



PLANNING & ZONING STAFF REPORT

RZ-21-009

Meeting Date January 24, 2022

GENERAL INFORMATION

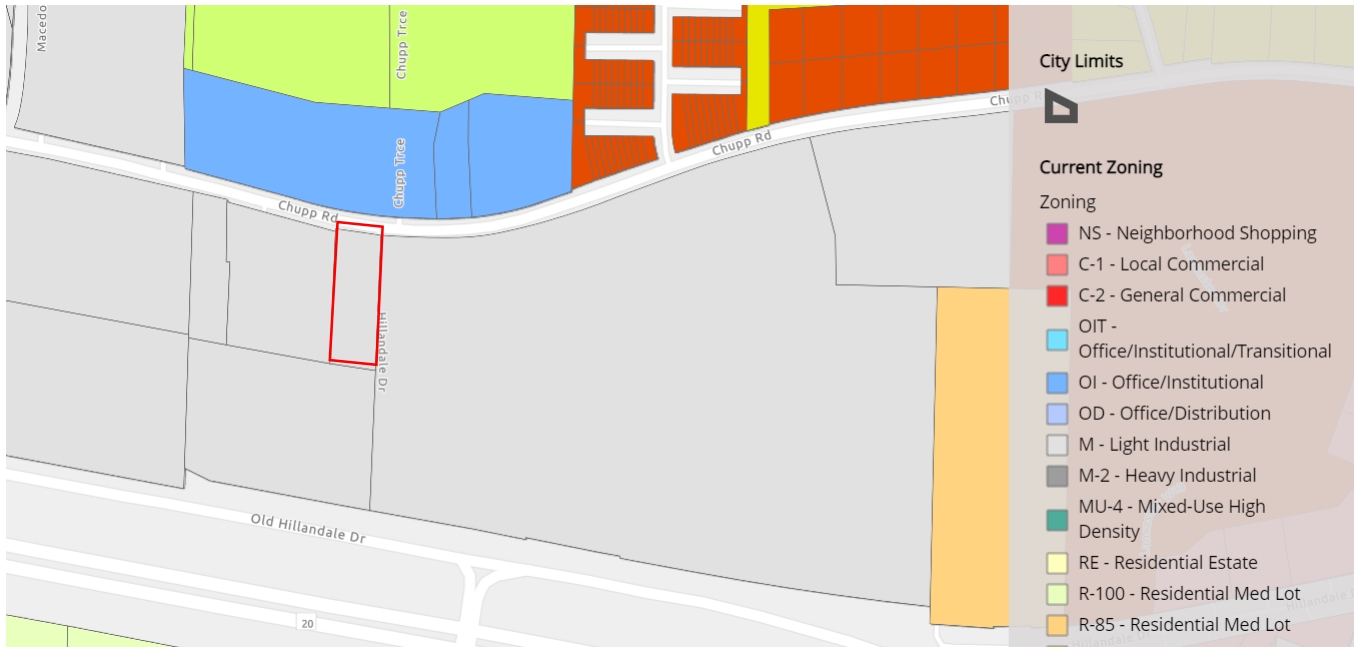
Petition Number:	RZ-21-009
Applicant:	City of Stonecrest
Owner:	Ms Lillie “Marie” Colson
Project Location:	6547 Chupp Road (Parcel ID 16 120 02 004)
Council District:	District 5 – Tammy Grimes
Acreage:	0.9 acres
Existing Zoning:	Light Industrial (M), Stonecrest Area Overlay, Tier VI - Viewshed
Proposed Zoning:	Light Industrial (M), Stonecrest Area Overlay, Tier II – Mid-rise Mixed Use
Comprehensive Plan Character Area Designation:	City Center
Proposed Development/Request:	None at this time, though the applicant is considering building a mixed-use housing development with ground floor retail in keeping with the HR-2 zoning district as allowed under Tier 2 of the Stonecrest Area Overlay
Staff Recommendations:	Approval
Planning Commission Recommendation	Approval with condition



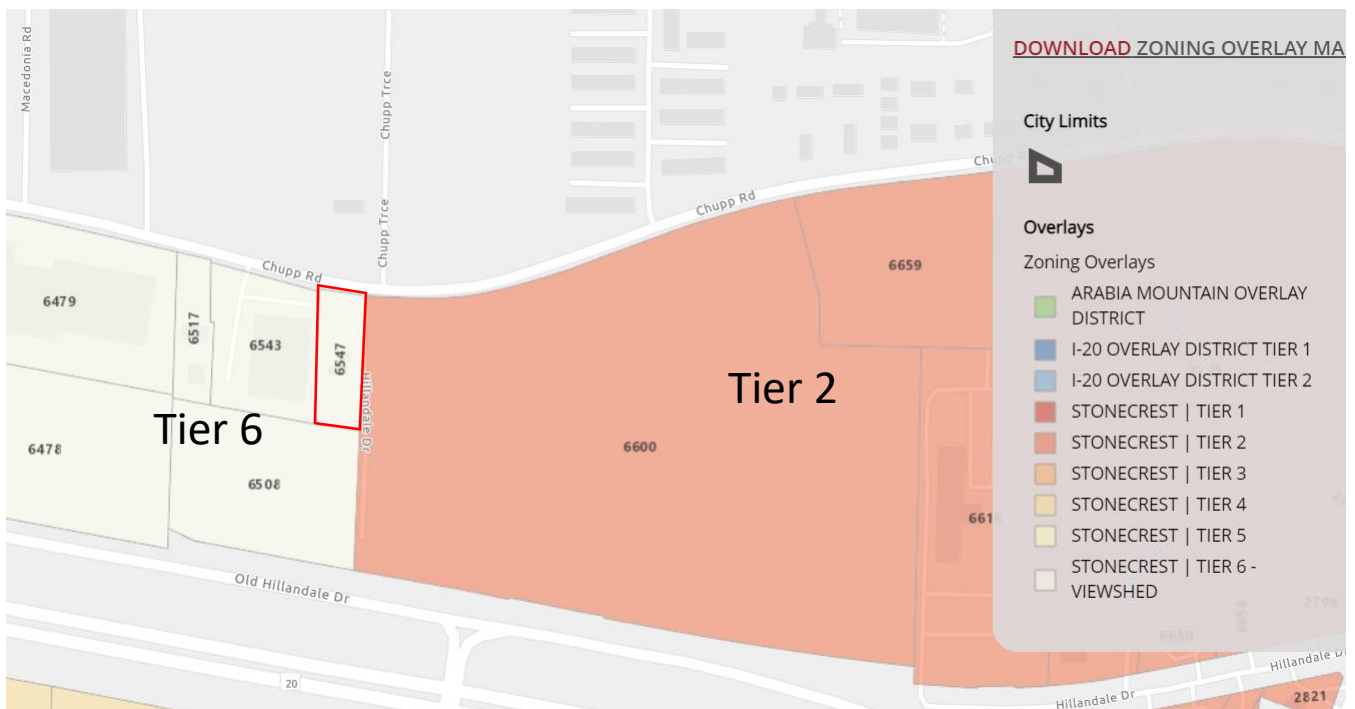
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Zoning Map for RZ-21-009



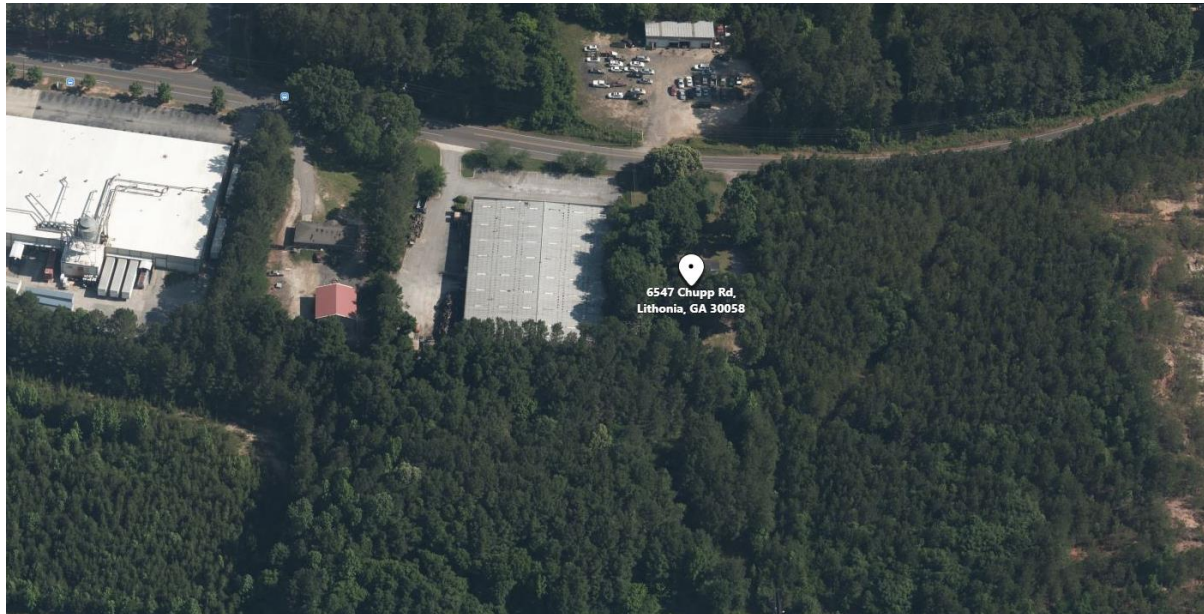
Overlay Map for RZ-21-009





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The Union at Stonecrest as proposed will be a four-story structure containing 122 senior housing units. In the last few years development activity along the road has been active with an apartment complex and townhome developments being constructed further east of the subject property. The area has good access to I-20 at Evans Mill Road which is located just south and parallel to Chupp Road.

Background

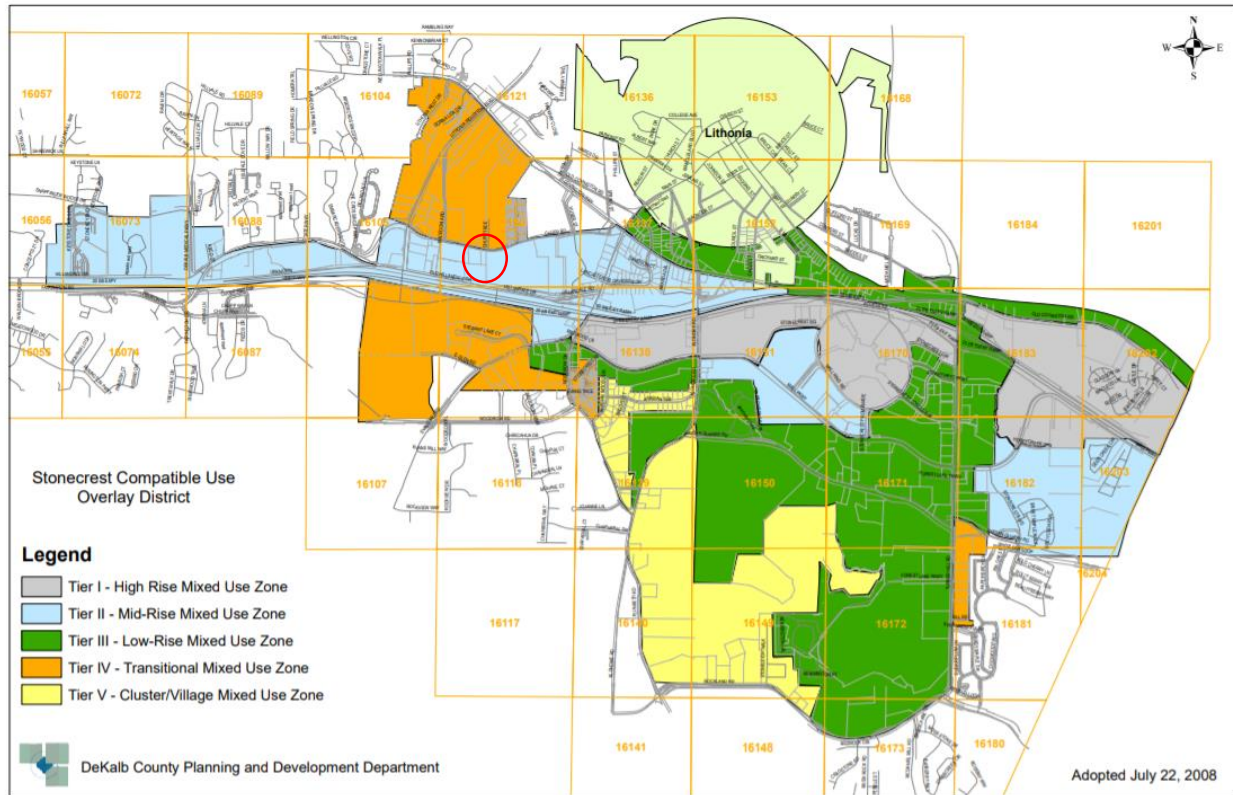
The subject property was rezoned to Tier 6 Viewshed when the Stonecrest Area Overlay was revised in November 2019. Prior to that the property was Tier 2, as the 2008 Stonecrest Area Overlay Map shows on the next page. This rezoning was city initiated and property owner was unaware of the change at the time or its implications.

- Tier 6 – Viewshed restricts permitted uses to the underlying district, which in this case in light industrial (M), except those listed as prohibited in Sub-Sec 3.5.15.D.
- Tier 2 - Mid-rise Mixed-Use permits any uses allowed in the underlying district, and authorizes those uses allowed in C-1, C-2, O-I, O-D and HR-2, except those listed as prohibited in Sub-Sec. 3.5.1.B.
- The change in which tier of the overlay that the subject property lies within greatly reduced the development potential of the property, and in fact made the current use of the property , a single family home, a legal non-conforming use.



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Rezoning Request

The property owner has asked the city to revert the zoning of her property back to Tier 2 of the Stonecrest Area Overlay. She has no development plans at this time, but wants to keep her development options open as Tier 2 allows. She is considering building a mixed-use housing development with ground floor retail in keeping with the HR-2 zoning district as allowed under Tier 2 of the Stonecrest Area Overlay

Public Participation

A community planning information meeting was held on November 30 at 6 PM when the proposed city initiated rezoning was discussed. The meeting was hosted by the City on Zoom and broadcasted on YouTube. No objections to the reversion of the zoning were brought up.

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. Each element is listed with staff analysis.



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

The subject property is located within the City Center character area of the Stonecrest Comprehensive Plan. 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 plan states that 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/

The proposed reversion of the subject property rezoning is actually more in keeping with purpose and intent of the Comprehensive Plan than it is currently zoned.

B. 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 subject property has industrial uses to the west and north, and proposed multifamily housing to the east. Rezoning to Tier 2 would be in keeping with the development trends of the area.

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

As currently zoned it is legal non-conforming use. It would have to be redeveloped as industrial has lower economic value than what is allowed in Tier 6, which offers a wide variety of development options.

D. 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. This rezoning would only reinstate development rights that were in place prior to November 2019.

E. 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.

The development trends along Chupp Road favor the reversion of the rezoning, as all new development along the road has been for uses in keeping with the Tier 2 of the Stonecrest Overlay. No new industrial uses have been developed along the road recently.



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F. 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.

G. 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.

Plans for public services to the area are likely to take into account the future land use designation of the area, and so have been planned for in making capital investment decisions. As the rezoning would be more in keeping with the vision of the comprehensive plan, the rezoning of the property should not have an adverse impact on public services.

H. 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

The city-initiated rezoning meets all the criteria for approval. Therefore, staff recommends **APPROVAL** of **RZ-21-009**.

PLANNING COMMISSION RECOMMENDATION

Planning Commission recommends **APPROVAL** of **RZ-21-009** with condition that buffer be maintained on southern boundary of the property.