

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

**ZONING CASE:** Bryan Spence is seeking to rezone a tract of land from Low-Density Single-Family (R-2) to Medium Density Residential (R-3) (parcel 12-182-19-000) containing a total of 1.56 acres located along the east R/W of Chattanooga Avenue. The tract is currently undeveloped. The rezoning request to (R-3) is sought to serve the purpose of subdividing and constructing approximately seven single-family detached dwellings on the subject property:

The surrounding uses and zoning are as follows: 1) to the north, is a 0.9 acre tract containing an office structure and parking area zoned M-2; 2) to the east are eight adjacent tracts zoned R-3 that each contain single-family detached dwellings; 3) to the south, is one adjacent tract zoned M-2 that contains a large commercial warehouse structure; 4) to the west, are three adjacent tracts all zoned M-2 and occupied by Columbia Recycling. All in all, a review of the zoning map is inconsistent in the vicinity of the subject property with a mix of few residential, commercial and industrial zone districts and land uses. One will note that the vicinity of the subject property is somewhat of a transitional area where Manufacturing and residential zones converge. The existing land uses in this area include residential, commercial, industrial and recreational. 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.**

In this area there is convergence of manufacturing, commercial and single-family residential land use. A significant portion of land flanking Chattanooga Avenue has been developed for commercial or industrial use for a significant amount of time. In fact, this area of Dalton began developing for a mix of residential and industrial use since the early 1880's when the Crown Cotton Mill was first established. From the period between the 1880's and 1960's the Crown Cotton Mill continued to expand both its industrial footprint as well as the mill's workforce-housing village. A significant portion the original mill structures remain intact including many of the mill's workforce housing, which was then sold to individual owners after the mill's closing nearly 60 years ago. Since that time this neighborhood, surrounded by commercial and industrial uses, has remained a single-family residential community. Based on the average lot and dwelling size the proposed R-3 zone district is not in conflict with the majority of land use in this area.

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

The R-2 and R-3 zone districts, of course, share some similarities in character. The most significant difference one would notice if the subject property is rezoned to R-3 is the potential for nearly twice the lot density as currently permitted on the property. The proposed density and single-family character is, however, not in conflict with this area based on previous statements regarding the surrounding area. With that being said, there is no expectation for adverse impact to the adjacent or nearby properties if the subject property is rezoned R-3.

**(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 proposed R-3 rezoning would allow the subject property to be developed for a use that would be reflective of the density and single-family character of the majority of adjacent parcels. When considering the subject property's size, it could support up to four single-family detached dwellings on individual lots.

**(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-3) 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.**

If the subject property were re-zoned R-3 then the developer would have the ability to utilize both public water and sewer services with no concern for capacity. The primary infrastructure conflict with the subject property is related to street access. Dalton Public works does not recommend road access to Chattanooga Avenue and will restrict street access to the existing paved alleyway along the subject property's eastern boundary. The primary concern with the existing alleyway is that it is limited to a single unmarked lane. If the subject property is rezoned and developed as proposed, then approximately seven new single-family detached dwellings will be utilizing this one-lane alleyway as their only point of street access. Average automobile trip generation for small single-family dwellings is four trips per dwelling per day, which totals to 28 new trips per day to be generated on the subject property. Regardless of the density of the subject property, this planner believes it would be a good idea to increase the R/W of this alleyway to ensure area for utility maintenance as well as future street improvements and ensure the roadway is owned and maintained by the City of Dalton.

**(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 Future Development Map designates this area as a Town Neighborhood Revitalization Area. The Town Neighborhood Revitalization includes established neighborhoods north and east of downtown Dalton, including the following neighborhoods: Crown Mill, Fort Hill, East Dalton and Thread Mill. These neighborhoods are historic but have experienced disinvestment and decline due in part to the demolition of residences to accommodate commercial uses, parking areas, apartment buildings and industrial uses. Prevalent zoning of properties for industrial uses further contributes to the neighborhoods' instability and diminishing potential for revitalization. Recent planning efforts, including the City of Dalton Urban Redevelopment Plan (2012), Neighborhood Infill Guidelines (2003), Dalton Historic Housing Infill Study (2006), and the Believe Greater Dalton Housing Strategy address these areas and the issues of neighborhood revitalization, opportunities for new growth with infill, and inconsistencies between existing City regulations and desired development for the neighborhoods. The subject property is entirely surrounded by the Town Neighborhood Revitalization Area. Given the immediate adjacency to the intact neighborhood along with the existing surrounding land use this planner does view the requested use and rezoning as consistent with the intent of the comprehensive plan and Future Development Map. The current R-2 zone district is also consistent with the Comprehensive Plan and future development map for this location.

**(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.**

This rezoning, if approved, would simply eliminate the island of R-2 and enlarge the existing R-3 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 tracts have remained vacant for some time. This is most likely due to the subject property being almost entirely within the 1% annual flood zone and partially within the floodway. In order to address this issue, a base flood elevation study will need to be conducted to determine the base flood elevation. Once a study notes the base flood elevation the developer will be required to construct all affected dwellings above the base flood elevation. Building above a base flood elevation may be done various ways from a raised earthen building pad to an elevated pier foundation that allows the potential flood waters to pass freely under the structure, but any and all of these techniques generally come at a significant cost to the developer as well as perpetually higher flood insurance premiums for the prospective owners.

**CONCLUSION:**

The staff cannot recommend approval for the R-3 rezoning based on the following factors:

1. The existing R-2 rezoning satisfies the intent of the Comprehensive Plan and Future Development Map.
2. The encroachment of new development affecting the 1% annual flood plain on the subject property would be a lesser concern if the density of the development were less than proposed in the R-3 zone district. The current R-2 zone allows for new single-family detached development of up to four new lots that would each have buildable area outside the 1% annual flood plain.