



PLANNING COMMISSION

Planning Commission October 4, 2022 / Mayor and City Council Meeting October 24, 2022

GENERAL INFORMATION

Petition Number:	RZ-22-005
Applicant:	Dorsey, LLC c/o Battle Law P.C.
Owner:	Thomas W. Poole, Jr., Chad D. Johnson, Patricia C. Johnson
Project Location:	3266 and 7407 Hayden Quarry Road
Parcels:	16-182-03-001 and 16-182-02-003
District:	District 1
Acreage:	Tract 1: 20.98 acres and Tract 2: 10.05 acres
Existing Zoning:	R-100 (Residential Medium Lot)
Proposed Zoning:	MR-1 (Medium Residential Density)
Comprehensive Plan Community: Area Designation	UN (Urban Neighborhood)
Proposed Development/Request:	Seeking to rezone the subject properties from R-100 (Residential Medium Lot) to MR-1 (Medium Density Residential) to develop 55 single-family attached townhomes to be owned fee simple on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16 182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road.
Staff Recommendations:	Approval
Planning Commission	To defer to September 6, 2022; DENIED on October 4, 2022
City Council	City Council approved a full deferral on August 22, 2022



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Zoning Map



Subject Property



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Zoning Case: RZ-22-005

Address: 3266 and 7407 Hayden Quarry Road

Current Zoning: R-100 (Residential Medium Lot)

Proposed Zoning: OD (Office Distribution)

Aerial Map



RZ-22-005



Subject Property



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PROJECT OVERVIEW

The applicant, Dossey, LLC. is seeking to develop on +/- 6.9 acres of land being Tax Parcel Nos. 16 182 03 001 and 16182 02 003 having frontage on 3266 and 7407 Hayden Quarry Road (the “Subject Property”) with fifty-five (55) single-family attached townhomes to be owned fee simple. The Applicant is seeking a rezoning of the Subject Property from R-100 to MR-1.

BACKGROUND:

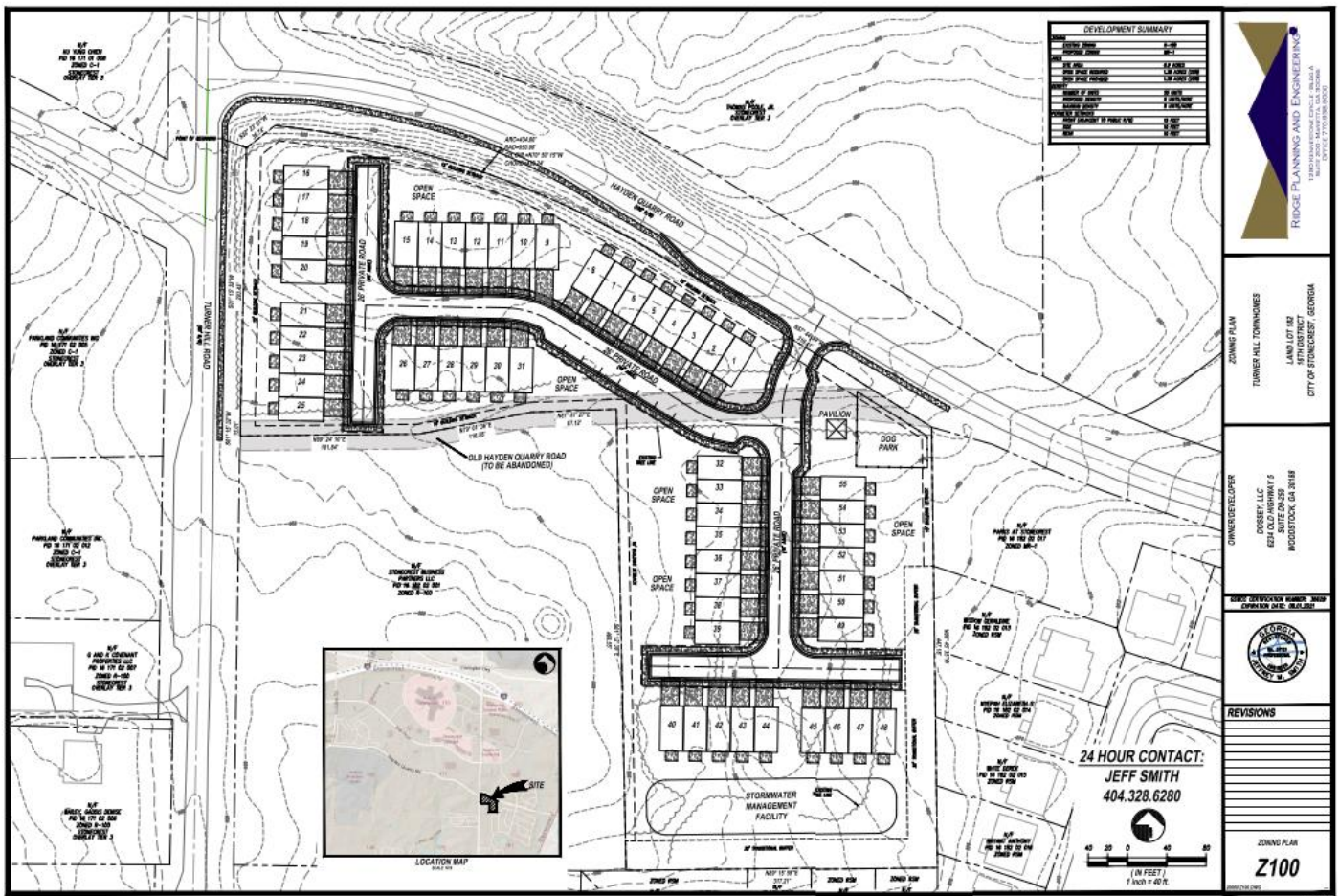
The subject property is a heavily wooded lot and has no past zoning petition attached to the staff.



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Public Participation

Community Planning Information Meeting is scheduled on July 26, 2022.





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As shown in the table below, the subject property is surrounded by industrial and residential development. *
Please see the map below table

ADJACENT ZONING AND LAND USE		
	Zoning	Zoning Land Use
Adjacent: North	R-100 (Single-Family Medium Density) and C-1 (Local Commercial)	Single-family residential, Chick-fil-A, TGI Fridays and Walmart Supercenter
Adjacent: East	RSM (Residential Small Lot) and MR-1 (Medium Density Residential)	Residential Development
Adjacent: South	R-100 (Residential Medium Lot), C-1 (Local Business) and RSM (Residential Small Lot)	Turner Hill Baptist Church
Adjacent: West	R-100 (Med Residential) District C-1 (Local Commercial) and MR-1 (Medium Density Residential)	Residential and Mall at Stonecrest



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Zoning Criteria, Analysis and Comments

STANDARDS OF REZONING REVIEW

Section 7.3.4 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 proposed land use change will permit uses that are suitable in consideration of the use and development of adjacent and nearby property or properties.**

The surrounding properties are developed with apartments, single-family detached homes, and a learning center. Some of the surrounding parcels are vacant.

- **Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The only properties that will be affected are those that once used Old Hayden Quarry Road for access. However, Old Hayden Quarry Road has been blocked off from use and kept in a state of disrepair for quite some time. The application will be submitting a right-of-way abandonment application along with this rezoning application to formally close Old Hayden Quarry Road. That properties that once used it are vacant, so no property owner will be affected by this request. The property abutting the Subject Property to the Southwest will also not be adversely affected by this zoning proposal. A substantial, thirty (30) foot buffer will be maintained at the portions of the Subject Property that abut those properties. This buffer will ensure that the new development will not adversely affect the existing single-family detached homes. Therefore, the zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

- **Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The proposed land use will not cause excessive burdensome to this area. According to the trip generation report prepared for this zoning proposal by Ridge Planning and Engineering, the zoning proposal will add a total of 318 total trips over a twenty-four (24) hour period with twenty-five of those trips taking place during the morning peak travel time and twenty-nine (29) taking place during the evening peak travel time. The rest will take place



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outside of the peak travel hours. Therefore, the zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- **Whether the amendment is consistent with the written policies in the comprehensive plan text and any applicable small areas studies.**

The Subject Property has a future land use designation of Urban Neighborhood and is currently zoned R-100. Thus, the current zoning designation does not conform to the future land use. The zoning proposal requests MR-1, which is in line with the future land use designation. Additionally, according to the Comprehensive Land Use Plan, “townhomes” are a specifically permitted use in the Urban Neighborhood land use designation. Thus, the zoning proposal conforms to the Comprehensive Land Use Plan.

- **Whether there are potential impacts on property or properties in an adjoining governmental jurisdiction, in cases of proposed changes near county or municipal boundary lines.**

The subject property is not directly adjacent to an adjoining governmental jurisdiction.

- **Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.**

There are no existing or changing conditions affecting the use and development of the affected land areas.

- **Whether there will be an impact on historic buildings, sites, districts or archaeological resources resulting from the proposed change.**

There are currently no historic buildings, sites, districts, or archaeological resources on the subject property, therefore there will be no impact on historic buildings.

STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed petition.