

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

**ZONING CASE:** David Armstrong is seeking to rezone from Low-Density Single-Family Residential (R-2) and Transitional Residential (R-6) to High-Density Residential (R-7) a tract of land (parcel 12-197-01-038) containing a total of 1.9-acres located at the corner of Waugh St. and Walston Ave. The tract is currently undeveloped with the exception of a small tennis court. The rezoning request to R-7 is sought to for the petitioner to develop the subject property with an apartment complex containing 54-60 dwelling units.

The surrounding uses and zoning are as follows: 1) to the north, are four lots of lesser area than the subject property that are all zoned R-2 of which one tract contains single-family detached dwelling; 2) to the east, is a large tract across Walston Ave zoned R-7 that contains a large apartment complex. ; 3) to the south, across Waugh St. are two adjacent undeveloped tracts of land zoned R-2; 4) To the west, is an undeveloped tract of land zoned R-2. A review of the zoning map and existing development indicates that this area is a convergence of the R-3, C-2, and C-1 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 partially zoned for certain types of multi-family development as well as being adjacent to an established apartment complex. This area has been home to several multi-family developments through the years. The subject property is one of the most appropriate locations for new multi-family development in this area. It is not likely to expect single-family detached development interest on the subject property based on the existing amount of multi-family development already established in the immediate vicinity.

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

As stated previously, the subject property is located in an area where multi-family developments have existed in various forms for several decades without appearing to have had any negative impact to the property values in this area. It is worth noting that several of the adjacent R-2 zoned properties are unlikely to be developed for the foreseeable future due to a lack of safe road access. These adjacent R-2 properties along Waugh St. can help to serve as a buffer between the subject property and other existing R-2 zoned properties. The subject property would also be required to provide for a 15' buffer along the northern and western boundaries as well. The required buffer could consist of the existing mature vegetation on 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.**

There is no reason the subject property could not be developed as it is currently zoned, but the proposed R-7 rezoning would allow for a reasonable use for the subject property based on the established character of the area.

**(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.**

The limiting factor of the subject property's size prevent any type of development that would burden public infrastructure or utilities. While the proposed R-7 rezoning would increase the potential unit/acre density of the subject property, the proposed density is not unlike that which has already been established throughout this area. One point to note is the fact that there was a condition placed on the subject property upon approval of the previous R-6 rezoning. The current condition, affecting the majority of the subject property, is that no street access be permitted to Waugh St. All ingress/egress must be limited to Walston Ave. in order to mitigate vehicle conflicts in the sloped curve of Waugh St. at this location.

**(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 Suburban character area. This character area is intended to guide suburban-type residential development in areas that have already been largely developed. Most development in the Suburban character area is that of infill or redevelopment. The subject property would be classified as in fill development, and the proposed rezoning would be reflective of several adjacent and nearby properties throughout 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.**

**(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 R-7 rezoning of the subject property based on the following factors:

1. The requested R-7 rezoning would allow for a zone district and land use that is appropriate given the adjacent multi-family development already established throughout this area.
2. Adverse economic impact in regard to the nearby or adjacent properties is not expected if the request is approved based on the existing pattern of development throughout this area as well as the required buffers affecting the subject property's northern and western boundaries.
3. The requested R-7 zone district is an appropriate zone district for this location based on the Suburban character area in the comprehensive plan's future development map along with the established pattern of development throughout this area.