

(vacant)
Director
Planning and Zoning
Department



Matthew
Williams
Deputy Director
Planning and
Zoning
Department

TO: Mayor and City Council

FROM: Planning and Zoning Department

SUBJECT: RZ-23-003

ADDRESS: 4700 Browns Mill Road

MEETING DATE: October 23, 2023

Summary: Applicant is seeking a major modification of the conditions of the subject property to change the conditions from zoning case number CZ-05-32, to allow for 46 Single-Family Detached Dwellings.

STAFF RECOMMENDATION: 3 APPROVALS AND 1 DENIAL with 1 additional condition

PLANNING COMMISSION RECOMMENDATION: Deferral to address the issue traffic, design/elevations, price point, and undeveloped land use for a green space.



RZ-23-003

Planning and Zoning Department

District #4: George Turner, Jr.

PROPERTY INFORMATION	
Location of Subject Property: 4700 Browns Mill Road	
Parcel Number: 16-012-01-007	
Road Frontage: Browns Mill Road	Total Acreage: 24.02 +/-
Current Zoning: RSM (Small Lot Residential Mix)	Overlay District: N/A
Future Land Use Map/ Comprehensive Plan: SUB (Suburban)	
Zoning Request: Applicant is seeking a major modification of conditions of the subject property to change the conditions from zoning case number CZ-05-32, to allow for 46 Single-Family Detached Dwellings.	
Zoning History (CZ-05-32): Subject property went through a rezoning process in June 2005 by way of Dekalb County. The applicant was City of Hope Ministries, Incorporation who desired to construct a townhome subdivision.	

APPLICANT / PROPERTY OWNER INFORMATION
Applicant Name: Battle Law P.C.
Applicant Address: 3562 Habersham at North Lake, Building J, Suite 100
Property Owner Name: Ray of Hope Christian Church Disciples of Christ, Inc.
Property Owner Address: 4700 Browns Mill Road



RZ-23-003

Planning and Zoning Department

DETAILS OF ZONING REQUEST

The rezoning case, **CZ-05-32**, initially went through the entitlement process in 2005 by way of Dekalb County. The Applicant at that time, City of Hope Ministries, Inc. petitions to rezoned subject property from R-100 to RA-8 to allow for a senior community of 112 attached townhome units. The petition was approved on June 14, 2005, with ten (10) conditions.

The Applicant, Battle Law P.C., on the behalf of the property's owner, Ray of Hope Christian Church Disciples, is seeking to develop 46 single-family detached homes on the subject parcel. The Applicant is seeking a Major Modification of Conditions of the Subject Property to change the following conditions from zoning case number CZ-05-32 to allow for the development: conditions 1, 6, 7, and 10. The original conditions are listed below with the proposed changes in red.

Condition 1: The maximum number of units shall be ~~112 single-family attached townhome units.~~ 49 single-family detached units.

Condition 6: The proposed development shall be conditioned upon the ~~concept site plan prepared by James Harwick & Partners, dated March 3, 2005.~~ final site plan submitted to the Planning Department prior to the final City Council hearing.

Condition 7: Any and all single-family ~~attached townhome unit(s)~~ detached units shall have a minimum heated floor area of ~~700~~ 1,200 square feet.

Condition 10: ~~The entrance to the development shall be gated, and fencing around the community shall be black aluminum with columns of either brick or stacked stone.~~ DELETE

ADJACENT ZONING & LAND USE

NORTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwellings
SOUTH	Zoning: R-100 (Residential Medium Lot)	Land Use: More Than Conquerors Church
EAST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwellings
WEST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwellings



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PHYSICAL CHARACTERISTICS & INFRASTRUCTURE

The site is currently undeveloped with one (1) road frontage (Browns Mill Road). There are floodplain and/or statewaters on the subject property.

MODIFICATIONS AND CHANGES TO APPROVED CONDITIONS OF ZONING CRITERIA

1. The movement of any building or structure adjacent to an exterior boundary line, closer to the boundary line of the property;
2. Any increase in the number of dwelling units or any increase in the total amount of floor space of any nonresidential building;
3. Any decrease in the size of residential units imposed in the original conditional zoning amendment;
4. Any change in any buffer requirements imposed in the original conditional zoning amendment;
5. Any increase in the height of any building or structure;
6. Any change in the proportion of floor space devoted to different authorized uses; or
7. Any change to conditions, except minor changes, as defined in subsection A. of this section, imposed by the city council when approving any change to the official zoning map, commonly referred to as a rezoning or a zoning amendment.

RECOMMENDATION

Staff recommends the following:

- **APPROVAL** of Modification of Condition 1
- **APPROVAL** of Modification of Condition 6
- **APPROVAL** of Modification of Condition 7
- **DENIAL** of Modification of Condition 10

Recommended Approval Condition(s):

1. The development shall be subject to senior housing only.

The Planning Commission recommends deferral to address issues of the community.



RZ-23-003

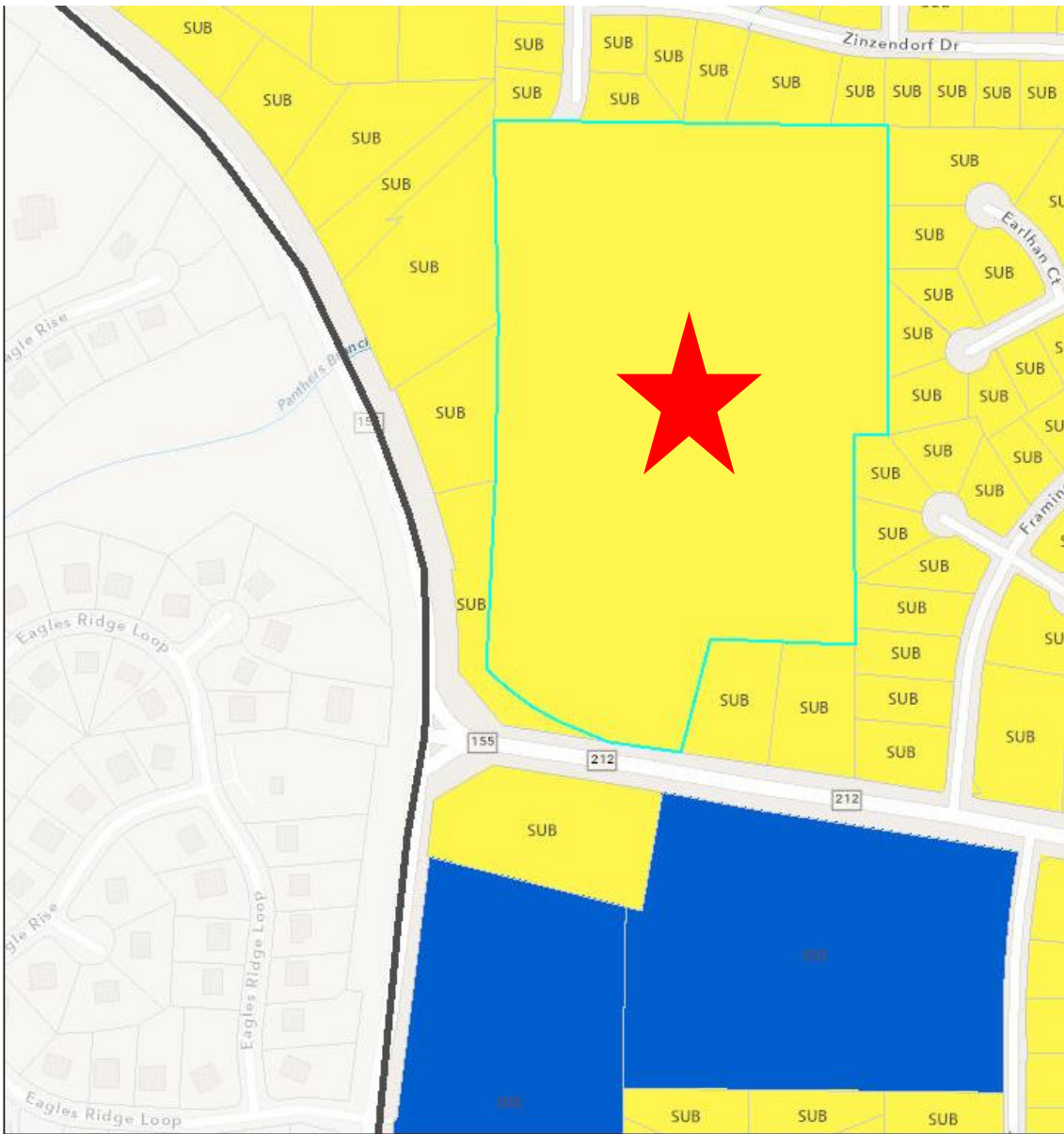
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Attachments Included:

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Plan/Survey**
- **Zoning Conditions**
- **Letter of Intent**
- **Environmental Site Analysis**

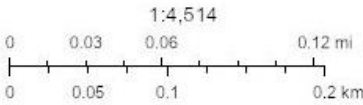


Future Land Use Map



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- Stonecrest Parcels
- City Limits
- DeKalb Parcels
- Future Land Use
- Institutional
- Suburban

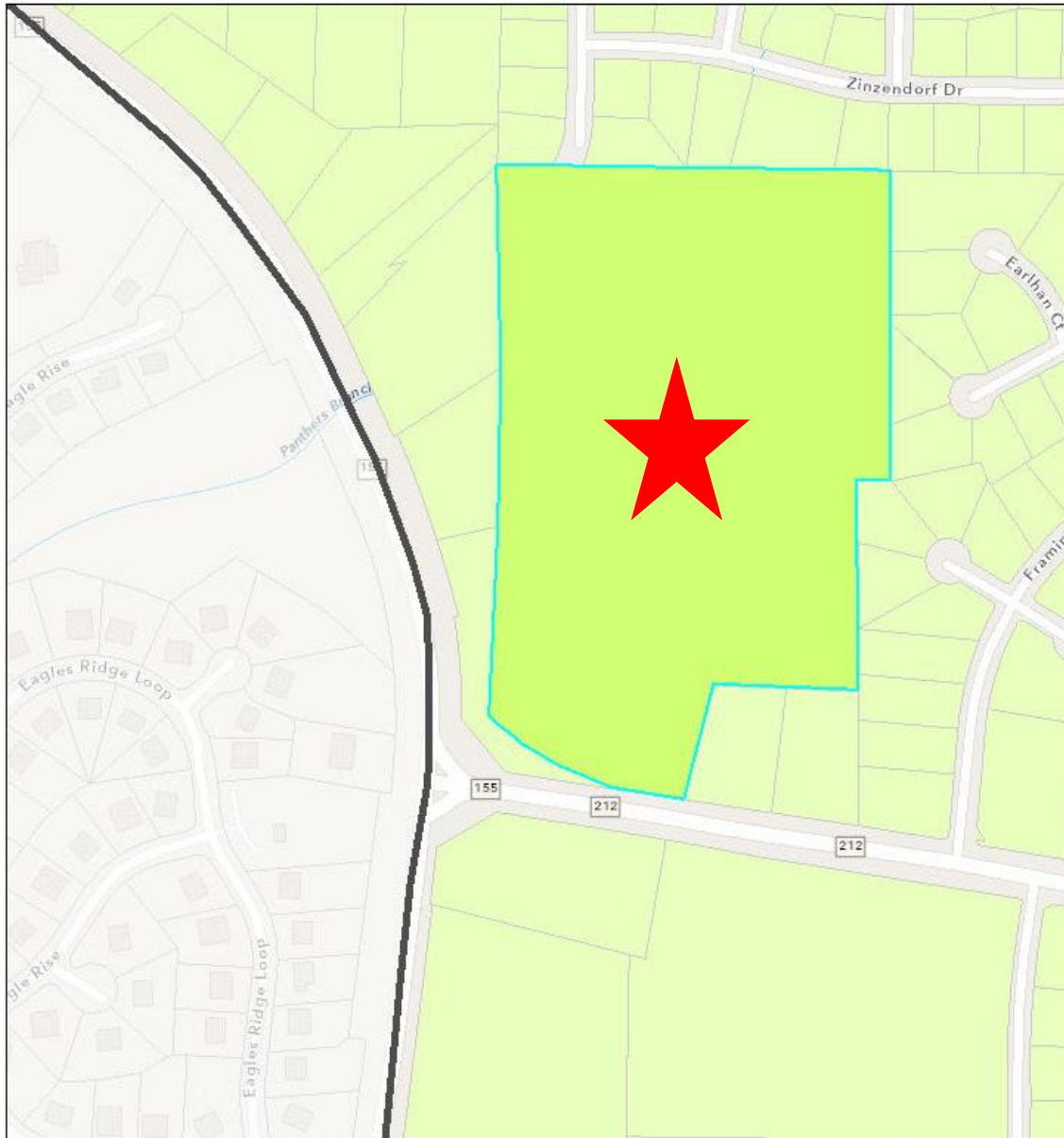




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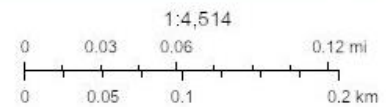
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Zoning Map

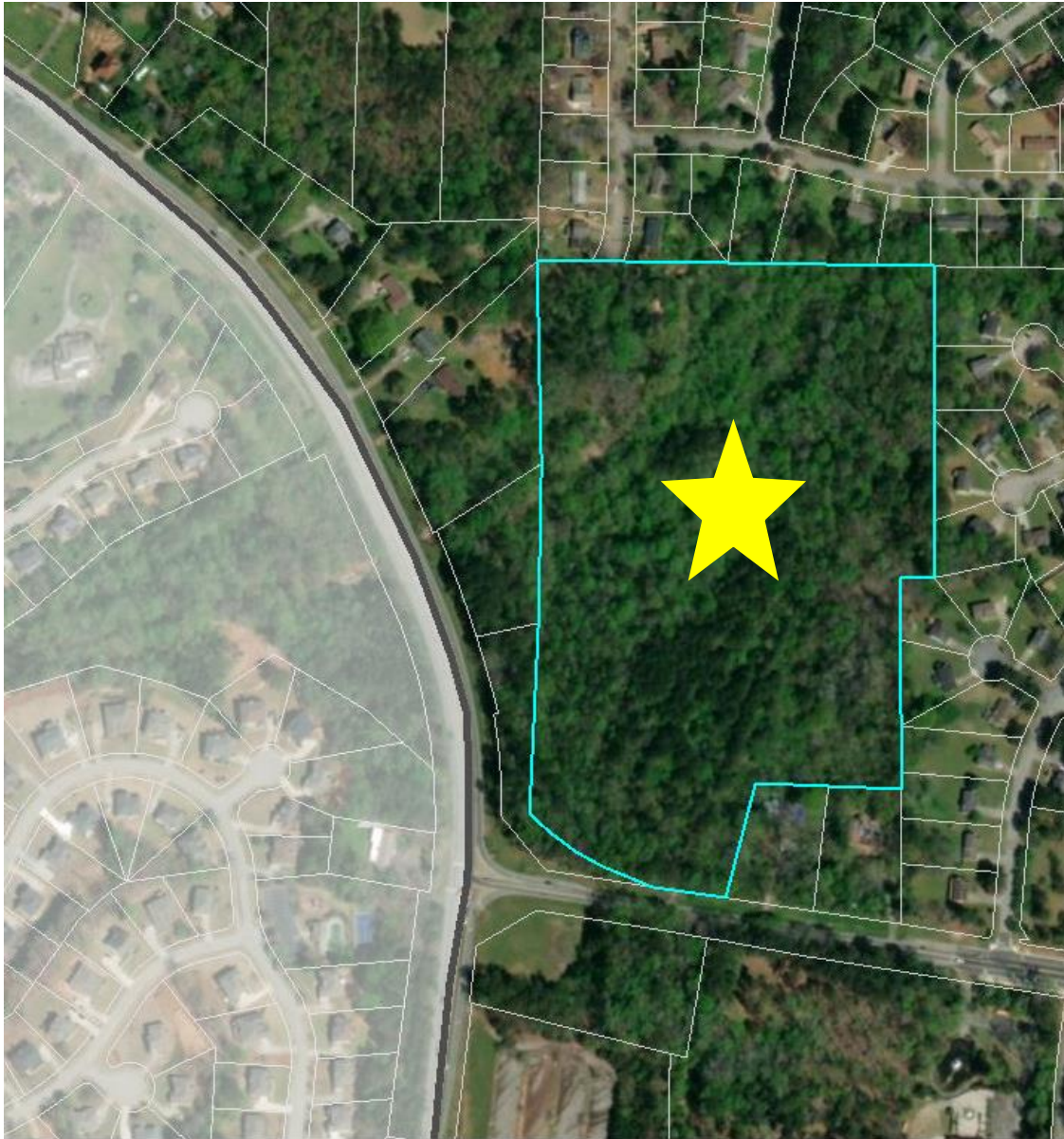


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|--------------------|---------------------------------|
| Stonecrest Parcels | Zoning |
| City Limits | R-100 - Residential Med Lot |
| DeKalb Parcels | RSM - Small Lot Residential Mix |

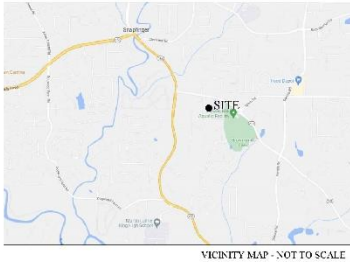


Aerial Map



Submitted Site Plan

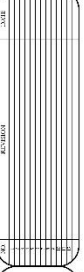
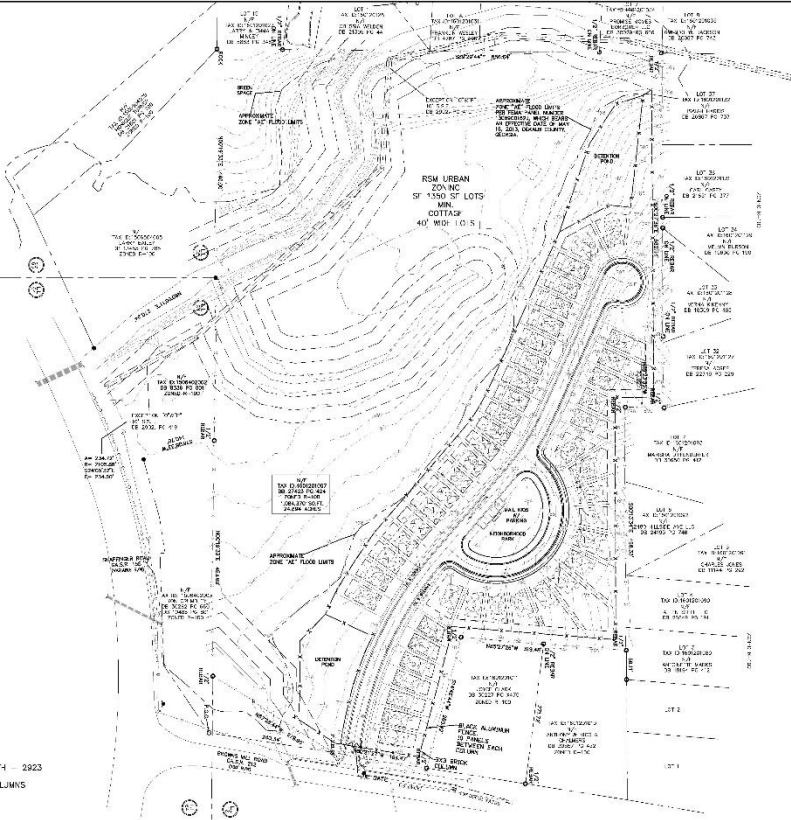
SUMMARY	
CURRENT ZONING:	RSM
GROSS ACREAGE:	24.9 AC
USABLE AREA*:	9.7 AC
TOTAL OPEN SPACE REQUIRED (20% OF GROSS ACREAGE):	5.0 AC
DEVELOPED AREA (LOTS 5.27 AC + ROADS 1.05 AC):	6.92 AC
TOTAL OPEN SPACE PROVIDED (GROSS ACREAGE 24.9 AC - DEVELOPED AREA 6.92 AC):	17.98 AC
ENHANCED OPEN SPACE REQUIRED:	2.5 AC
ENHANCED OPEN SPACE PROVIDED:	2.5 AC
GREEN SPACE:	2.08 AC
NEIGHBORHOOD PARK:	0.42 AC
TOTAL STORMWATER MANAGEMENT AREA:	1.45 AC
TOTAL UNITS (20' X 40' FOOTPRINT):	46 UNITS
GROSS DENSITY:	1.8 U/AC
NET DENSITY:	4.7 U/AC
FOR SITE ACCESS:	



NOTES:

1. SETBACKS ARE 20 FEET, 15 FEET, WITH 10' MINIMUM SETBACKS FROM WATERS AND ROADS TO BE PROVIDED BY DEEDS (LOCAL).
2. SETBACKS MAY BE REQUIRED ADJUSTMENT UPON FINAL 90% PLAN AND PERMITS AND TOP SURVEY BEING PROVIDED.
3. MAXIMUM BUILDING HEIGHTS TO BE 45 OR 55 FEET.
4. ALL ADJACENT PARKS AND OPEN SPACES.
5. ALL OPEN SPACES TO BE PROVIDED BY DEEDS (LOCAL).
6. COVERAGE IS BASED FROM THE 2016 DEEDS (LOCAL).

PR. FENCE LENGTH - 2923
54 BRICK COLUMNS



CONCEPT PLAN 2
PREPARED BY: ANDREW MILLER
DATE: 10/10/2023

THIS PLAN WAS PREPARED BY THE DESIGNER FOR THE CITY OF STONECREST, GEORGIA. IT IS THE PROPERTY OF THE DESIGNER AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE DESIGNER. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE CITY OF STONECREST, GEORGIA, IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.

LEGEND:
1. PROPERTY CORNER
2. LOT CORNER
3. LOT CENTER
4. LOT AREA
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PROJECT
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SHEET
OF 1



RZ-23-003

Planning and Zoning Department

Zoning Conditions – CZ-05-32

City Of Hope Ministries, Inc.
Z-05-32
Rezoning Conditions

COMM. _____
ITEM NO. H-11 6/14/05
CLERK'S OFFICE Comm. H. Johnson

1. The maximum number of units shall be 112 single family attached townhome units.
2. The development ^{shall} ~~will~~ include sidewalks on both sides of ^{all} ~~internal~~ streets, underground utilities, and streetlights.
3. There shall be no vinyl or aluminum siding used within the development. All buildings shall have exteriors of brick, stucco, stone or other masonry, "Hardi-Plank" clapboards, cedar shake or shingles, or some combination of these materials.
4. The applicant agrees to provide for adequate turn lanes into the development ^{as determined by} ~~subject to approval of~~ DeKalb and Georgia DOT.
5. Each entrance to the development ^{will have} ~~shall have~~ a decorative landscaped entrance. The design plan shall be submitted with the sketch plat approval application and shall be subject to review ^{and approval} ~~by~~ by the Planning Commission.
6. The proposed development shall be conditioned upon the concept site plan prepared by James Harwick Partners dated March 3, 2005.
7. Any and all single family attached townhome unit(s) shall have a minimum heated floor area of 700 square feet.
8. There shall be an entrance monument identifying the development, to be constructed out of brick or stacked stone.
9. The roofing materials shall ^{be} ~~include~~ three dimensional, architectural styled shingles.
10. The entrance to the development shall be gated, and fencing around the community shall be black aluminum with columns of either brick or stacked stone.

including the decorative landscaped entrance
g/hg

6/14/05



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Planning and Zoning Department

Letter of Intent



RZ-23-003

Planning and Zoning Department

Environmental Site Analysis

