

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

**ZONING CASE:** Tammy Herndon is requesting to rezone from Low Density Single Family Residential (R-2) to Limited Commercial (C-1A) a tract of land totaling 0.39 acres located at 207 Jones Street, Dalton, Georgia. Parcels (12-220-10-009, and 013)

The subject property currently consists of two tracts of land that each contain a single-family detached dwelling and are each zoned R-2. The proposed rezoning has been sought in order for the petitioner to redevelop the subject property with up to 10 fee simple townhouses.

The surrounding uses and zoning are as follows: 1) to the north across School St, is a 4.4-acre tract of land that once contained the old County jail that is zoned C-1A. 2) to the east across Jones St, is a 7-acre tract of land that contains the City Park School campus that is also zoned C-1A. 3) to the south, are two adjacent tracts of land zoned C-1A that each contain a duplex dwelling. 4) to the west, is a 0,2-acre tract of land zoned R-2 that contains a single-family detached dwelling. This area is a point of convergence between the C-1A and R-2 zone districts. In recent years, multiple properties in the immediate vicinity have been redeveloped for multi-family use. This residential neighborhood, though aging, is not within the City's historic district.

**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 property.**

This area has been an area of converging residential and commercial zoning and development for a number of decades. The intent of the C-1A zone district has always been to create a softer transition between conventional commercial development and single-family residential development. The C-1A zone district allows for a very conservative list of office and retail commercial uses as well as single and multi-family residential uses. It is worth noting that the former County jail property is currently under development for the construction of a new apartment complex. It is also worth noting that the petitioner has recently completed the redevelopment of another property at the northeast corner of Jones and School St. where a former commercial building was converted for multi-family residential use. The two southern adjacent tracts of land were also recently rezoned to C-1A and redeveloped with two new duplex dwellings. The demand for multi-family housing in this area has grown significantly in recent years. This demand for increased housing stock in this area is likely a byproduct of the growing attraction of living in or near the historic downtown area. The subject property is adjacent to the C-1A zone district on three of its boundaries and flanked along its entire northern and southern boundaries by multi-family style development. The proposed C-1A rezoning of the subject property would, if approved, create a more even transition

between the R-2 and C-1A zone districts while allowing the subject property to be developed similarly to the majority of adjacent properties.

**(B) Whether the proposed C-1A amendment would adversely affect the economic value of adjacent and nearby property.**

The limitations associated with the C-1A zone district prohibit any type of intensive commercial development, and the limitations of the subject property's size would limit the unit/acre density of any residential development. Regardless of whether or not the subject property were to be developed for commercial or residential use, a 15' buffer would be required along the entire length of the subject property's western boundary since it is adjacent to the R-2 zone district. The only adjacent property subject to any notable impact would be the western adjacent single-family detached dwelling, but the net effect of the subject property's proposed redevelopment would likely go unnoticed by the neighboring single-family dwelling given the large multi-family development to the north.

**(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property of the proposed zoned uses.**

The subject property has been developed as it stands for a number of decades with no apparent issues to note. The suitability of the subject property to be redeveloped for the proposed single-family attached townhomes, however, is a reasonable option to consider at this location due to the established development pattern in this area. The petitioner noted in the rezoning application that they would like to construct up to 10 new units on the subject property. Since the subject property only measures approximately 150' at its widest point, the maximum number of potential townhouse units on the subject property would be 6. This 6-unit estimate was determined by the requirements within the UZO such as the required 15' buffer and average unit width of 20' for townhouse units. Off street parking and stormwater requirements will also be required since the subject property would undergo a total redevelopment. If the subject property is redeveloped with up to 6 townhouse units, a minimum of 12 parking spaces will be required, and said parking spaces must allow for the vehicles to make a forward egress of the subject property as opposed to backing onto the City streets.

**(D) Whether there is relative gain to the health, safety, morals, or general welfare to the public as compared to any hardship imposed upon the individual owner under the existing zoning.**

N/A

**(E) Whether the proposed (C-1A) 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.**

There are no expectations that this rezoning would create a burden on public infrastructure or utilities. The limitations of the subject property's size curb the potential for significant trip generation regardless of the use of the subject property. Since the

proposed use of the subject property would require a total redevelopment of the site, all City and County codes would have to be met in order to obtain building and occupancy permits. This ensures that safe and adequate off-street parking accommodations will be met no matter the specific 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 reasoning or annexation request allow uses which are compatible to the existing uses in the vicinity.**

The subject property is within the Town Neighborhood character area of the Comprehensive Plan's future development map. This character area is intended to protect the integrity of the established in-town single-family neighborhoods. The proposed development would remain classified as single-family, but the proposed townhouses would introduce an attached dwelling style rather than the existing detached style housing most common in this neighborhood. The Downtown/Town Center character area shown on the future development map is adjacent to the subject property to the east. Based on the established development pattern of this area, the proposed rezoning and redevelopment of the subject property does not create a concern in regard to the neighborhood's integrity. The proposed rezoning and redevelopment of the subject property would actually help to create a more gradual transition between the more intensive development and the single-family detached residential neighborhood.

**(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 zoning) as interpreted by current Georgia law.**

This rezoning would simply decrease the area of the existing R-2 zone district and enlarge the established C-1A 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, stormwater, or historical issues that influence the development of the subject property under any zoning designation.**

N/A

#### **Conclusion:**

The staff can recommend approval of the requested zoning change from *R-2* to *C-1A* for the subject property.

Reasons for approval:

1. The proposed amendment would allow for a use that is generally suitable for the site compared to other uses. The parcel's relatively small size and limitations of the C-1A zone district prevents any intensive commercial or residential development.
2. The majority of adjacent properties are already zoned C-1A and are developed in a conforming fashion.
3. There is no anticipated negative impact to the values of the adjacent residential properties based on the established development of adjacent properties coupled with the required 15' buffer along the subject property's western boundary.