



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Legislation Details (With Text)

File #: 2021-3522 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 12/7/2021 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 1/26/2023 **Final action:**
Title: Commission District(s): Commission District 04 Super District 07
Application of Kyle Williams to rezone properties from R-100 (Residential Medium Lot-100) to R-60 (Residential Small Lot-60) Zoning District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.

Indexes:

Attachments: 1. Opposition to Z-22-1245331, 2. Z-22-1245331 Recommended Conditions Jan. 2023, 3. Z-22-1245331 Jan 2023 Staff Report 4994 Rockbridge Rd, 4. Z-22-1245331 Staff Report May BOC 2022 4994 Rbridge Rd, 5. 2021-3522 May 2022 BOC Recommended Conditions, 6. Z-22-1245331 Staff Report Jan. 2022 BOC 4994 Rockbridge Rd.

Date	Ver.	Action By	Action	Result
1/26/2023	1	Board of Commissioners - Zoning Meeting	denied	Pass
1/5/2023	1	Planning Commission		
8/9/2022	1	Board of Commissioners	deferred for two full cycles	Pass
7/12/2022	1	Board of Commissioners	deferred for 30 days	Pass
6/28/2022	1	Board of Commissioners		
5/26/2022	1	Board of Commissioners - Zoning Meeting	deferred for 30 days	Pass
5/3/2022	1	Planning Commission	Full cycle deferral	Pass
1/27/2022	1	Board of Commissioners - Zoning Meeting	deferred for two full cycles	Pass
1/4/2022	1	Planning Commission	deferred for two full cycles	Pass

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

SUBJECT:

Commission District(s): Commission District 04 Super District 07
Application of Kyle Williams to rezone properties from R-100 (Residential Medium Lot-100) to R-60 (Residential Small Lot-60) Zoning District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.

PETITION NO: D1. Z-22-1245331 2021-3522

PROPOSED USE: Single-family, detached residences.

LOCATION: 4994 Rockbridge Road, Stone Mountain, Georgia 30083

PARCEL NO. : 18-039-03-027, 18-039-03-029, 18-039-03-038, 18-039-03-039, 18-039-03-040, 18-039-03-041, 18-039-03-044, 18-039-03-110, 18-039-03-112

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Kyle Williams to rezone properties from R-100 (Residential Medium Lot-100) to R-60 (Residential Small Lot-60) Zoning District to allow for the construction of single family detached residences. The property is located on the north side of Rockbridge Road, the east terminus of Pepperwood Drive, and the east terminus of Hickory Hills drive, approximately 595 feet west of Sheppard Road at 4946, 4960, 4962, 4964, 4972, 4994, 4998, 5046 Rockbridge Road and 4953 Pepperwood Drive in Stone Mountain, Georgia. The property has approximately 978 feet of frontage along Rockbridge Road, 140 feet of frontage along Pepperwood Drive, and 60 feet of frontage along Hickory Hills Drive and contains 40 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: (Dec. 13, 2022) Denial. (April 19, 2022) Full Cycle Deferral. (Dec. 14, 2021) Deferral.

PLANNING COMMISSION: (Jan. 5, 2023) Denial. (May 3, 2022) Full Cycle Deferral. (Jan. 4, 2022) Two-Cycle Deferral.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: Since the August 9th Board of Commissioners meetings, the applicant has revised the site plan for the proposed R-60 (minimum 6,000 square foot lots) zoning by decreasing the number of units from 161 (original site plan unit count) to 124 units, decreased the density from 4 units per acre to 3.1 units per acre, increased the open space from 12% to 25%, increased the width of the vegetated buffer along the north and west property line from 20 feet to 50 feet & 30 feet, and provided a road connection to the adjacent Hickory Hills Subdivision via Hickory Hills Drive. The request for a single-family zoning district (R-60) and single-family detached residential uses appears to be consistent with the following policies and strategies of the 2035 Comprehensive Plan: 1. Promote strong connectivity and continuity between existing and new developments; 2. Encourage good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points and 3. Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density (SUB Character Area Residential Protection, Bicycle and Pedestrian, and Connectivity policies and strategies p. 116). The revised plan's proposed access to Hickory Hills subdivision via Hickory Hills Drive is also consistent with the requirements of the Zoning Ordinance to create inter-parcel connections between abutting properties as an alternative to forcing all movement onto highways and public roads (Section 6.1.6 Shared Driveways and Inter-parcel Access) and to create an interconnected system of grid- patterned roads (Section 5.3.2 Street Connectivity). Furthermore, the proposed 50-foot and 30-foot vegetated buffer along the north and west property line provide additional compatibility with surrounding properties. Since the August 9th Board of Commissioners meeting the applicant has submitted documentation which clarifies that the project complies with the *perimeter lot compatibility requirements* of the zoning ordinance by indicating that the proposed lots along the north property line (lots 12 - 24) are at least 80% as wide at the abutting 100-foot-wide lots and that the proposed lots along the western property line (Lots 71-76) are at least 80% as wide as the abutting subdivision lots. Additionally, the Department of Transportation has reviewed the revised plan and provided their comments which have been included in Staff's recommended zoning conditions. The applicant also obtained a Traffic Engineering Study by Marc R. Acampora, PE, LLC that verified that there would not be any adverse impacts upon the existing roadway systems and infrastructure.

Therefore, it is the recommendation of the Planning & Sustainability Department that the application be “Approved, with the attached recommended conditions”.

PLANNING COMMISSION VOTE: (January 5, 2023) Final Motion: Denial 8-1-0. Jana Johnson moved, Jon West seconded for Denial. Edward Patton opposed. (The 1st Motion failed 3-6-0: LaSonya Osler moved, Edward Patton seconded for a Full Cycle Deferral to the March 2023 zoning agenda. April Atkins, Jan Costello, Jana Johnson, Vivian Moore, Tess Snipes and Jon West opposed.) **(May 3, 2022) Full Cycle Deferral 7-0-0.** LaSonya Osler moved, Jana Johnson seconded for a Full Cycle Deferral to the July 2022 zoning agenda. **(Jan. 4, 2022) Two-Cycle Deferral 9-0-0.** LaSonya Osler moved, April Atkins seconded for a Two-Cycle Deferral to the May 2022 zoning agenda.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (Dec. 13, 2022) Denial 9-0-0. (April 19, 2022) Full Cycle Deferral 9-1-0. Full Cycle Deferral to allow the site plan to be redesigned to be more compatible with the surrounding area with larger transitional buffer areas; and, to also verify that the proposed stormwater management areas do not encroach into the stream buffers. **(Dec. 14, 2021) Full Cycle Deferral 7-5-0.** The Board’s recommendation for deferral was due to flooding run-off, density, traffic, and lack of notification concerns.