



REZONING ANALYSIS

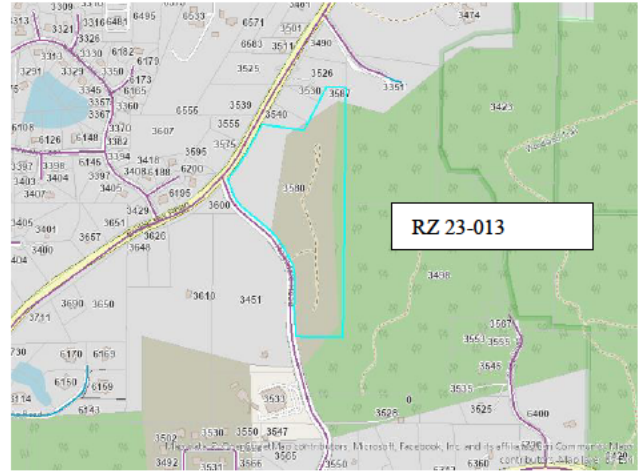
Prepared By:	Tre'Jon Singletary, Senior Planner
Petition Number:	RZ 23-013
Applicant:	Heather Loveless
Owner:	Jackson Holdings II Evans Mill
Project Location:	3580 Evans Mill Rd
District:	5 – Councilwoman Tammy Grimes
Acreage:	18.99 acres
Existing Zoning:	R-100 (Residential Med Lot) District
Proposed Zoning:	R-60 (Residential Small Lot) District
Overlay:	Arabia Mountain Conservation Overlay District
Future Land Use:	Rural Residential (RR)
Proposed Development/Request:	The applicant is requesting to rezone the parcel from R-100 to R-60 to develop sixty single-family detached units.
CPIM:	January 11, 2024
Planning Commission:	February 6, 2024
Mayor & City Council:	February 26, 2024
Sign Posted/ Legal Ad(s) submitted:	December 27, 2023
Staff Recommendations:	Denial
Planning Commission:	Denial

PROJECT OVERVIEW

Location

The subject property is located at 3580 Evans Mill Road. The property has two (2) frontages, Evans Mill Road and Ragsdale Road. Evans Mill Road is classified as a minor arterial road. Ragsdale Road is classified as a local road.

The property is abutted by R-100 (Residential Med Lot) District on the north, south, east, and west.



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	Proposed: R-60	Residential
Adjacent: North	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: West	R-100 (Residential Med Lot) District	Residential (Detached Single-Family Home)
Adjacent: East	R-100 (Residential Med Lot) District	Undeveloped Land
Adjacent: South	R-100 (Residential Med Lot) District	Undeveloped Land



Background

Currently, the property has kept its original zoning classification of R-100 (Residential Medium Lot).

The property is currently undeveloped land and has no floodway nor floodplain applicable to it. The applicant is

requesting to rezone the subject property from R-100 to R-60 (Residential Small Lot) District to develop sixty (60) single-family detached dwellings.

According to [Division 5, Section 2.5.1](#), the purpose and intent of the city council in establishing R-100 is to provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; to provide for compatible infill development in neighborhoods; to provide "For Sale", Single family detached residential subdivisions and For Sale Communities; to provide flexibility in design on the interior of new development while protecting surrounding development; to ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs



of the neighborhood; to provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and to implement the future development map of the city's comprehensive plan.



- CODE OF ORDINANCES
Chapter 27 - ZONING ORDINANCE
ARTICLE 2. - DISTRICT REGULATIONS
DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03 , § 2(Exh. A), 10-24-2022)



According to [Division 4, Section 3.4.2](#), the purpose and intent of the Arabia Mountain Conservation Overlay District is to provide for the protection of natural resources and of scenic views of areas within the boundaries of the AMCOD, so as to protect and enhance the public welfare associated with these natural resources and the aesthetic qualities within this area, consistent with the policies of the Stonecrest Comprehensive Plan; to provide reasonable and creative planning and development within the AMCOD while preserving the natural land form and features, trees and tree canopy, and the views to and from Arabia Mountain as indicated on the adopted map; to assure that all activities and authorized uses of land allowed within the AMCOD, whether allowed uses or permitted uses, are activities or uses which are designed so as not to detract from or damage the protected natural resources and scenic beauty of this district; to encourage and promote the dedication of conservation easements to appropriate public and not-for-profit entities established and authorized to hold easements in perpetuity pursuant to the Georgia Uniform Conservation Easement Act (O.C.G.A. 44-10 and 12-6A), for the purposes of protecting historical and [archaeological] areas, the habitat of endangered or threatened animal and plant species (as defined in the federal Endangered Species Act U.S.C. 1531 and the Endangered Wildlife Act of 1973), providing passive recreational and educational opportunities, preserving the cultural history of the area, protecting open space within the city, and protecting scenic views to and from Arabia Mountain; and to provide consistent development standards that will adhere to common design characteristics that include but are not limited to: deep setbacks from the main road; strategic buffer zones; home "clustering"; shorter streets within a development and shared open spaces connected by trails, walkways and paths.



- CODE OF ORDINANCES
Chapter 27 - ZONING ORDINANCE
ARTICLE 3. - OVERLAY DISTRICT REGULATIONS
DIVISION 4. ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT

DIVISION 4. ARABIA MOUNTAIN CONSERVATION OVERLAY DISTRICT

Sec. 3.4.2. Purpose and intent.

The purpose and intent of the city council in establishing the Arabia Mountain Conservation Overlay District (AMCOD) is as follows:

- A. To provide for the protection of natural resources and of scenic views of areas within the boundaries of the AMCOD, so as to protect and enhance the public welfare associated with these natural resources and the aesthetic qualities within this area, consistent with the policies of the Stonecrest Comprehensive Plan;
- B. To provide reasonable and creative planning and development within the AMCOD while preserving the natural land form and features, trees and tree canopy, and the views to and from Arabia Mountain as indicated on the adopted map;
- C. To assure that all activities and authorized uses of land allowed within the AMCOD, whether allowed uses or permitted uses, are activities or uses which are designed so as not to detract from or damage the protected natural resources and scenic beauty of this district;
- D. To encourage and promote the dedication of conservation easements to appropriate public and not-for-profit entities established and authorized to hold easements in perpetuity pursuant to the Georgia Uniform Conservation Easement Act (O.C.G.A. 44-10 and 12-6A), for the purposes of protecting historical and [archaeological] areas, the habitat of endangered or threatened animal and plant species (as defined in the federal Endangered Species Act U.S.C. 1531 and the Endangered Wildlife Act of 1973), providing passive recreational and educational opportunities, preserving the cultural history of the area, protecting open space within the city, and protecting scenic views to and from Arabia Mountain; and
- E. To provide consistent development standards that will adhere to common design characteristics that include but are not limited to: deep setbacks from the main road; strategic buffer zones; home "clustering"; shorter streets within a development and shared open spaces connected by trails, walkways and paths.

(Ord. No. 2019-02-001, § 1, 2-11-2019)

The Stonecrest Comprehensive Plan has this area classified as Rural Residential. The area surrounding Arabia Mountain predominantly contains low density development defined as Rural Residential land use and consist of medium to large lot residential properties.

COMPREHENSIVE PLAN ELEMENTS

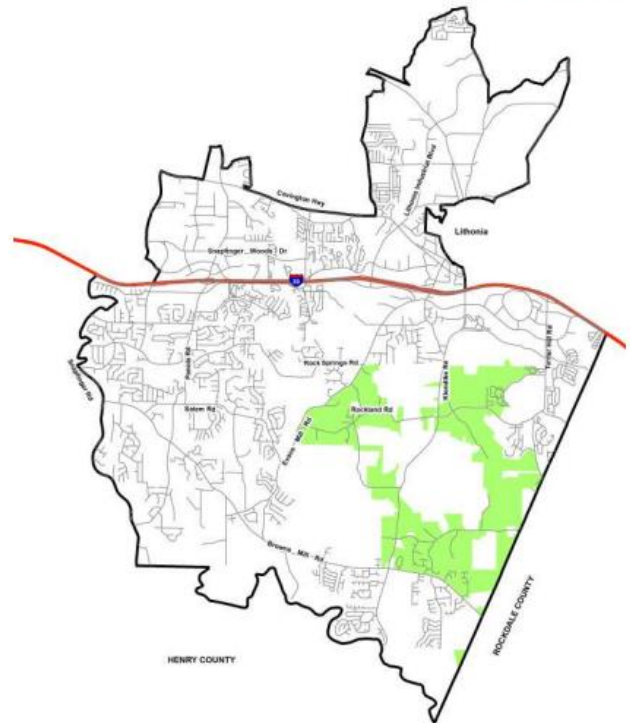
LAND USE

Rural Residential (RR) Character Area

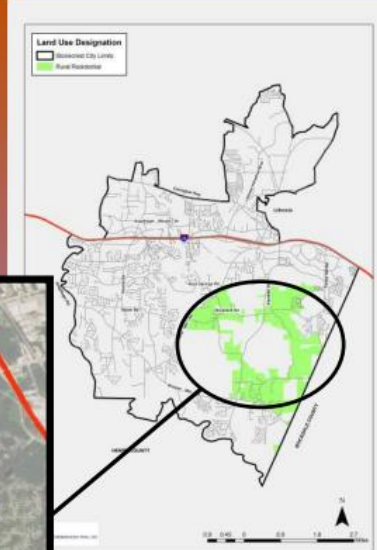
The purpose of the Rural Residential category is to provide for areas that are suitable for low-density housing with densities of up to four (4) dwelling units per acre. Single-family detached housing is the most appropriate type of development for this district. Stable Low-Density Residential Districts should be protected from encroachment of higher density or high intensity uses.

Rural Residential Character Area Locations

- Rockland Road
- Klondike Road
- Plunkett Road
- North Goddard Road
- Evans Mill Road
- Browns Mill Road



Rural Residential (RR)



COMPREHENSIVE PLAN ELEMENTS

LAND USE

Rural Residential Primary Land Uses

Low-density single family detached

Agricultural related

Cultural and Historic

Institutional



Permitted Zoning in RR Areas

NS, RE, RLG, R100, RNC and MHP.

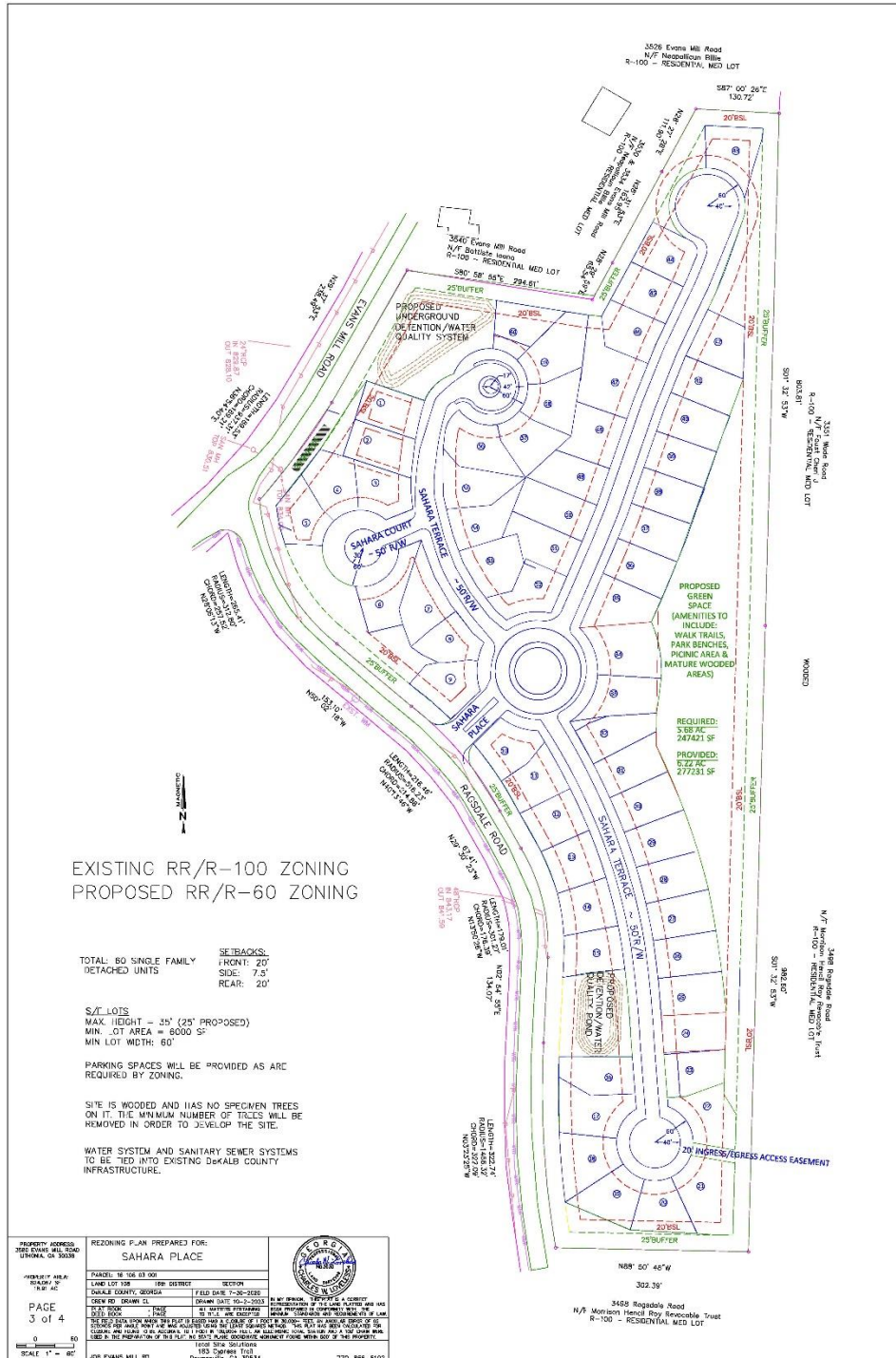


Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January. The Community Planning Information Meeting (CPIM) was held on January 11, 2024, at 6:00 pm at city hall. There were concerns from residents regarding the land being unfit for the proposed development, the land being mostly rock, and Arabia Mountain Overlay requirements.



Conceptual Site Plan





RZ 23-013

ADDRESS: 3580 Evans Mill Rd

CURRENT ZONING: R-100 (Residential Med Lot) District

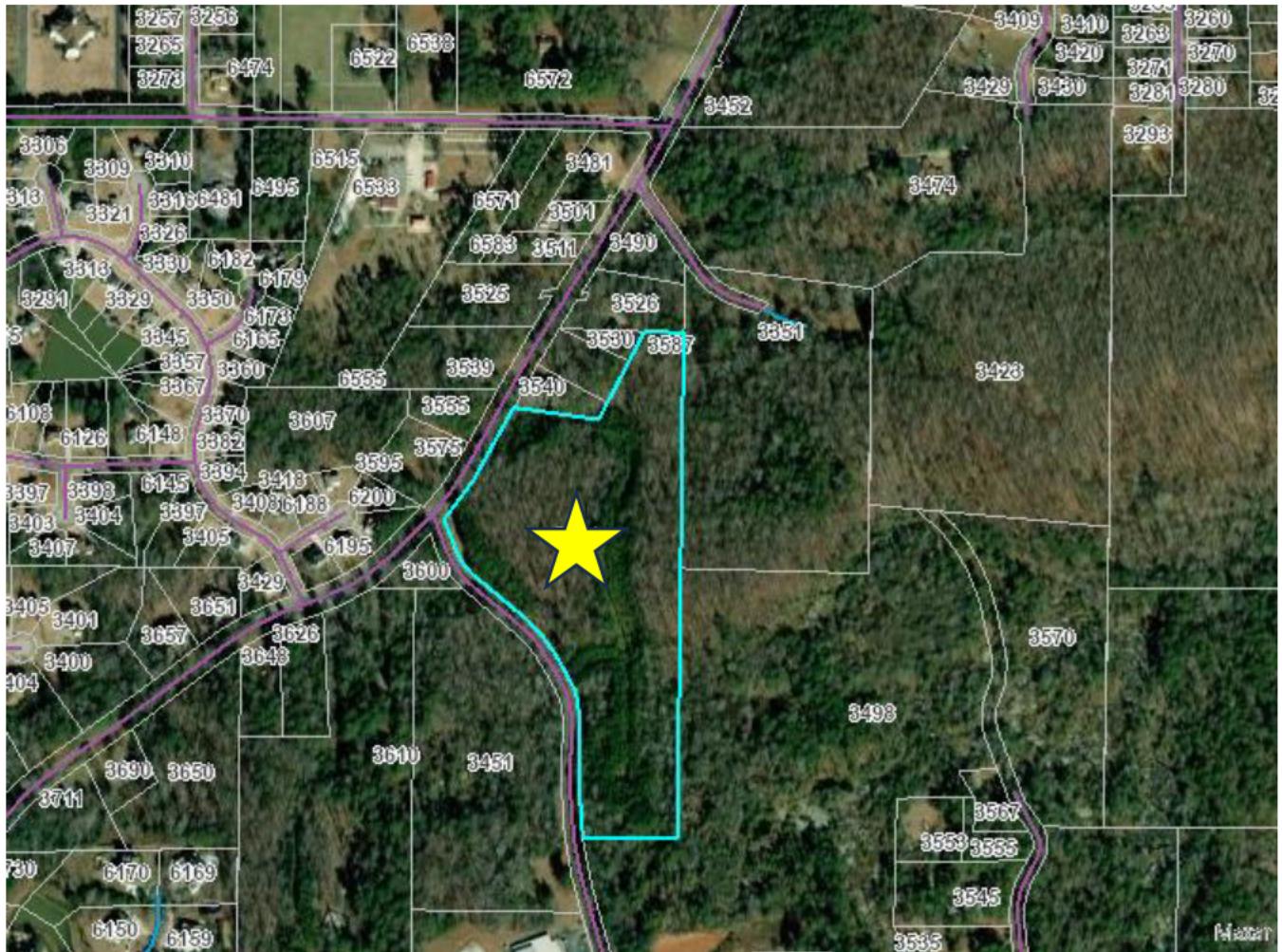
OVERLAY: Arabia Mountain Conservations

FUTURE LAND USE: Rural Residential (RR)

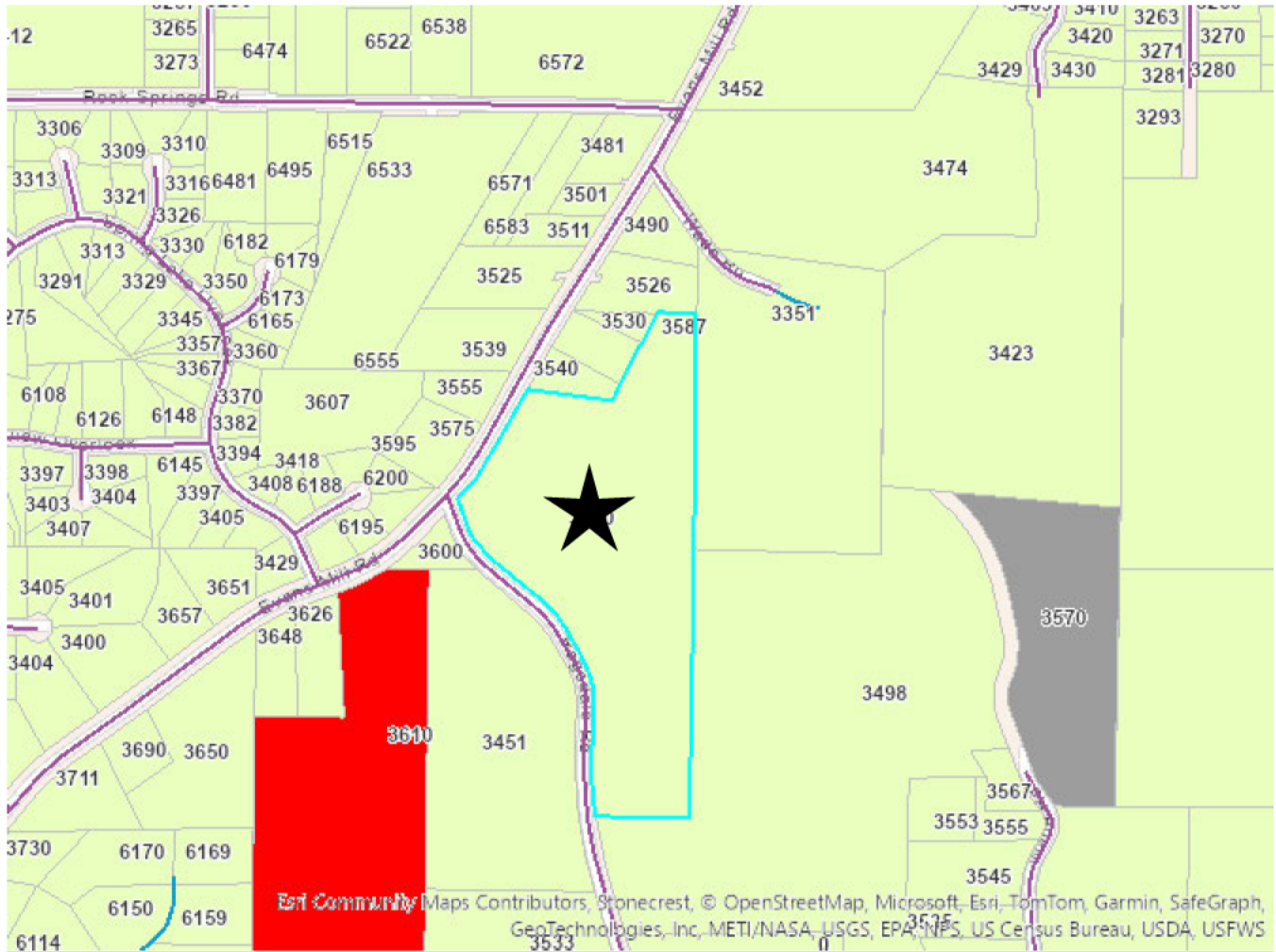


Subject Property

Aerial Map



Zoning Map



Legend



M-2 - Heavy Industrial

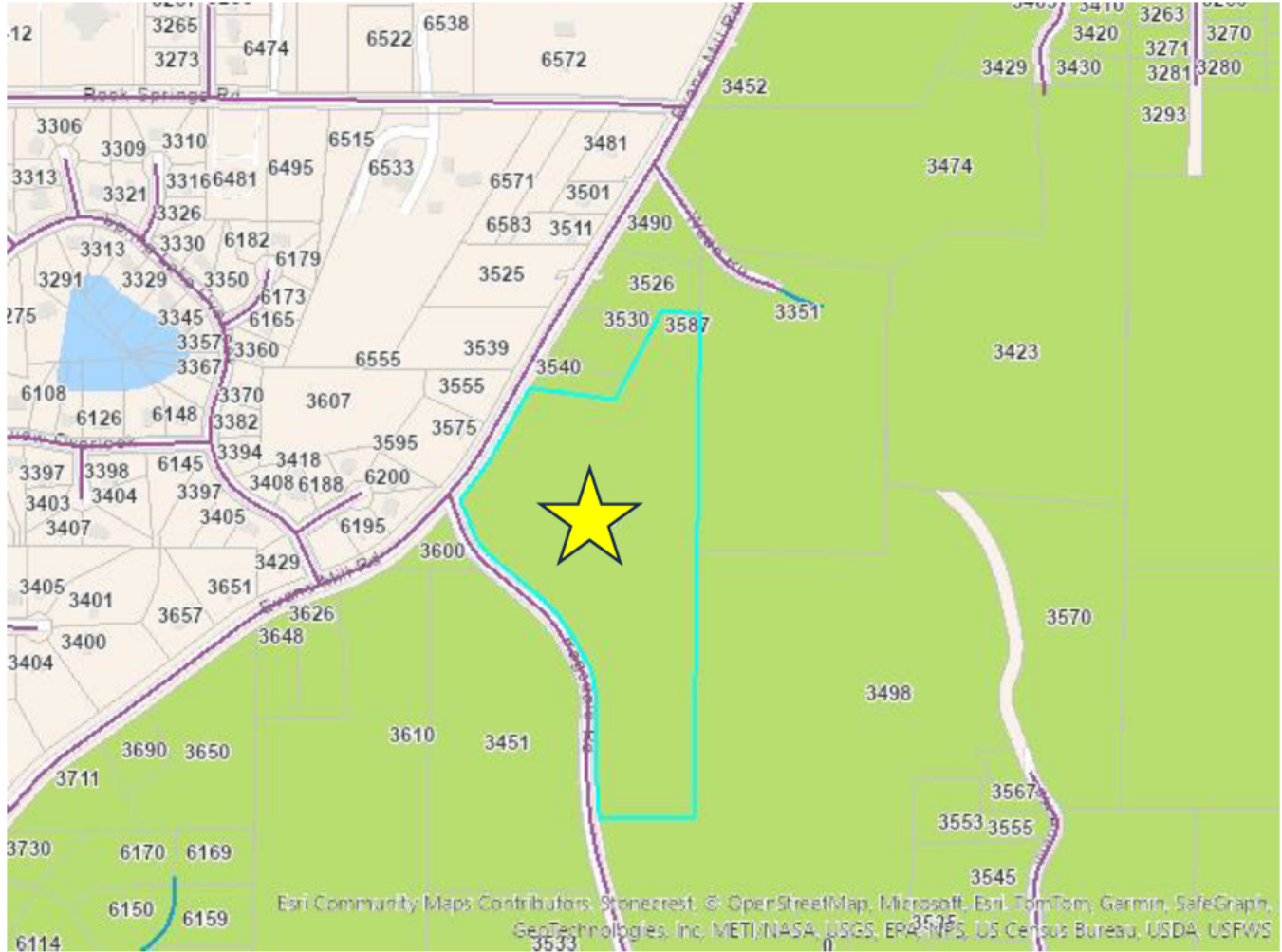


R-100 - Residential Med Lot




C-2 - General Commercial

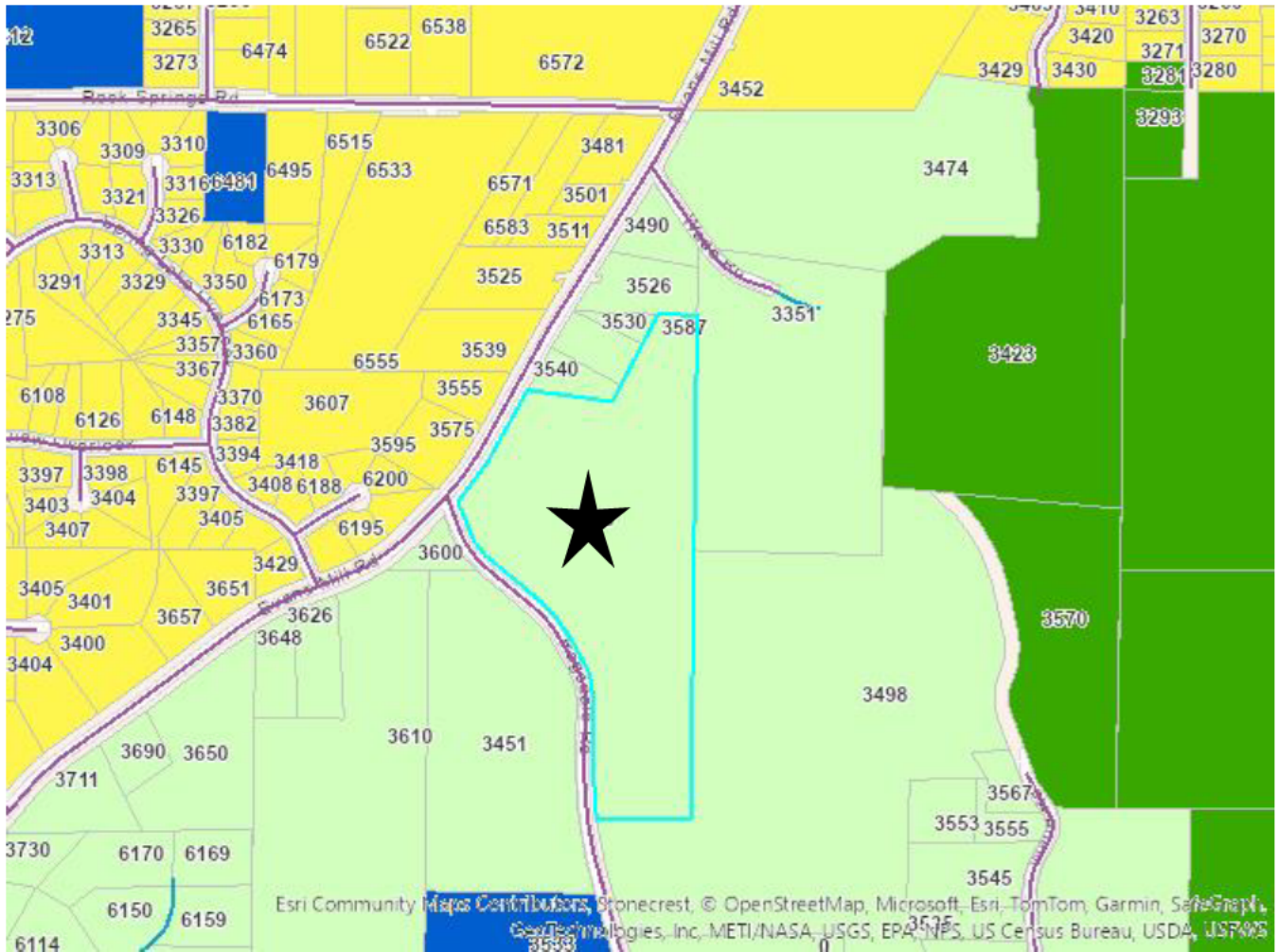
Over lay Map



Legend

 ARABIA MOUNTAIN OVERLAY DISTRICT

Future Land Use Map



Legend

- Institutional
- Conservation/OpenSpace
- Rural Residential
- Suburban



STANDARDS OF REZONING REVIEW

[Section 7.3.5](#) of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

- **Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The subject property is located within the Rural Residential character area of the Stonecrest Comprehensive Plan. The purpose of the Rural Residential category is to provide areas that are suitable for low-density housing with densities of up to four (4) dwelling units per acre. Single-family detached housing is the most appropriate type of development for this district. Stable Low-Density Residential Districts should be protected from encroachment of higher density or high intensity uses.

The proposed zoning is in an area that is primarily medium density housing. The current character of the area shows many of the surrounding properties to be single-family detached. The proposed zoning change and development of small lot residential use would not be in keeping with the policy and intent of the comp plan; which R-60 zoning classification is not one of the permitted zoning districts for the classified future land use character area.

- **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

The proposed change in zoning would not permit a use that would be suitable in the view and development of the nearby properties. The R-60 Zoning classification would allow small lot residential dwelling, which would not be similar to the surrounding use.

- **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The property is currently zoned R-100, which permits the development of detached single-family home development with a minimum lot size of 15,000 square feet. The property does have reasonable economic use as currently zoned. The property sits along Evans Mill Road, which is a minor arterial road in a suburban neighborhood.

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

The proposed zoning proposal is not anticipated to have a negative impact on the existing use or usability of adjacent or nearby properties.

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



There are no changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

- **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property.

- **Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposal could potentially cause an increase in traffic by the proposed size of the dwellings which has to a minimum of 1,200 square feet. The zoning proposal will cause subject a spot-zoning of the subject property that is surrounded by R-100 zoning classifications.

- **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The zoning proposal will not adversely impact the environment or surrounding natural resources.

STAFF RECOMMENDATION

Staff recommend **DENIAL** of **RZ 23-013**.

PLANNING COMMISSION (PC) RECOMMENDATION – February 6, 2024

PC recommend **DENIAL** of **RZ 23-013**.



Attachment(s): RZ 23-013 Application Materials



Amendment Application

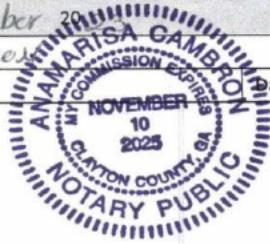
All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

PROPERTY			
Site Address(es): 3580 EVANS MILL ROAD LITHONIA, GA 30038		Parcel #: 16 108 03 001	Zip: 30038
Project Name (If applicable): SAHARA PLACE			
Current Zoning	RR/R-100	Proposed Zoning	RR/R-60
Current Use	EMPTY LOT	Proposed Use	SINGLE FAMILY HOMES
OWNER INFORMATION			
Name:	ROWLAND ALLEN		
Address:	[REDACTED]		
Email:	[REDACTED]	Phone:	[REDACTED]
APPLICANT			
Name:	ROWLAND ALLEN		
Address:	[REDACTED]		
Email:	[REDACTED]	Phone:	[REDACTED]

AFFIDAVIT			
To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.			
Applicant's Name:	Rowland Allen		Date:
Applicant's Signature:	Rowland Allen	Date:	11-15-23
NOTARY			
Sworn to and subscribed before me this 15 Day of November 2023			
Notary Public:	ANAMARISA GAMBRO		Date:
Signature:	[Signature]	Date:	11/15/2023





Total Site Solutions

770-856-5192

183 Cypress Trail
Dawsonville, Ga. 30534

706-265-4275

1/25/2023

RE: 3580 EVANS MILL RD

This letter of intent is informational for the above referenced project. Our client wishes to improve the property with sixty (60) single family lots which will require rezoning from R-100 to R-60.

Thank you,

Total Site Solutions
for Ron Allen



ENVIRONMENTAL SITE ANALYSIS

1. Conformance to the Comprehensive Plan:

- a. Proposed project is to develop and improve the current undeveloped property with roads and sixty single family residential lots with Green Space.
- b. Adjacent properties are mostly undeveloped. There is currently three lots to the northeast of which only two have single family houses thereon.
- c. The project conforms to the Comprehensive Land Use Plan by providing single family residential lots.
- d. Comprehensive Land Use Plan Map provided.
- e. No pertinent plan policies found.

2. Environmental Impacts of The Proposed Project

a. Wetlands

There are no Wetlands on Subject Property.

b. Floodplain

There is no Floodplain on Subject Property.

c. Streams/stream buffers

There are no Streams/stream buffers on Subject Property.

d. Slopes exceeding 25% over a 10-foot rise in elevation
Sufficient grading and environmental controls will be placed on site as required.

e. Vegetation

Vegetation of site will be improved.

f. Wildlife Species (Including fish)

None have been observed on Subject Property.

g. Archeological/Historical Sites

None have been observed on Subject Property.

3. Project Implementation Measures

a. & b. As per "MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA" latest edition GSWCC Georgia Soil and Water Conservation Commission requirements. Including but not limited to: The installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land disturbing activities. Erosion and sedimentation control measures will be maintained at all times. If full implementation of the
(continued)



ENVIRONMENTAL SITE ANALYSIS (continued)

approved plan does not provide for effective erosion and sediment control additional erosion and sediment control measures shall be implemented to control or treat the sediment source.

Additional erosion controls shall be installed as deemed necessary by the on-site inspector.

Water quality BMP(s) to be installed at the time of final landscaping.

All collected water shall be directed to the water quality BMP(s).

No water quality BMP(s) allowed in undisturbed stream buffers or tree save/critical root zone.

c. No existing infrastructure on Subject Property.

d. No existing archeological/historically significant areas on Subject Property.

e. N/A

f. Green Space and Open Space to be provided in conformance with requirements as designated and shown on The Plan.

g. Protection of citizens from the negative impacts of noise and lighting by the following: Work hours and construction deliveries are:

o Monday–Friday
7:00am–7:00pm

o Saturday 8:00am–5:00pm

h. Protection of parks and recreational green space shall occur naturally.

i. Minimization of impacts to wildlife habitats have been incorporated into the layout and design of The Plan.



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 108 OF THE 16TH LAND DISTRICT OF DeKALB COUNTY GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF EVANS MILL ROAD WITH THE NORTHEASTERLY RIGHT-OF-WAY OF RAGSDALE ROAD; THENCE RUNNING NORTHEASTERLY, ALONG SAID EVANS MILL ROAD RIGHT-OF-WAY, ALONG A CURVE TO THE LEFT FOR A DISTANCE OF 189.53' AS SUBTENDED BY A CHORD OF N36°54'40"E FOR A DISTANCE OF 189.21' WITH A RADIUS OF 937.31' TO A POINT; THENCE RUNNING N29°37'53"E FOR A DISTANCE OF 238.49' TO A POINT; THENCE RUNNING S80°58'55"E, LEAVING SAID EVANS MILL ROAD RIGHT-OF-WAY, FOR A DISTANCE OF 294.61' TO A POINT; THENCE RUNNING N28°29'59"E FOR A DISTANCE OF 65.54' TO A POINT; THENCE RUNNING N28°31'53"E FOR A DISTANCE OF 162.95' TO A POINT; THENCE RUNNING N28°27'28"E FOR A DISTANCE OF 111.90' TO A POINT; THENCE RUNNING S87°00'26"E FOR A DISTANCE OF 130.72' TO A POINT; THENCE RUNNING S01°32'53"W FOR A DISTANCE OF 803.81' TO A POINT; THENCE RUNNING S01°32'53"W FOR A DISTANCE OF 982.60' TO A POINT; THENCE RUNNING N88°50'48"W FOR A DISTANCE OF 302.39' TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY OF RAGSDALE ROAD; THENCE RUNNING NORTHWESTERLY, ALONG SAID EVANS MILL ROAD RIGHT-OF-WAY, ALONG A CURVE TO THE RIGHT FOR A DISTANCE OF 322.74' AS SUBTENDED BY A CHORD OF N03°23'25"W FOR A DISTANCE OF 322.09' WITH A RADIUS OF 1466.32' TO A POINT; THENCE RUNNING N02°54'55"E FOR A DISTANCE OF 134.07' TO A POINT; THENCE RUNNING ALONG A CURVE TO THE LEFT FOR A DISTANCE OF 179.01' AS SUBTENDED BY A CHORD OF N13°50'26"W FOR A DISTANCE OF 176.39' WITH A RADIUS OF 301.27' TO A POINT; THENCE RUNNING N29°30'23"W FOR A DISTANCE OF 67.41' TO A POINT; THENCE RUNNING ALONG A CURVE TO THE LEFT FOR A DISTANCE OF 216.46' AS SUBTENDED BY A CHORD OF N40°13'46"W FOR A DISTANCE OF 214.88' WITH A RADIUS OF 516.23' TO A POINT; THENCE RUNNING N50°02'18"W FOR A DISTANCE OF 153.10' TO A POINT; THENCE RUNNING ALONG A CURVE TO THE RIGHT FOR A DISTANCE OF 265.41' AS SUBTENDED BY A CHORD OF N28°06'13"W FOR A DISTANCE OF 257.52' WITH A RADIUS OF 312.80' TO THE POINT OF BEGINNING;

SAID TRACT OR PARCEL OF LAND CONTAINS 824,087 SQUARE FEET OR 18.9184 ACRES OF LAND AND BEING MORE PARTICULARLY SHOWN AND DESCRIBED ON PLAN FOR SAHARA PLACE PREPARED BY TOTAL SITE SOLUTIONS, DATED 7-11-2023.



Amendment Application

All applications and plans must be submitted through the Citizenserve Online Portal

Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant			
Name:	ROWLAND ALLEN		
Address:	[REDACTED]	City, State: REX, GA	Zip: 30273
Signature:	<i>Rowland Allen</i>	Date:	11-15-23
Sworn to and subscribed before me this <u>15</u> day of <u>November</u> , 20 <u>23</u>			
Notary Public:			

Applicant (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Updated September 2023



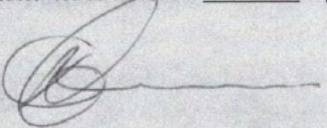
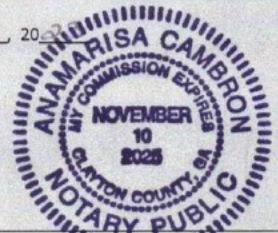
Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner			
Name:	ROWLAND ALLEN		
Address:	[REDACTED]	City, State: REX, GA	Zip: 30273
Signature:	<i>Rowland Allen</i>	Date:	11-15-23
Sworn to and subscribed before me this <u>15</u> day of <u>November</u> , 20 <u>23</u>			
Notary Public:			
			

Additional Property Owner (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Additional Property Owner (if applicable)			
Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Updated September 2023



Attachment(s): Ordinance(s)



- CODE OF ORDINANCES
Chapter 27 - ZONING ORDINANCE
ARTICLE 2. - DISTRICT REGULATIONS
DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03 , § 2(Exh. A), 10-24-2022)

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Residential.
 - a. Dwelling, single-family (detached).
 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.



- b. Government facilities.
- c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
- d. School, public kindergarten, elementary, middle or high schools.
- 4. Communications—Utility.
 - a. Essential services.
 - b. Satellite television antenna; see section 4.2.
- 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Temporary outdoor retail sales; see section 4.2.
 - c. Temporary outdoor sales or events, seasonal; see section 4.2.
 - d. Temporary produce stand; see section 4.2.
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Bed and breakfast establishment; see section 4.2.
 - b. Home occupation, with customer contact; see section 4.2.
 - c. Child care home, 5 or less; see section 4.2.
 - d. Convents or monasteries; see section 4.2.
 - e. Personal care home, 6 or less; see section 4.2.
 - f. Senior housing; see section 4.2.
 - g. Short-term vacation rental.
 - 2. Institutional/Public.



- a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
3. Commercial.
- a. Adult daycare facility, up to 6; see section 4.2.
 - b. Child day care facility, up to 6; see section 4.2.
 - c. Kennel, noncommercial.
4. Communication—Utility.
- a. Amateur radio service or antenna; see section 4.2.
5. Wireless Telecommunication.
- a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
- 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022)

Sec. 2.5.3. Dimensional requirements.

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))

Sec. 2.5.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))

DIVISION 8. R-60 (RESIDENTIAL SMALL LOT-60) DISTRICT



Sec. 2.8.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-60 (Residential Small Lot-60) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 6,000 square feet or 3,500 square feet if developed for cottage houses;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design within new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-60 (Residential Small Lot-60) District are designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for the health, recreational and social opportunities for city residents;
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.8.1); Ord. No. 2022-10-03 , § 2(Exh. A), 10-24-2022)

Sec. 2.8.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 - 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 - 2. Residential.
 - a. Dwelling, cottage home.
 - b. Dwelling, single-family (detached).
 - 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.
 - b. Government facilities.
 - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
 - d. School, public kindergarten, elementary, middle or high schools.
 - 4. Communications—Utility.
 - a. Essential services.



- b. Satellite television antenna; see section 4.2.
 - 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Temporary outdoor retail sales; see section 4.2.
 - c. Temporary outdoor sales or events, seasonal; see section 4.2.
 - d. Temporary produce stand; see section 4.2.
 - e. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Home occupation, with customer contact; see section 4.2.
 - b. Child care home, 5 or less; see section 4.2.
 - c. Convents or monasteries; see section 4.2.
 - d. Personal care home, 6 or less; see section 4.2.
 - e. Senior housing; see section 4.2.
 - 2. Institutional/Public.
 - a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
 - 3. Commercial.
 - a. Adult daycare facility, up to 6; see section 4.2.



- b. Child day care facility, up to 6; see section 4.2.
- 4. Communication—Utility.
 - a. Amateur radio service or antenna; see section 4.2
- 5. Wireless Telecommunication.
 - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
 - 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.8.2); Ord. No. 2022-06-01 , § 2(Exh. A), 8-2-2022)

Sec. 2.8.3. Dimensional requirements.

Dimensional requirements for the R-60 (Residential Small Lot-60) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.8.3))

Sec. 2.8.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.8.4))



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

January 11, 2024 at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

I. CALL TO ORDER: Mr. Tre'Jon Singletary, Senior Planner

The meeting was called to order at 6 pm.

II. INTRODUCTIONS: Director Shawanna Qawiy, Senior Planner Tre'Jon Singletary, Planner Felisha Blair, and Planning Administrative Technician Cobi Brown were in attendance.

III. PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING

An informational meeting that allows staff and applicants to inform the public of upcoming developments/projects;

Allow the citizens, business owners, and developers of Stonecrest opportunities to review all petitions, ask questions of all applicants, and express any preliminary concerns;

Bridge the relationships between developers, residents, and staff

Occurrence is every 2nd Thursday of each month

IV. PUBLIC COMMENTS:

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-Zoning@stonecrestga.gov by 5 pm the day before the Public Hearing, January 11, 2024, to be read into the record at the meeting.

V. Case(s) of Discussion:

LAND USE PETITION:	RZ23-013
PETITIONER:	Heather Loveless
LOCATION:	3580 Evans Mill Road
OVERLAY DISTRICT:	Arabia Mountain
PETITIONER'S REQUEST:	Petitioner is seeking to rezone the parcel from R-100 to R-60 to develop sixty single-family detached units.



CITY OF STONECREST, GEORGIA

Heather and Charles Loveless the applicants were called to speak. They mentioned that different amenities will be included in their development.

There were none to speak for the petition, but Sheree Foust, Timothy Jackson, and Dave Marcus spoke in opposition. Some concerns include the land being unfit for the proposed development, the land being mostly rock, and Arabia Mountain Overlay requirements.

Heather and Charles Loveless stated the development will not be too different from what can be found in an R-100 zoning. They also gave reasonings as to why they decided on the current proposed site plan.



Attachment(s): Planning Commission (PC) Summary Minutes



PLANNING COMMISSION MEETING
Stonecrest City Hall - 6:00 PM *In-Person Meeting
February 6, 2024



N/A

IX. New Business:

Senior Planner Tre'Jon Singletary Presented **RZ23-013 and SLUP23-015.**

LAND USE PETITION:	RZ23-013
PETITIONER:	Heather Loveless
LOCATION:	3580 Evans Mill Road
OVERLAY DISTRICT:	Arabia Mountain
PROPOSED AMENDMENT:	Petitioner is seeking to rezone the parcel from R-100 to R-60 to develop sixty single-family detached units.

Staff recommended denial of this rezoning request.

Heather and Charles Loveless the applicants were called to speak. They stated their interest in developing a new subdivision that would not have any negative impact on the surrounding area. The rezoning to R-60 will lower the density allowed compared to the current zoning of R-100. They have made many plans to fit both zoning districts, but they would like the project to have a smaller number of homes. The homes will start at \$700,00 and there will be a lot of green space available. They did not have renderings to present.

Chairman Hubbard opened the public hearing to the public. There was one speaker in favor of the application.

Sandra Jackson the original owner of the property came to speak. She originally had a plan to develop a village for veterans on the property, but the request was denied.

Dave Marcus, Faye Cofield, Virginia Kelly, Carol O'Neal, Gale Dickerson, and Devin Alexander all spoke in opposition. Concerns include adhering to comprehensive plan, the city's code of ordinances, protecting the Arabia Mountain Conservation District, unity with the surrounding zoning districts, similar proposed projects that are now vacant land, communication with the economic development department, wanting quality homes, reduction of tax base, and an increase in traffic.

Chairman Hubbard, closed the public hearing to the public.

Heather and Charles Loveless the applicants answered questions. It was stated that if additional conditions are needed, the commissioners can place them on the applicant that will strictly allow the construction of sixty lots. There are also requirements by the government that must be met that help maintain the environment and prevent any adverse affects on the surrounding properties.

Sandra Jackson mentioned that with the R-100 zoning district, more homes will be allowed to be developed. However, the applicant only wants to develop sixty.

Commissioner Hawkins made the motion to recommend DENIAL of the application to the city council. Commissioner Williams seconded this motion. The application was recommended by DENIAL by a unanimous vote. 4-0-0