



## Legislation Details (With Text)

**File #:** 2022-1172    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 1/27/2022    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 7/28/2022    **Final action:** 7/28/2022  
**Title:** COMMISSION DISTRICT(S): Commission District 04 Super District 07  
Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to construct detached townhomes, at 5488 Rockbridge Road.  
**Indexes:**  
**Attachments:** 1. Z-22-1245422 Staff Report July 2022 5488 Rbridge Rd., 2. Z-21-1245422 5488 Rbridge Rd Staff Report March BOC 2022

Date	Ver.	Action By	Action	Result
7/28/2022	1	Board of Commissioners - Zoning Meeting	withdrawn without prejudice	Pass
7/12/2022	1	Planning Commission		
3/24/2022	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
3/3/2022	1	Planning Commission		

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** Commission District 04 Super District 07  
**Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to construct detached townhomes, at 5488 Rockbridge Road.**

**PETITION NO:** D3. Z-1245422 (2022-1172)

**PROPOSED USE:** Detached townhomes.

**LOCATION:** 5488 Rockbridge Road, Stone Mountain, Georgia 30088

**PARCEL NO. :** 18-037-06-001

**INFO. CONTACT:** John Reid, Sr. Planner

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to construct detached townhomes. The property is located on the north side of Rockbridge Road and the south side of Old Rockbridge Road, at 5488 Rockbridge Road, Stone Mountain, Georgia. The property has approximately 166 feet of frontage along Rockbridge Road and 162 feet of frontage along Old Rockbridge Road and contains 0.9 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (June 16, 2022) Denial. (Feb. 15, 2022) Full Cycle Deferral.

**PLANNING COMMISSION:** (July 12, 2022) Denial. (March 3, 2022) Two-Cycle Deferral.

**PLANNING STAFF:** Denial.

**STAFF ANALYSIS:** Since the March 24, 2022 Board of Commissioners meeting, the applicant has made the following revisions to the plan/application: 1) Clarified that the proposed “detached townhomes” fall under the “*urban, single-family, detached*” land use category of the *Zoning Ordinance* with fee-simple condominiums for five of the units (land underneath units owned by individual property owner but no front or rear yards) and a fee-simple lot for one of the proposed units (land underneath building as well as front and rear yards); 2) request for 20% density bonus by installing off-site sidewalks from the subject property to the MARTA bus stop north of the subject property; and 3) verified that a 20-foot transitional buffer is not required along the east property line since the proposed units are for urban, single-family, detached units. The purpose and intent of the RSM district is to provide for the creation of residential neighborhoods that allow a mix of single-family, attached and detached housing options and to allow flexibility in design and product on the interior of new development while protecting surrounding neighborhoods. Therefore, the focus of the RSM zoning district appears to be on larger properties that allow for adequate land area to create neighborhoods with a mix of housing types instead of piece-meal single-use projects on smaller infill properties. The proposed request for six urban single-family detached homes on a small infill lot is not consistent with these goals. Additionally, the proposed three story urban single-family units are not consistent with the predominant two-story building heights and single-family, detached conventional homes surrounding the subject property. Since the request is not consistent with the purpose and intent of RSM zoning, it is not compatible with adjacent and nearby properties (Sec 7.4.6.A). Therefore, it appears that the proposed rezoning request is not consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). Staff recommendation is for “Denial”.

**PLANNING COMMISSION VOTE:** (July 12, 2022) Denial 6-0-1. LaSonya Osler moved, Jana Johnson seconded for denial, per Staff recommendation. Lauren Blaszyk abstained. (March 3, 2022) Two-Cycle Deferral 6-1-1. LaSonya Osler moved, Jana Johnson seconded for a two-cycle deferral to the July 2022 zoning agenda. Tess Snipes opposed; Lauren Blaszyk abstained; Edward Patton was not present for this vote.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (June 16, 2022) Denial 6-4-1. CC-4 Board members’ concerns included proposed density and the requested zoning district. (March 3, 2022) Full Cycle Deferral 10-0-0. To allow time for Planning Department to verify if the proposed project complied with minimum acreage and density bonus requirements of the zoning ordinance for the RSM district; and, if the placement of the proposed private gates on the plan provided enough queuing space to prevent traffic congestion onto Rockbridge Road and Old Rockbridge Road.