**Memo**

TO: Mayor and Council

FROM: Curtis Hindman, Interim Community Development Director

DATE: November 28, 2022

RE: Public Hearing – Rezoning – Howard Road Ball Field Property

 Residential R-40 to GI- General Industrial

**Background**

The City of Senoia requests to amend the Zoning Map for the property at 310 Howard Road from (R-40) Residential to (GI) General Industrial.

The property is currently zoned (R-40) Residential and was shown in the Parks, Recreation, and Conservation Land use Category in the 2016 Comprehensive Plan. With the completion of the new Leroy Johnson Athletic Complex on Highway 16, the City is now ready to move forward with the rezoning of the original Leroy Johnson Ballfields on Howard Road.

According to the Comprehensive Plan amended and adopted in 2021 this property has been shown in the “Future Land Use Plan” as (GI) General Industrial.

**Administrator's Report**

In consideration of the zoning change, the Council should consider the zoning ordinance, section 74-46, which lists the following twelve standards governing the exercise of the zoning power of the City of Senoia.

1. The existing land uses and zoning classification of nearby property.

*The subject property is located within the city limits and adjacent to similarly zoned property. The neighboring lots to the North and East are zoned (GI) General Industrial; to the South and West zoned (R-40) Residential.*

1. The suitability of the subject property for the zoned purpose.

*The land is suitable for development as (GI) General Industrial, as it is located adjacent to existing Industrial land uses and served by public infrastructure and the railroad.*

1. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.

*There is no reduction in value of the land as it is currently zoned, however the proposed zoning to (GI) General Industrial will likely increase the property value.*

1. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

*The relative gain is to have reasonable economic use similar in nature to the adjacent uses. There is no recognized hardship for any individual property owners.*

1. Whether the subject property has a reasonable economic use as currently zoned.

*The subject property has an unreasonable economic use as currently zoned considering the existing Industrial uses adjacent to the property.*

1. Whether the proposed zoning will be a use that is suitable in view of the use

and development of adjacent and nearby property.

*The proposed zoning is reasonable.*

1. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

*If rezoned to GI and developed as per City ordinance, staff do not see any adverse effects to the usability of adjacent properties. The neighboring lots to the South and West would be protected by a natural buffer which is required on the State Waters and the buffers required in the zoning ordinance.*

1. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan

*The future character map shows this property as General Industrial.*

1. Whether the zoning proposal will result in a use, which will or could cause excessive or burdensome use of existing street, transportation facilities, utilities, or schools.

*No excessive use or burden is recognized in this application.*

1. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

*There is none.*

1. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.

*Yes. Prior to any permit issuance, State Waters and Jurisdictional Wetland delineation and permitting is required by city ordinance.*

1. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.

*The development is not big enough to qualify.*

**Action by City Council**

The city council may approve or deny the application, reduce the land for which the application is made, change the district or land use category from that requested by the applicant, impose zoning conditions as a part of the amendment, or allow an application to be withdrawn without prejudice (24-month limitation) so long as the purpose of the ordinance is served, and the health, public safety and general welfare of the City of Senoia is secured.

At a public hearing, action by the city council to defer or continue the public hearing on a proposed amendment shall include a statement of the date, time, and place of the deferred or continued public hearing at which the application will be considered, which statement shall constitute public notice of the deferred or continued hearing on the application, and no further public notice shall be required.