 12-238-17-008 and 007) containing a combined total of 0.38 acres located at the intersection of Glenwood Avenue and East Emery Street. The subject property is currently developed with two single-family detached dwellings: The petitioner's request to rezone was made in order to use the subject property commercially.

The surrounding uses and zoning are as follows: The R-5 zone district can be seen to the north of the subject property in an undeveloped state. The subject property is flanked on the east by the M-2 zone district across Glenwood Avenue. The southern adjacent tracts of land are zoned M-1 across E. Emery St. and each contains industrial buildings. To the west of the subject property is a tract of land zoned R-5 that 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 surrounded by manufacturing, commercial, and industrial land use and zoning with the exception of two tracts of land to the west that are zoned and developed for residential use. With no buffers or notable separation between the four residential properties at this location, the residential properties appear out of place. The proposed C-2 rezoning would enlarge the adjacent C-2 zone district in an industrial and commercial area.

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

There is no expectation for negative impacts on the values of the adjacent or nearby property values given the amount of established manufacturing zoning and development throughout this area. The other two residential properties in this area have already been impacted by the surrounding industrial and commercial operations that have diminished their values as residential properties. The subject property has undergone similar impacts which likely explains the petitioner's interest in the commercial reuse of the subject property.

**(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 previously stated, has been negatively impacted by its current residential zoning and character. The proposed C-2 rezoning would permit more viable and appropriate uses for the subject property based on surrounding zoning and development.

**(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 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 only notable concern regarding potential impacts on public infrastructure and safety is related to parking. The existing single-family detached dwellings on the subject property combine to a total in excess of 4,000 square feet. The minimum parking requirements for commercial office/retail would be 3.5-5 parking spaces per 1,000 square feet of the commercial building floor area. When coupling the required buffers and setbacks along the northern and western boundaries, the remaining site area would be too small to accommodate the minimum amount of parking spaces required in the UZO. Either the subject property will have to be entirely redeveloped, or one of the existing structures will need to be demolished in order to create parking for any future commercial use of the subject property.

**(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 Downtown/Town Center character area. Based on the location of the subject property and the adjacent development and zoning patterns, the expansion of the Downtown district has not yet reached the subject property. The C-2 rezoning would be a good fit for the subject property when considering the adjacent zoning and development around the subject property. The limited size of the subject property and plans for future downtown development of this area lead this planner to believe that a commercial rezoning would be advisable at this location. However, with no public on-street or off-street parking in the immediate vicinity, it is imperative that the subject property develop sufficient off-street parking.

**(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 C-2 zone district and shrink the existing R-5 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 C-2 rezoning of the subject property based on the following factors:

1. The requested C-2 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 Downtown/Town Center character area in the Joint Comprehensive Plan would align with the proposed C-2 rezoning at this location based on the existing zoning and development pattern of this area.
3. The C-2 zone district would likely have a neutral impact on the values of the adjacent and surrounding properties when considering the established development pattern.