



**TO:** Mayor and City Council (MCC)

**FROM:** Planning and Zoning Department

**SUBJECT:** RZ-23-006

**ADDRESS:** 7467 Covington Highway

**DISTRICT:** 1 – Councilwoman Tara Graves

**CYCLE MEETING DATES:** October 12, 2023 (CPIM) | November 8, 2023 (PC) | November 27, 2023 (MCC) | February 26, 2024 (MCC)

**SUMMARY:** Applicant is seeking to rezone subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial).

**STAFF RECOMMENDATION:** APPROVAL with conditions

**PC RECOMMENDATION:** APPROVAL with staff’s conditions

**MCC RECOMMENDATION:** Deferred from November 27, 2023, MCC meeting to February 26, 2024, MCC meeting.



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Planning and Zoning Department

PROPERTY INFORMATION	
<b>Location of Subject Property:</b> 7467 Covington Highway	
<b>Parcel Number:</b> 16 137 03 015	
<b>Road Frontage:</b> Covington Highway	<b>Total Acreage:</b> 0.85 +/-
<b>Current Zoning:</b> R-75 (Residential Medium Lot)	<b>Overlay District:</b> N/A
<b>Future Land Use Map/ Comprehensive Plan:</b> CC (City Center)	
<b>Zoning Request:</b> Applicant is seeking to rezone subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial).	
<b>Zoning History:</b> N/A	

APPLICANT / PROPERTY OWNER INFORMATION
<b>Applicant Name:</b> Floyd Sullivan
<b>Applicant Address:</b> 3351 Inns Brook Way Snellville, GA 30039
<b>Property Owner Name:</b> Floyd Sullivan
<b>Property Owner Address:</b> 7467 Covington Highway Stonecrest, GA 30058



**DETAILS OF ZONING REQUEST**

The site is currently zoned R-75 (Residential Medium Lot-75). The City’s land use policy documents support the rezoning request. The City of Stonecrest 2038 Comprehensive Plan has designated the parcel to be CC (City Center). The City Center character area intends to promote concentration of residential and commercial uses, which serve surrounding communities in order to reduce automobile travel, promote walkability and increase transit usage.

The Applicant is proposing to rezone the site to C-1 (Local Commercial) zoning district. The C-1 (Limited Commercial) zoning district is intended to provide convenient local retail shopping and service areas within the city for all residents, provide for quality control development through materials and building places, to ensure that uses authorized within the C-1 zoning district are those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods, and to implement the future development map of the city’s comprehensive plan.

The Applicant doesn’t intend to do any renovation to the subject property. If the Applicant makes any changes to the site, he/she must comply with the current zoning ordinance (Chapter 27) of the City of Stonecrest ordinances.

**ADJACENT ZONING & LAND USE**

<b>NORTH</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> O’Reilly Auto Parts
<b>SOUTH</b>	<b>Zoning:</b> R-75 (Residential Medium Lot-75)	<b>Land Use:</b> Single-Family Dwelling
<b>EAST</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> Place of Worship
<b>WEST</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> Tires Shop



**PHYSICAL CHARACTERISTICS & INFRASTRUCTURE**

The site is currently developed with one (1) road frontage (Covington Highway). There aren't floodplain and/or state waters on the subject property.

**PROPOSED ADMENDMENTS TO THE OFFICIAL ZONING MAP CRITERIA**

1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;
2. 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;
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties;
5. 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;
6. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources;
7. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and
8. Whether the zoning proposal adversely impacts the environment or surrounding natural resources

**RECOMMENDATION(S)**

Staff recommends **Approval with the following conditions:**

1. The project shall conform substantially to the attached site plan and shall be amended for compliance with all C-1 (Local Commercial) zoning and development standards;
2. Applicant must submit applicable permits prior to issuance of business license;
3. A five-foot sidewalk shall be installed along the frontage of Covington Highway; and
4. Prior to the issuance of a Certificate of Occupancy, the Applicant shall apply for and receive a



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Business License.



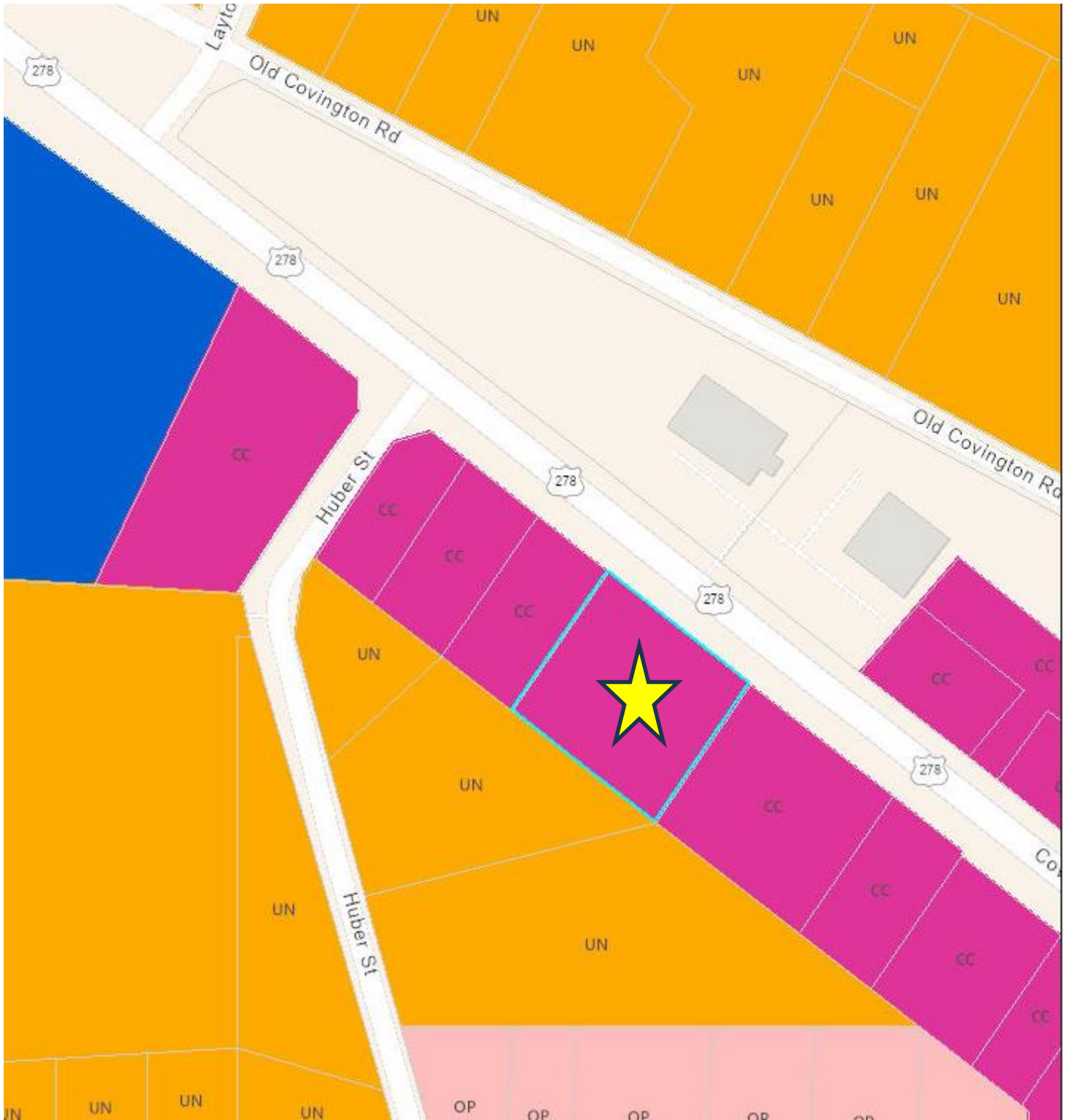
RZ-23-006

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**Attachments Included:**

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Photo**
- **Site Plan/Survey**
- **Environmental Site Analysis**
- **Letter of Intent**
- **Community Planning Information Meeting (CPIM) Summary Minutes**
- **Planning Commission (PC) Summary Minutes**

**Future Land Use Map**





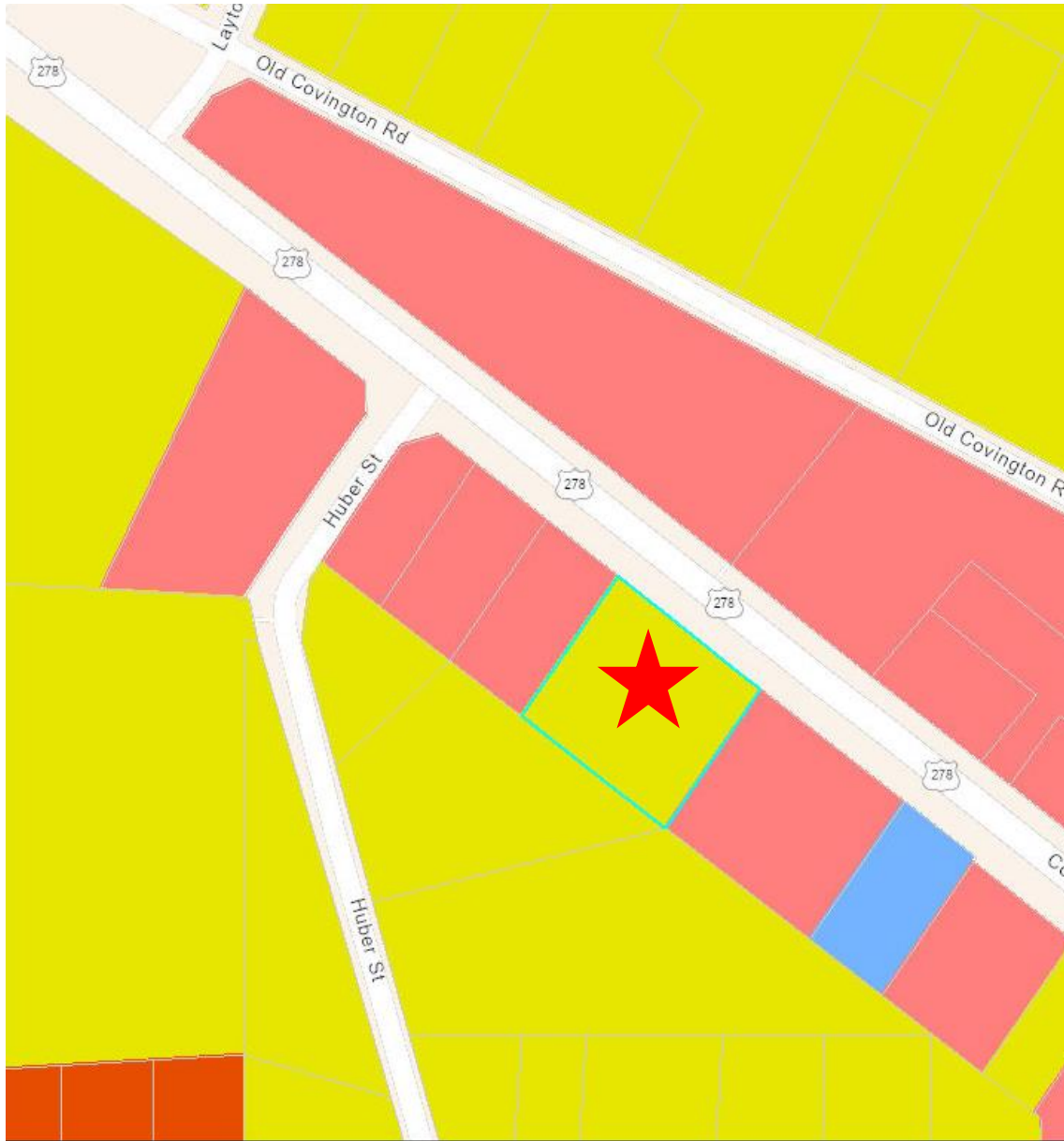
## City Center (CC)

The intent of the City Center Character Area is to promote the concentration of residential and commercial uses, which serve surrounding communities in order to reduce automobile travel, promote walkability and increase transit usage.

The areas should be a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, high-density housing, entertainment and recreational uses and appropriate public open spaces that are easily accessible by pedestrians. This character area is similar to neighborhood center, but at a larger scale. The preferred density for areas of this type is up to 40 dwelling units per acre.




## Zoning Map




10/9/2023, 11:12:39 AM

 Stonecrest Parcels

 City Limits

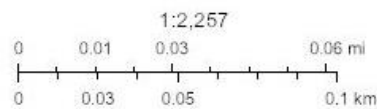
Zoning

 C-1 - Local Commercial

 OI - Office-Institutional

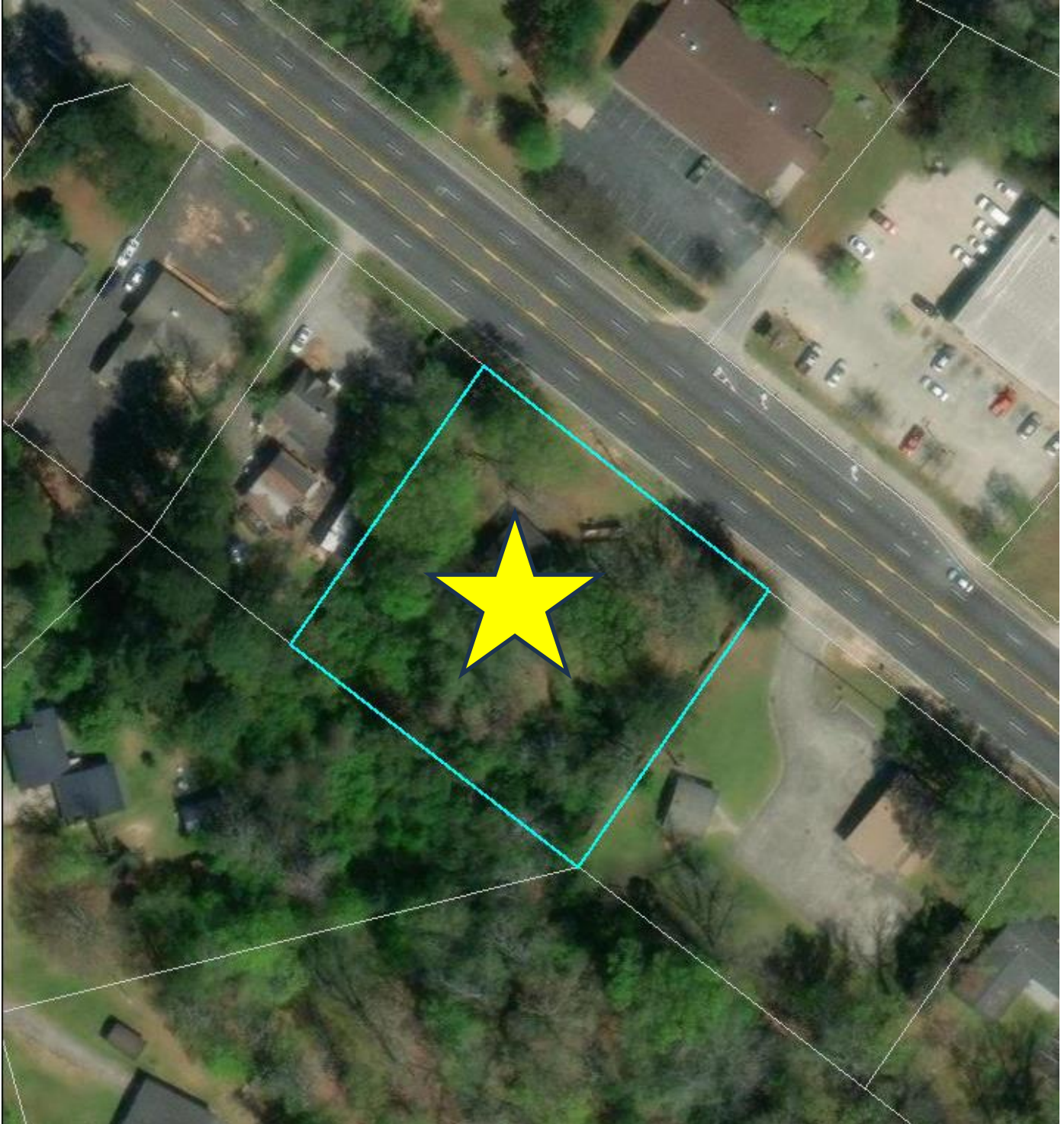
 R-75 - Residential Med Lot

 MR-2 - Med Density Residential



Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS.

**Aerial Map**

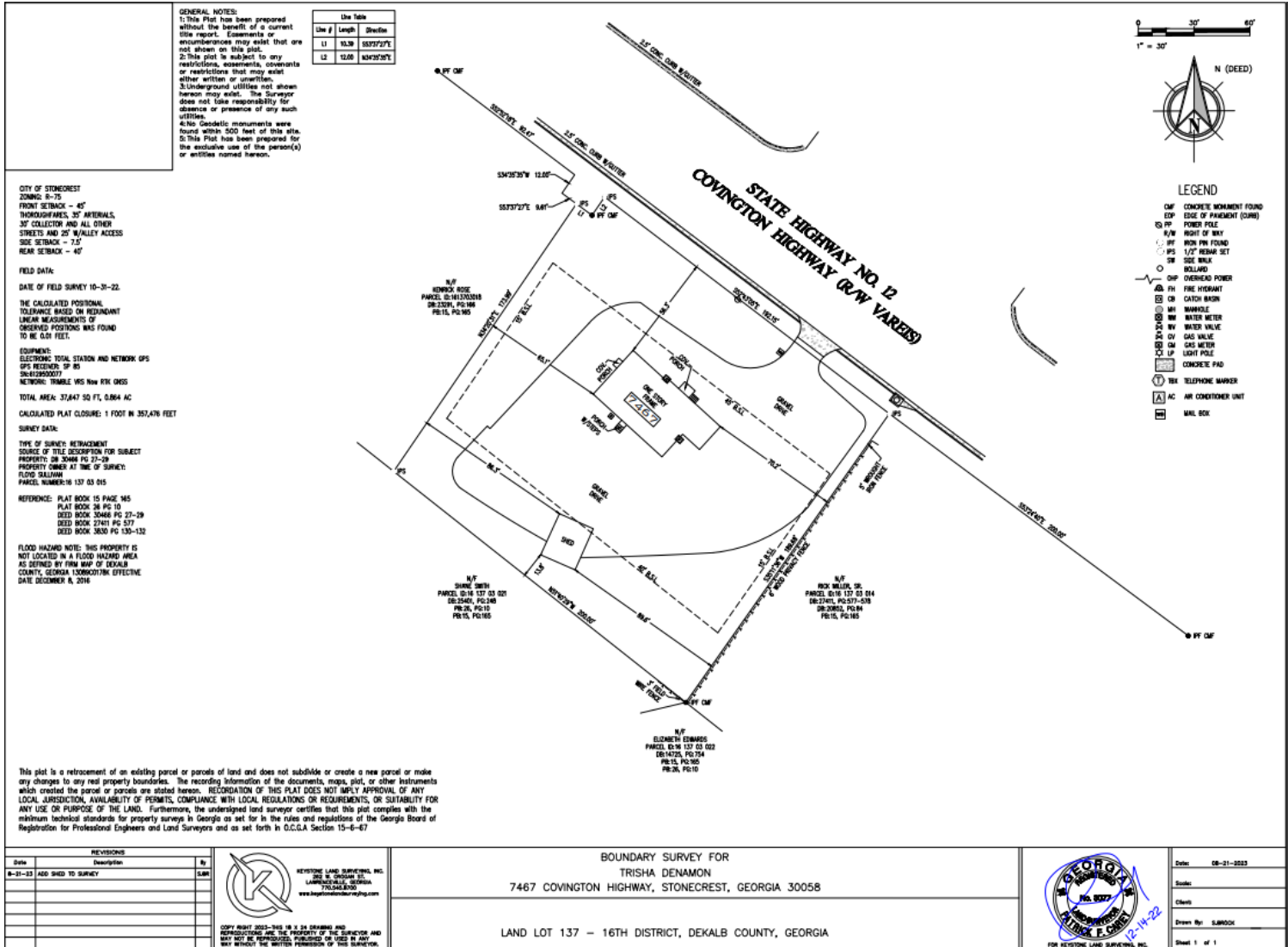


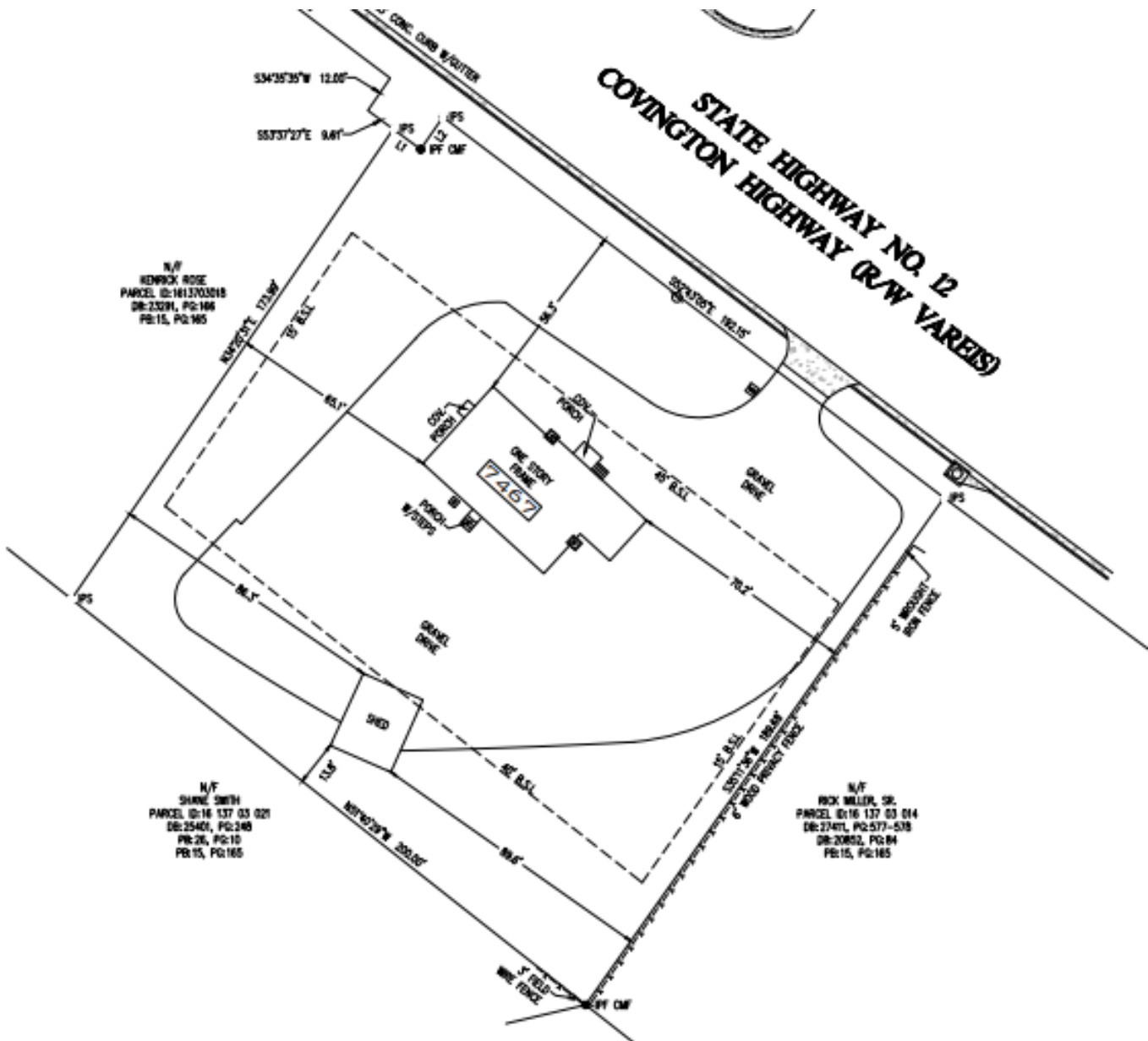


**Site Photo**



**Submitted Site Plan**









## Environmental Site Analysis

Conformance to the Comprehensive Plan.

- a. Describe the proposed project and the existing environmental conditions on the site. The subject property is already developed with a single family home, 2 car garage (shed). The front and sides of the property has gravel and some landscape in the rear.
- b. Describe adjacent properties. Describe how the project conforms to the Comprehensive Land Use Plan. The adjacent properties have similar designs and are zones

**Adjacent Property Zones.**

- i. **North.** Covington Highway
- ii. **East.** C-1, Local Commercial
- iii. **South.** R-75, Residential Medium Lot
- iv. **West.** C-1, Local Commercial
- c. Include the portion of the Comprehensive Plan Land Use Map which supports the projects conformity to the Plan. (See Attached)
- d. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

The intent of this submittal is to rezone the property to a zone district in which permits the use of "general business office or building or construction office" by right. The purpose of this rezoning submission is to legally occupy and use the structure and space as the mentioned use of office.

In addition, we propose to rezone the property to the C-1 zone district; which permits the proposed use. With respect to Table 4.1 of the City of Stonecrest zoning code the C-1 zone district permits the requested uses of "**general business office, building or construction office**"

The current use of "**accessory uses or structures (accessory two car garage)**" is considered a permitted use as an accessory use within the C-1 zone district, per Table 4.1 of the City of Stonecrest Zoning Code.

**Developmental Breakdown**

Category	R-75 Zone District	C-1 Zone District
Lot Area	10,000 SF	20,000 SF
Lot Width, Frontage	75 feet	100 feet
Lot Coverage	35%	90%
Front Arterials <i>No accessory building</i>	35 feet	60 feet



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<i>setbacks noted in zoning code.</i>		
<b>Side-interior building No accessory building setbacks noted in zoning code.</b>	<b>7.5 feet</b>	<b>20 feet</b>
<b>Rear No accessory building setbacks noted in zoning code.</b>	<b>40 feet</b>	<b>30 feet</b>
<b>Unit Size</b>	<b>1,600 SF</b>	<b>650 SF</b>
<b>Building Height</b>	<b>35 feet</b>	<b>2 stories and 35 feet</b>
<b>Accessory Building Height</b>	<b>24 feet</b>	<b>No Accessory Building Height Requirement</b>
<b>Open Space</b>	<b>20% Open space requirement shall apply to new subdivisions if project is &gt;five acres or &gt;36 units</b>	<b>10%</b>
<b>Parking</b>	<b>Detached single-fami</b>	<b>Office, Profession</b>



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	<p>ly dwelling. Two spaces per dwelling unit.</p> <p>Maximum. Four spaces per dwelling unit.</p> <p>3 bedroom single family identified as one unit = 2 minimum required parking spaces</p> <p>4 maximum allowance</p>	<p>a. One space for each 500 square feet of floor area.</p> <p>Maximum. One space for each 250 square feet of floor area.</p> <p>1,660 SF / 500 SF = 3 minimum required</p> <p>1,660 SF / 250 SF = 7 maximum allowance</p>
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## Letter of Intent

### REZONING LETTER OF INTENT

August 2023

**City of Stonecrest**

**Department of Planning and Zoning**

**3120 Stonecrest Blvd Suite 190**

**Stonecrest, GA 30038**

RE: Letter of Intent - Rezoning Application by Sullivan Electric Services Co, LLC. (the "Applicant") for the property located at 7467 Covington Highway, Stonecrest Georgia (the "Property")

Dear Mr. Singletary:

This rezoning application is being submitted on behalf of the owner for the proposed rezoning on land lot 37, district 16, Dekalb County. Located at 7467 Covington Highway. The proposal is to is to rezone the residential building into a commercial building. The proposed site entrance is located off the public right of way that currently serves as an entrance to property. The site is an appropriate transition zoning from the R75 (Medium Residential Housing) to commercial uses.

The surrounding uses are as follows:

- Sword of the Spirit Ministries church
- New and Used Tire Shop
- Oreily's Auto Parts

Our proposal for rezoning, as it relates to these surrounding uses, is the most viable option for the property. The approval of this application would be consistent with the City's previous zoning decisions along nearby sites. The proposal would not burden existing infrastructure and the mixture of uses will provide offsetting trip times as compared to office.

The Applicant and owner respectfully request the City of Stonecrest Planning Development and Planning Staff approval and support the Applicant's rezoning request to allow for the R75 property to be changed to the category to support the commercial to match neighboring properties, the only economically viable use of the Subject Property. The Applicant, owner, and their representatives welcome the opportunity to meet with all interested parties and representatives.

Respectfully,

Floyd Sullivan

Owner, Sullivan Electrical Service Co, LLC



# CPIM Summary Minutes

## COMMUNITY PLANNING INFORMATION MEETING MINUTES SUMMARY Stonecrest City Hall- 6:00 PM \*Spoke-in-Person Meeting October 12, 2023

*As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200)*

*Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address [planning-zoning@stonecrestga.gov](mailto:planning-zoning@stonecrestga.gov) by noon the day of the hearing October 12, 2023. The Zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.*

- I. **Introductions:** Senior Planner Tre'Jon Singletary and Planning Administrative Technician Cobi Brown were in attendance.
- II. **Presentations:** Upcoming Cases Presented by Senior Planner Tre'Jon Singletary.
  - RZ23-005
  - RZ23-006
  - SLUP23-009

### III. Presentations

Senior Planner Tre'Jon Singletary Presented **RZ23-005, RZ23-006, and SLUP23-009**

#### **Purpose and Intent**

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

Every 2nd Thursday of each month

#### **RZ23-005**

1982 Phillips Road

Lucretia Ramsey

Petitioner is seeking to modify zoning condition(s) from CZ-85127 to allow attached dwellings (duplex).

Facts and Background-

- Subject property was rezoned under Dekalb County in 1985.



**Lucretia Ramsey** the applicant was called to the stand. She mentions that she has been a real estate agent for 39 years. The duplex will look similar to the design of a townhouse. She plans to have her daughter in one side of the dwelling. She would like the condition to be removed so she can enhance the Stonecrest community. Both dwellings will have three bedrooms, two and a half bathrooms, and a one-car garage.

**Eric Huff** a resident who lives right across from the location of the proposed development came to the stand. He asked about the number of dwellings proposed to be placed on the land with consideration of the 4.5 acreage

**Lucretia Ramsey** stated that it will be one.

**Rosetta Taylor** a resident of the city came to the stand and asked if the condition that was established by Dekalb County (before the incorporation of the city in 2017) supersedes the City's code.

**Tre'Jon Singletary** Senior Planner answered that it does.

**RZ23-006**

7467 Covington Highway

Floyd Sullivan

Petitioner is seeking to rezone subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial).

Facts and Background-

- Applicant is proposing to rezone to operate electrical business and use as office space
- Surrounding uses are:
  - Place of Worship
  - Tire Shop
  - Auto Parts Retail Store

Future Land Use- City Center (CC)

Future Land Use/Character Area Permitted Districts

**City of Stonecrest**  
Comprehensive Plan 2038

“The City of Innovation and Excellence”



**COMPREHENSIVE PLAN ELEMENTS** **LAND USE**

Land Use Designation	Use Description	Maximum Density Units/Acre	Permitted Districts
<b>Commercial</b>	<b>Neighborhood Center (NC)</b>	Townhomes; Condominiums; Apartments; Local Retail and commercial; Office; Park & Rec; Institutional; Civic	Up to 24 MU 1-2-3, MR-1-2, NS, C1, OI, OIT, RSM
	<b>City Center (CC)</b>	Condominiums; Apartments; Retail and Commercial; Office; Park & Rec; Institutional; Civic; Entertainment & Cultural; Health Care	Up to 40 MU 1-2-3-4-5, MR-1-2, HR 1-2, C1, C2, OI, OIT, RSM
	<b>Regional Center (RC)</b>	Townhomes; Condominiums; Apartments; Retail and commercial; Office; Park & Rec; Institutional; Civic; Entertainment & Cultural; Health Care, Technology Centers	Over 60 MU 1-2-3-4-5, HR 1-2-3, C1, C2, OI, OIT
	<b>Office Professional (OP)</b>	Business Parks; Research and Development; Mixed Use Structure, Self-storage units, Technology Centers and Corporate Headquarters	N/A MU 1-2-3, NS, C1, OI, OIT
<b>Industrial</b>	<b>Light Industrial (M-LI)</b>	Warehouse Distribution; Wholesale/Trade; Automotive; Entertainment	N/A OD, C2, MU 4-5, M
	<b>Heavy Industrial (M-HI)</b>	Manufacturing; Warehouse Distribution; Wholesale/Trade; Automotive	N/A OD, C2, M, M2

Figure LU-08 – Character Area/Land Use Summary—Continued

Zoned- R-75 Residential Medium Lot

Aerial Map and Site Photos-

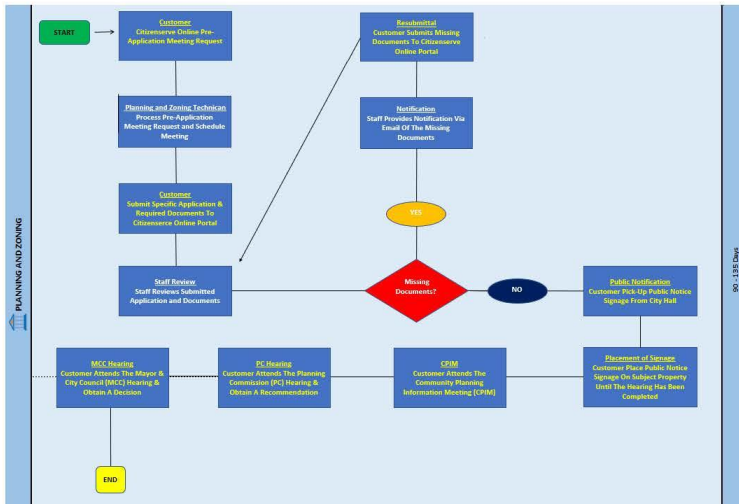


Submitted Site Plan-





Rezoning Process-



**Floyd Sullivan** owner of the business came the stand. He mentions that he has enhanced the property and modified the building after purchasing so it will no longer be an eyesore in the area. He just needs it to be rezoned so he can operate legally.

**Rosetta Taylor** his representative added that the rezone will bring future employment opportunities to the area and apprenticeships for the youth to learn about electrical services. It will be great for the community.

*There were no attendees to speak for or against the petition.*

**SLUP23-009**

3309 and 3313 Panola Road

Darrell Johnson of JDM Consultants, LLC on the behalf of CCC Christ Gospel Parish

Petitioner is seeking a Special Land Use Permit (SLUP) to develop a Place of Worship.

Facts and Background-

- Applicant is proposing to operate a Place of Worship (POW) at subject property
- The POW will be approximately 10,500 sq ft
- The POW will have approximately 300 seats
- Total acres is 3.7 +/-
- Vacant/undeveloped land

Future Land Use- Suburban Neighborhood (SN)



# PC Summary Minutes

## PLANNING COMMISSION MEETING MINUTES SUMMARY Stonecrest City Hall- 6:00 PM \*Spoke-in-Person Meeting November 8, 2023

*As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200).*

*Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address [planning-zoning@stonecrestga.gov](mailto:planning-zoning@stonecrestga.gov) by noon the day of the hearing November 8, 2023. The zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.*

- I. **Call to Order:** Chairman Eric Hubbard (District 3) called the Spoke-in-Person meeting to order at 6:00 PM.
- II. **Roll Call:** Chairman Hubbard (District 3) called the roll. Commissioner Erica Williams (District I), Commissioner Joyce Walker (District 2), Commissioner Pearl Hollis (District 4), and Commissioner Lemuel Hawkins (District 5) were present.  
  
Planning Deputy Director Matthew Williams and Planner Abeykoon Abeykoon were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.

III. **Approval of Minutes:** The Planning Commission Meeting Minutes Summary dated October 3, 2023. Chairman Hubbard called for a motion to approve the Planning Commission meeting Minutes Summary dated October 3, 2023 by Commissioner Hollis. Commissioner Walker seconded the motion. The motion was unanimously APPROVED.

IV. **Approval of the Agenda:** Chairman Hubbard called for a motion to APPROVE THE AGENDA. Commissioner Williams motioned to APPROVE THE AGENDA. Commissioner Hollis seconded the motion. The motion was unanimously APPROVED.

- V. **Presentations: Upcoming Cases Presented by Deputy Director Matthew Williams**
  - RZ-23-005
  - RZ-23-006
  - SLUP-23-009

VI. **Old Business:** N/A

VII. **Announcements:** N/A

VIII. **Presentations**

*Planning and Zoning Deputy Director Matthew Williams Presented RZ-23-005, RZ-23-006 and SLUP23-009*



**Lucretia Ramsey** the applicant came to the stand. She is a resident and realtor in the area who has also worked on another property in Stonecrest. She believes that this property will enhance the city. Her daughter will live in one side and she will rent out the other. It is not your typical duplex, but it is more designed to look similar to a townhouse. She is in the correct zoning, just needs the modification removed.

**Commissioner Hollis** asked if she spoke with neighbors about the project.

**Lucretia Ramsey** stated that she did speak with the neighbors. One of the residents she spoke to came to the first meeting and was excited about the project. She also believes it will lead to an enhancement.

**Commissioner Walker** asked if there would be other things involved along with the proposed project and or if anything different would be used

**Lucretia Ramsey** stated some of the materials that will be used and that it will be nice. She also mentioned that there have been a lot of townhomes that have been built over the years in the city

**Chairman Hubbard** motioned to open a Public Hearing. **Approved** by unanimous vote.

There were none to speak for or against the application. Public hearing was closed.

**Commissioner Hollis** complimented on the renderings for the proposed project

**Commissioner Hawkins** asked about the off-street parking requirements because the renderings of the duplex featured two one-car garages (one for each side of the duplex).

**Deputy Director Matthew Williams** stated that the requirements are met because there are also parking pads in front of the garages.

**Chairman Hubbard** made a motion to recommend approval of this application to City Council. The motion was moved by Erica Williams and **APPROVED** by unanimous vote.

## **RZ23-006**

7467 Covington Highway

Floyd Sullivan

Petitioner is seeking to rezone the subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial). Future Land Use- Suburban Neighborhood

R-75 Residential Medium Lot

Future Land Use- City Center (CC)

### *Facts and Background*

- Applicant is proposing to rezone to operate electrical business and use as office space



- Surrounding uses are:
  - Place of Worship
  - Tire Shop
  - Auto Parts Retail Store

<b>City of Stonecrest</b> Comprehensive Plan 2038	“The City of Innovation and Excellence”	
<b>COMPREHENSIVE PLAN ELEMENTS</b>		<b>LAND USE</b>

Land Use Designation	Use Description	Maximum Density Units/Acre	Permitted Districts	
<b>Commercial</b>	<b>Neighborhood Center (NC)</b>	Townhomes; Condominiums; Apartments; Local Retail and commercial; Office; Park & Rec; Institutional; Civic	Up to 24	MU 1-2-3, MR-1-2, NS, C1, OI, OIT, RSM
	<b>City Center (CC)</b>	Condominiums; Apartments; Retail and Commercial; Office; Park & Rec; Entertainment & Cultural; Health Care		MU 1-2-3-4-5, MR-1-2, OI, OIT, RSM
	<b>Regional Center (RC)</b>	Townhomes; Condominiums; Apartments; Retail and commercial; Office; Park & Rec; Institutional; Civic; Entertainment & Cultural; Health Care, Technology Centers	Over 60	MU 1-2-3-4-5, HR 1-2-3, C1, C2, OI, OIT
	<b>Office Professional (OP)</b>	Business Parks; Research and Development; Mixed Use Structure, Self-storage units, Technology Centers and Corporate Headquarters	N/A	MU 1-2-3, NS, C1, OI, OIT
<b>Industrial</b>	<b>Light Industrial (M-LI)</b>	Warehouse Distribution; Wholesale/Trade; Automotive; Entertainment	N/A	OD, C2, MU 4-5, M
	<b>Heavy Industrial (M-HI)</b>	Manufacturing; Warehouse Distribution; Wholesale/Trade; Automotive	N/A	OD, C2, M, M2

Figure LU-08 – Character Area/Land Use Summary—Continued







Staff recommends the following:

- **APPROVAL with conditions**
  1. The project shall conform substantially to the attached site plan; and
  2. Prior to the issuance of a Certificate of Occupancy, the Applicant shall apply for and receive a Business License.

**Commissioner Hawkins** asked about the number of work trucks that will be stored on the property

**Deputy Director Matthew Williams** stated that the city does not require screening for C-1 zoning districts. He deferred to the applicant for the number of company vehicles.

**Commissioner Hollis** asked if they would be able to view the new site plan when it is submitted

**Matthew Williams** stated that after approval the site plan will be evaluated internally by staff

**Commissioner Walker** asked for Matthew Williams to expound on the concept of the city center and if residential properties are also in this area. She also asked if they had any public meetings to discuss the project.

**Matthew Williams** defined City Center and also explained that there are residential properties in the area and that they attended the Community Planning Information Meeting.

There was a motion to open public hearing. It was moved unanimously.

**Floyd Sullivan** the applicant came to the stand. He stated that he had been doing electrical work for 17 years and this is the first property he has owned. He currently owns three vans. There is enough space to park in the back of the property if needed. He also mentioned that they have new employees.

**Chairman Hubbard** asked if he was in agreement with the conditions placed on the applications.

**Floyd Sullivan** stated that he is willing to comply with any requirement asked. He wants to contribute to enhancing the community and he has contributed so far

There was no one to speak for or against the application.

Public Hearing was closed.

**Commissioner Hawkins** made a motion to recommend **APPROVAL** to the city council. It was seconded by Commissioner Williams and **APPROVED** unanimously.

