Legislation Details (With Text)

File #:	2021-3156	**Version:** 1	**Name:**		
Type:	Ordinance		**Status:**	Public Hearing	
File created:	9/24/2021		**In control:**	Board of Commissioners	
On agenda:	2/22/2022		**Final action:**		
Title:	COMMISSION DISTRICT(S): Commission District 4; Super District 7 Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 (Residential Medium Lot- 100) to R-75 (Residential Medium Lot - 75) to allow for the construction of a single-family detached residential subdivision, at 5277 Rockbridge Road.				
Indexes:					
Attachments:	1. Z-21-1245221 Recommended Conditions 5277 Rockbridge Rd, 2. Z-21-1245221 Staff Report BOC Jan. 2022 5277 Rbridge Rd, 3. Z-21-1245221 Staff Report BOC Nov 2021, 4. Z-21-1245221 Staff Report PC Nov. 2021				

Date	Ver.	Action By	Action	Result
2/22/2022	1	Board of Commissioners	approved with conditions	Pass
1/27/2022	1	Board of Commissioners - Zoning Meeting	deferred for 30 days	Pass
1/6/2022	1	Planning Commission	Approval	Pass
11/18/2021	1	Board of Commissioners - Zoning Meeting		
11/4/2021	1	Planning Commission	deferred for a full cycle	Pass

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

SUBJECT:

COMMISSION DISTRICT(S): Commission District 4; Super District 7
Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 (Residential Medium Lot- 100) to R-75 (Residential Medium Lot - 75) to allow for the construction of a single-family detached residential subdivision, at 5277 Rockbridge Road.
PETITION NO: D5. Z-21-1245221 (2021-3156)

PROPOSED USE: Single-family detached residential subdivision.

LOCATION: 5277 Rockbridge Road, Stone Mountain, Georgia 30088

PARCEL NO. : 18-038-04-003

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 (Residential Medium Lot- 100) to R-75 (Residential Medium Lot - 75) to allow for the construction of a single-family detached residential subdivision. The property is located on the south side of Rockbridge Road,

approximately 708 feet west of Martin Road, at 5277 Rockbridge Road, Stone Mountain, Georgia. The property has approximately 390 feet of frontage along Rockbridge Road and contains 12.04 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: (12/14/2021) Approval with a Condition. **(10/19/2021)** Denial.

PLANNING COMMISSION: (1/06/2022) Approval. **(11/4/2021)** Full Cycle Deferral.

PLANNING STAFF: Approval with Conditions (rev. 1/7/2022).

STAFF ANALYSIS: (Revised 1/7/2022) Since the November 18th Board of Commissioners meeting and the January 6th, 2022 Planning Commission meeting the applicant has revised the application from R-60 (minimum 6,000 square foot lots) to R-75 minimum 10,000 square foot lots) and has revised the plan to show compliance with the perimeter lot compatibility requirements of the zoning ordinance by providing lots along the western edge of the site that are at least 80% as wide as abutting subdivision lots and providing a 20-foot transitional buffer. Additionally, the applicant's R-75 plan is providing only three more lots (27) than could be developed under the existing R-100 zoning which appears to be compatible with the R-100 zoned properties in the adjacent and surrounding area. The request for a single-family zoning district (R-75) and single-family detached residential uses appears to be consistent with the policy of the 2035 Comprehensive Plan, to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density (Suburban Residential Protection Strategy, pg. 115). Therefore, it appears that the zoning proposal will permit a use that is compatible with adjacent and surrounding properties and is consistent with the policies and strategies of the Comprehensive Plan. It is the recommendation of the Planning & Sustainability Department that the request be "Approved, subject to the attached recommended conditions".

PLANNING COMMISSION VOTE: (1/06/2022) Approval 7-1-1. LaSonya Osler moved, Edward Patton seconded for Approval. Jon West opposed; Tess Snipes abstained. **(11/4/2021) Full Cycle Deferral 8-0-0.** LaSonya Osler moved, Jon West seconded for a Full Cycle Deferral.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (12/14/2021) Approval with a Condition 11-1-0. The Board recommended approval with the condition that the plan address drainage run-off concerns on surrounding properties. **(10/19/2021) Denial 10-0-0.** Council recommended denial because the proposed higher density residential zoning district would set a precedent for the surrounding low density R-100 zoned residential area.

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