

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

ZONING CASE: Ricardo Salaises is seeking to rezone from Heavy Manufacturing (M-2) to General Commercial (C-2) a tract of land (parcel 12-219-21-012) containing a total of 0.57 acres located at 207 S. Glenwood Ave. The tract is currently developed with a small commercial structure. The rezoning request to C-2 is sought to serve the purpose of allowing the petitioner to utilize the property as an event center rather than for manufacturing:

The surrounding uses and zoning are as follows: 1) to the north, across Hagan St., is an undeveloped tract zoned C-2; 2) to the east, are two adjacent tracts within the R-3 Medium Density Single Family Residential zone district. One of the eastern adjacent tracts contains a single family dwelling while the other is undeveloped; 3) to the south, across McCune St., are three adjacent undeveloped tracts zoned C-2. ; 4) To the west, across S. Glenwood Ave., is a tract zoned C-2 containing a historic manufacturing structure. A review of the zoning map and land use indicates that this area is a convergence of urban residential and commercial land use.

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? 1. Legal ad January 10, 2019 (16 days notice) 2. Property posted January 10, 2019 (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 (land is filled to the 100-year flood level) 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.

In this area of the City of Dalton there is a clearly established pattern of commercial and residential development. The pattern of commercial development seems to be concentrated around Glenwood Ave, while the majority of residential development appears to be concentrated on the lesser-travelled collector streets east of Glenwood Ave. The subject property itself is an island of heavy manufacturing with no adjacent manufacturing structures or practices in place at this time. While manufacturing once existed in this area of the City, development patterns have since changed largely based upon standards within the manufacturing industry that require larger, modern structures that are not typically feasible or financially prudent in this area of the City.

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

The M-1 and C-2 zone districts, as stated previously, are not significantly dissimilar. The established pattern of development in this area is very much reflected by the zoning in the area and, therefore, this C-2 rezoning would not introduce or expand a character of land use that does not already exist in this vicinity. There are, however, adjacent residential properties along the entire eastern boundary of the subject property that stand to be affected by the future use of the subject property that must not be ignored. Considering that the existing structure on the subject property has existed for several decades with no buffer between the building and adjacent residential property, a C-2 rezoning would not fully address the ongoing buffer issue based on the petitioner's intent for adaptive re-use of the existing structure as a commercial building. The remainder of the subject property that borders the adjacent R-3 properties would be required to satisfy the UZO's buffer requirements in order to mitigate the sight and sound impacts to those adjacent residential properties.

(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 primary structure on the subject property was engineered for light manufacturing. It is worth stating that the existing structure on the subject property is rather limited in size for most types of heavy manufacturing uses and, the subject property's overall size, location, accessibility, and existing structure appear to be better suited for a commercial use rather than manufacturing. The uses permitted within the C-2 zone district are a much better fit for the existing structure on the subject 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.

NA

(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.

Generally speaking, the impact on utilities and public infrastructure is higher for manufacturing uses than commercial uses when variables such as site footprint are equal. Commercial uses do tend to create heavier traffic volumes than light manufacturing uses but, in the case of the subject property there is direct access onto two local collector streets within a commercial area of the City.

(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 indicates that the subject property is within the Downtown/Town center character area. The character and intent of the Downtown/Town Center character area is certainly more in line with commercial zoning than manufacturing. Since the subject property is adjacent to a well-established C-2 zone district, it makes more sense for a C-2 rezoning than a C-3 or C-4 rezoning.

(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.

None identified. This rezoning, if approved, would simply enlarge the C-2 zone district and eliminate an island of M-2 zoning.

(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 C-2 rezoning of the subject property based on the following factors:

1. The C-2 zone district is well-established in this area of the City;
2. No adverse impact is expected for the adjacent and nearby properties considering

the existing development patterns and character of the subject property and buffer requirements for the C-2 to R-3 convergence;

3. The existing structure on the subject property is much better suited for commercial use rather than manufacturing which is supported by the Comprehensive Plan and Future Development Map.