

City of Stockbridge

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.



PLANNING COMMISSION MEETING AGENDA

Board Members

Askia Abdullah – Chair
Shirley Wallace – Vice Chair
Stanley Dumas
Kathleen Nelson
David Planchon
Harold Thibodeaux

Administration

Randy Knighton - City Manager
Linda Logan - Senior Planner
Melinda Davies, Planning/GIS Technician
Gordon Linton - Planner I

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance

IV. Roll Call

Present

Absent

Askia Abdullah

Stanley Dumas

Louis Goglia

Dr. Renata Hannah

Shirley Wallace

- V. Adoption of the Agenda
- VI. Approval of Minutes 12/17/2020
Draft Minutes

OLD BUSINESS

Item # 1 -

Rezoning Case #RZ-2020-02 (Deferred from the December 17, 2020 meeting) – Neil Koelbl requests the rezoning of certain property from RA (Residential-Agricultural District) to R-3 (Single-Family Residential District) to allow for the development of a single-family residential subdivision. The property is located in Land Lot 29 of District 7 within the Stockbridge City Limits, along the southeast corner of Brannan Road and North Salem Drive. It contains 73.71 total acres, which previously consisted of five parcels. The Planning Commission approved the recombination of the five parcels to form just one parcel at its last meeting on December 17, 2020. This occurred via Recombination Plat Case #RC-2020-03, which had the same applicant as this rezoning case. For the record, the parcels were as follows:

- 732 Brannan Road—Parcel #088-02049000
- 664 Brannan Road—Parcel #088-02050000
- 618 Brannan Road—Parcel #088-02051000
- Large parcel on Brannan Road—Parcel #088-02049005
- Small parcel on North Salem Drive—Parcel #088-02045000

Presented by: Linda Logan

NEW BUSINESS

STAFF COMMENTS

BOARD COMMENTS

ADJOURN

City of Stockbridge

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.



ACTION MINUTES PLANNING COMMISSION

THURSDAY, December 17, 2020 at 6:30 p.m. (Virtual Meeting)

BOARD MEMBERS:

Askia Abdullah--Chairperson
Shirley Wallace--Vice Chair
Stanley Dumas
Kathleen Nelson
Harold Thibodeaux
David Planchon

ADMINISTRATION:

Randy Knighton, City Manager
Mike Williams, City Attorney
Vanessa Holiday, City Clerk
Linda Logan, Senior Planner / PC Sect'y
Melinda Davies, GIS Tech. / Planner
Gordon Linton, Planner I

I. CALL TO ORDER – Made by Chairman Abdullah.

II. INVOCATION – Given by Stanley Dumas.

III. PLEDGE OF ALLEGIANCE – Done in unison.

IV. ROLL CALL --Taken by Linda Logan:

	Present	Absent
~ Askia Abdullah	X _____	_____
~ Stanley Dumas	X _____	_____
~ Kathleen Nelson	X _____	_____
~ Shirley Wallace	X _____	_____
~ Harold Thibodeaux	X _____	_____
~ David Planchon	X _____	_____

Ms. Logan declared that a quorum of board members was present.

V. ADOPTION OF THE AGENDA – Shirley Wallace motioned to adopt the Agenda. David Planchon seconded the motion. The Agenda was adopted unanimously.

VI. APPROVAL OF MINUTES – November 19, 2020 Action Minutes. David Planchon motioned to approve the Minutes. Shirley Wallace seconded the motion. The Minutes were adopted unanimously.

VII. NEW BUSINESS:

1. Recombination Case #RC-2020-03—Neil Koelbl requests the recombination of five contiguous parcels, as are listed below, into one parcel, creating a new plat. The parcels are located within Land Lot 29 of District 7 within the Stockbridge City Limits, along Brannan Road and North Salem Drive. All five parcels currently have the same zoning classification, RA (Residential-Agricultural), which allows the proposed recombination to be considered.

- 732 Brannan Road—Parcel #088-02049000
- 664 Brannan Road—Parcel #088-02050000
- 618 Brannan Road—Parcel #088-02051000
- Large parcel on Brannan Road—Parcel #088-02049005
- Small parcel on North Salem Drive—Parcel #088-02045000

Linda Logan, Senior Planner, read the above description of Recombination Case #RC-2020-03 into the record.

STAFF PRESENTATION:

Linda Logan, Senior Planner—Ms. Logan gave a PowerPoint presentation of this case. Ms. Logan stated that the subject property contained five parcels which comprised 73.71 total acres, and that the applicant proposed to develop a subdivision with 147 single-family detached homes. She illustrated the property location on several maps and aerial photographs, identified the existing land uses and zoning of the five parcels, described the surrounding neighborhood, and provided details of the conceptual site plan. Ms. Logan then made two conclusions: 1) that since all five parcels had the same zoning classification, the proposed recombination could proceed; and 2) the applicant would need to rezone the property after the recombination occurs (with approval by City Council) and obtain City staff approval of the proposed plat. The staff recommendation was approval.

QUESTIONS AND COMMENTS FROM BOARD MEMBERS AND THE APPLICANT:

Chairman Abdullah—Mr. Abdullah asked the applicant about the availability of public sewer to serve the proposed development. The engineer, Steve Moore of Moore Bass Consulting (from 1350 Keys Ferry Court in McDonough) responded.

He said that he was informed by officials at the Henry County Water and Sewer Authority that the public sewer line could be extended to the site. Chairman Abdullah also expressed his concerns about traffic, in view of citizens' concerns.

David Planchon—Mr. Planchon questioned the ownership of the five parcels that would be combined to form the proposed development site. The applicant, Neil Koelbl, confirmed that all five parcels were owned by one family, who wanted to sell them to the applicant.

Chairman Abdullah—Mr. Abdullah noted that the property owner had the right to combine and sell the five parcels, whether or not they were rezoned and whether or not the proposed development was approved. Therefore, the recombination of the parcels could proceed.

Shirley Wallace—Ms. Wallace wondered whether the applicant would have some type of outreach to the community.

Michele Battle of Battle Law, Applicant's Attorney—Ms. Battle emphasized that the five parcels all have one property owner, who has a right to combine the parcels and wanted to combine them. She said that Mr. Koelbl represents this owner.

David Planchon—Mr. Planchon observed that the property owner could have applied for a recombination years ago.

Stanley Dumas—Mr. Dumas noted that since the five parcels had the same owner and the same zoning, the proposed recombination could be approved. He therefore motioned to approve this case. Shirley Wallace seconded the motion. A unanimous vote of approval was made by the Planning Commission, who has the final say on this case; thus it does not need to go to City Council for consideration.

2. Rezoning Case #RZ-2020-02 (Deferred from the November 19, 2020 meeting)

– Neil Koelbl requests the rezoning of certain property from RA (Residential-Agricultural District) to R-3 (Single-Family Residential District) to allow for the development of a single-family residential subdivision. The property is located in Land Lot 29 of District 7 within the Stockbridge City Limits, along the southeast corner of Brannan Road and North Salem Drive. It contains 73.71 total acres within five parcels, as follows:

- 732 Brannan Road—Parcel #088-02049000
- 664 Brannan Road—Parcel #088-02050000
- 618 Brannan Road—Parcel #088-02051000
- Large parcel on Brannan Road—Parcel #088-02049005
- Small parcel on North Salem Drive—Parcel #088-02045000

Linda Logan, Senior Planner, read the above description of Rezoning Case #RZ-2020-02 into the record.

STAFF PRESENTATION:

Linda Logan, Senior Planner—Ms. Logan gave a detailed PowerPoint presentation of this case. She began by showing multiple maps and aerial photographs of the vicinity, the surrounding neighborhood, the parcels comprising the subject property, the City's Zoning Map, and the three rezoning signs that were posted on the property. Ms. Logan then provided narrative information about the surrounding land uses and zoning, a description of the subject property (including its physical characteristics, existing uses, and future land use designation), and information about the proposed 'R-3' (Single-Family Residential) zoning district.

In continuing her presentation, Ms. Logan next described the proposed subdivision, which would have 147 lots and 147 homes, at a density of 1.994 dwelling units per acre. She described the site features, site access, site plan, and utilities services. She noted that the Henry County Water and Sewer Authority stated in a letter to the applicant that the developer would be required to extend a sewer line to serve the site, which might also require that easements be obtained.

Ms. Logan cited some numbers from the site plan. She said that the applicant was proposing to build 2,000-square-foot homes, even though the R-3 district allows homes that are about half of that size (1,050 square feet). The average lot size would be 14,195 square feet. Some lots would have the minimum requirement of 12,000 square feet. About half of the lots would have between 15,000 and 20,000 square feet. And eleven lots adjacent to Brannan Road would have at least 15,000 square feet. This would mirror the lot sizes of the lots within the Clark Meadows Subdivision along Brannan Road, directly across from the subject property. All lots would be at least 75 feet wide and they would have front yard setbacks of at least 50 feet.

Ms. Logan then described the subdivision's proposed site design and architectural design. She said that a large open space area with walking trails would be located near the center of the site. An amenity area would be provided at the southwest corner of the site, surrounding the existing pond, and that it would feature a playground, picnic tables, and a walking trail. A 50-foot-wide buffer would surround the property and a fence would be installed along the northern property line. Due to the presence of a pond and some wetland areas, only about 48 acres of the total site would be developed. Ms. Logan showed some photographs, which the applicant provided, as examples of how the finished homes and proposed amenities would look.

Ms. Logan then summarized the staff analysis of the case. She said that it was unlikely that the property would develop into additional rural residential or

agricultural uses due to its location; that a subdivision would be a reasonable use of the property due to the proximity of several other subdivisions adjacent to and surrounding the subject property; and that the proposed subdivision would meet

the density requirements of the property's future land use designation. Regarding the suitability of the requested 'R-3' district, she said that the proposed subdivision would be allowed if the developer makes the required sewer line extension. Further, the R-3 district would enable the subdivision to have lot sizes that would be comparable to the lot sizes in the Clark Meadows and Moss Pointe Subdivisions along the western side of Brannan Road, both of which have sewer lines.

Regarding the suitability of the proposed site plan, Ms. Logan pointed out that no secondary access would be provided at North Salem Drive, thereby eliminating possible safety hazards due to the narrow and curvy characteristics of the road. The existing pond would be preserved and used as a focal point for several amenities. About half of the lots would have more than the minimum required size of 12,000 square feet in R-3 districts, and all of the homes would have almost double the size of the what the R-3 district requires (2,000 square feet compared to 1,050 square feet). Further, the eleven lots having frontage on Brannan Road would have at least 15,000 square feet, making them compatible with the lots in the Clark Meadows Subdivision along Brannan Road.

Regarding the anticipated impacts of the proposed development, Ms. Logan stated that the applicant had obtained a letter from the Henry County Board of Education which stated that projections for additional classroom space would be based on two new students per residence. This means that with 147 new homes, twelve new classrooms would need to serve 294 new students. However, the cost of the new classrooms would likely be offset by the additional school taxes that the subdivision residents would pay.

Regarding impacts on adjacent streets, since the applicant had not submitted a traffic study, the traffic impacts were not known at the time of the meeting. To prevent traffic backups on Brannan Road and to facilitate turning movements, acceleration and deceleration lanes would be provided at the entrance to the proposed subdivision. Sidewalks need to be installed on at least one side of each internal street.

STAFF RECOMMENDATION:

Ms. Logan then made the Staff's recommendation on this case by reading into the record the recommendation and list of conditions from the PowerPoint presentation, which was derived from the Staff Report and which is repeated below.

"Staff recommends the **APPROVAL** of the rezoning of the subject property to the requested 'R-3' zoning district classification, contingent upon the developer meeting the **ZONING CONDITIONS** that are listed below. Where these conditions conflict with the stipulations and offerings that are contained within the applicant's Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and Council.

1. Regarding the site plan -- The subdivision shall be developed in accordance with the submitted revised site plan that was received by the City of Stockbridge Department of Community Development, entitled "Conceptual Site Plan / Brannan Road Tract", comprising Sheet #1.1, as was prepared by Moore Bass Consulting on December 4, 2020. Said plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event that the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

2. Regarding subdivision design:

- a. The developer shall construct an offsite sanitary sewer line extension to the property, at the developer's expense, in cooperation with the Henry County Water and Sewer Authority. This may require that the developer acquire any needed easements, also at the developer's expense."
- b. The subdivision entrance off Brannan Road shall be boulevard-style with monument signage located outside of the public right-of-way. Such signage shall incorporate a water feature in its design.
- c. The developer shall construct acceleration/deceleration lanes off Brannan Road, at the entrance to the subdivision, in compliance with Henry County DOT specifications.
- d. The developer shall comply with all requirements of the City's Subdivision Ordinance.
- e. A maximum of 147 lots and 147 single-family detached homes shall be constructed on the property.
- f. All lots that are located adjacent to Brannan Road shall have at least 15,000 square feet.
- g. A homeowner's association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

3. Regarding landscape design:

- a. A fence (wooden or vinyl-coated chain link) shall be constructed along the northern boundary of the property.
- b. A minimum of 20 percent (20%) of the site shall be preserved as open space.

The existing floodplain area, pond, and other open space areas shall be preserved, and they shall include walking paths that are constructed of pervious materials.

- c. The open space area near the existing pond shall include a minimum of the following amenities: a children's playground, a central mail kiosk with a vehicle pull-off area, two grills or one fire pit, and two picnic tables.
- d. The proposed amenities shall be installed or constructed after 50 percent of the dwelling units have been constructed, and before any land disturbance permits are issued for the development of additional lots.
- e. The developer shall provide a minimum 30-foot-wide buffer around the perimeter of the property boundary, with the exception of areas that are required for access or utility connections.
- f. The developer shall provide a landscaping plan which shall comply with the requirements of the City's Landscaping, Buffers and Tree Protection Ordinance.
- g. Sidewalks that are at least four (4) feet wide shall be installed along at least one side of each internal subdivision street.

4. Regarding architectural design:

- a. All homes shall have a two-car garage, at a minimum.
- b. All homes shall have a minimum of 2,000 square feet of heated space, which the applicant proposes.
- c. All homes shall have exteriors which comply with the Architectural Standards of City Ordinance #OR18-452.
- d. If possible, it is desirable for each side of every street within the subdivision to utilize two or more types of materials and two or more colors on the facades (fronts) of the homes.
- e. If possible, it is desirable for each side of every street within the subdivision to portray a noticeable difference in the materials and colors of adjacent homes, as well as their architectural styles.
- f. All disturbed areas of the residential lots shall be sodded, except for areas where landscaping is present or is installed.

5. Regarding procedural matters:

- a. The requested rezoning shall not be approved until the applicant's requested recombination of the five existing parcels of land which currently comprise the subject property is approved by the Planning Commission (Recombination Plat

Case #RC-2020-03). This is because the applicant has requested the rezoning of all five parcels together, in contemplation of developing a subdivision.

- b. The applicant or developer shall submit a subdivision application for review and approval by the Planning Commission after the rezoning of the property is approved.
- c. An official subdivision plat shall be approved by the City and shall be recorded with the Henry County Superior Court before any land disturbance or building permits may be issued by the City to develop the subdivision.
- d. In compliance with Section 12.12.003(A) of the City's Zoning Code ("Expiration of Approvals"), the zoning classification of the property may revert back to 'RA', or to some other zoning classification after a period of eighteen (18) months, if the Mayor and City Council chooses, if "substantial progress" has not been achieved in the construction of the subdivision, whereby the first inspection is carried out.

City of Stockbridge Planning and Zoning Staff

RECOMMENDATION:

APPROVAL of the rezoning of the subject property to 'R-3' (Single-Family Residential District), contingent upon the ZONING CONDITIONS that are listed above being met by the applicant and/or the developer."

QUESTIONS AND COMMENTS FROM BOARD MEMBERS, THE APPLICANT, AND CITY STAFF:

Shirley Wallace—Ms. Wallace questioned the possible traffic impacts of the proposed development. She noted that the subdivision would be about double the size of the Clark Meadows and Moss Pointe Subdivisions across from the subject property on Brannan Road. She wondered whether any comments had been obtained from Henry County DOT or Henry County Planning and Zoning about the proposed subdivision.

Harold Thibodeaux—Mr. Thibodeaux stated that the Clark Meadows Subdivision only has 67 homes. He wondered how traffic and drainage from the proposed subdivision could effectively be accommodated.

Shirley Wallace—Ms. Wallace wondered about possible impacts on schools (buses and classrooms) and the values of surrounding homes.

Chairman Abdullah—Mr. Abdullah speculated that each new home could have four cars. He also wondered about the sufficiency of fire access to the subdivision.

Stanley Dumas—Mr. Dumas asked for a presentation to be made by Ms. Battle, attorney for the applicant.

Michele Battle, Applicant's Attorney (Battle Law; One West Court Square; Decatur, Georgia; 30030)—Ms. Battle made a brief presentation of the proposed development. She stated that she conducted a Community Meeting with citizens of the surrounding area last Thursday [December 10, 2020]. Many traffic-related issues were discussed. Citizens were glad that the originally-proposed second access into the subdivision, which would have occurred off North Salem Drive, was eliminated, per citizens' requests. Although problems with that road cannot currently be solved, at least the applicant does not want to add to the problems there. Having just one access would also be consistent with Clark Meadows' one entrance. She said that the site plan has also been revised to add acceleration and deceleration lanes at the entrance to the subdivision.

Ms. Battle pointed out that the Clark Meadows Subdivision across the street has 142 lots and the same layout as this proposed subdivision. Yet, the subject site is larger, with about 73 acres, compared to only 56 acres in Clark Meadows. Originally, the subject site was to be surrounded by a 30-foot-wide buffer, but this was increased to 50 feet due to citizens' concerns. Ms. Battle said that the new homes in the proposed subdivision would be priced in the high \$200s to the low \$300s. Bringing a public sewer line to the site may benefit others in this area. The traffic issues in this area cannot all be fixed at the present time. The Community Meeting was held virtually and it was well-attended, with about thirty-five (35) attendees. Public notices for the meeting were posted on the site.

Chairman Abdullah—Mr. Abdullah wanted to send public notices to residents of Clark Meadows and Moss Pointe so that he could make an informed decision about this proposed rezoning. He said that he would not want to have this [subdivision] "dumped" on him. He wants community input.

Michele Battle—Ms. Battle stated that everyone has traffic problems, and that there is no preparation for the population boom. But there is a lot of vacant land in the area and more people are coming in. She asked whether the City had a transportation plan, and she stated that she wants to try to get some traffic counts done for the area.

Chairman Abdullah—Mr. Abdullah said that it was not possible to address all concerns due to anticipated population growth, but that community input was nevertheless needed.

Shirley Wallace—Ms. Wallace made the observation that this area floods during rains, and she wondered what impacts that this would have on drainage from the proposed subdivision. She wanted a response from the applicant's engineer.

Steve Moore, Applicant's Engineer—Mr. Moore stated that the applicant felt an obligation to protect the public. He said that detention facilities would be constructed on the subject site to slow down stormwater runoff.

Stanley Dumas and Michele Battle—Mr. Dumas had a couple of questions for Ms. Battle. First, would these be starter homes? Ms. Battle replied that they would not be. Second, what would be the buildout period for the subdivision? Ms. Battle replied that it would take twelve to eighteen months for the needed infrastructure to be installed on the site, a "couple of years" for the initial construction (2022-2024), and three to five years for the total buildout, depending upon the influence of the economy.

David Planchon—Mr. Planchon asked why the applicant has not done a traffic

study. He said that Brannan Road is now a major cut-through to Highway 42.

Michele Battle—Ms. Battle replied that she does not know why no traffic study was done. She said that she was not asked to provide one.

Stanley Dumas—Mr. Dumas asked whether the Board was now going to have public input.

Chairman Abdullah—Mr. Abdullah said that he thinks that the public has commented in the 'chat' box, and that he was not ready to move on this case. He made a motion to table this case in order to get community input.

Shirley Wallace—Ms. Wallace seconded the motion.

Chairman Abdullah—Mr. Abdullah asked Ms. Battle for a date for a Zoom meeting with the public. He suggested the week of January 11-18, 2021.

Michele Battle—Ms. Battle said that in the community meetings which she has held, she usually does not ask Planning Commission members to attend due to their quasi-judicial role.

Mike Williams, City Attorney—Mr. Williams clarified that the Planning Commission members would just need to listen at the community meeting, otherwise it would be an official Planning Commission meeting.

Michele Battle—Ms. Battle suggested just providing a recording.

Chairman Abdullah—Mr. Abdullah said that he wanted to just listen, not participate.

Shirley Wallace—Ms. Wallace said that she thought that the Planning Commission members should attend the community meeting because this would show citizens that the members were "working for them", and that the "interest of citizens comes before anything."

Mike Williams—Mr. Williams suggested that the community meeting be the "public hearing"—that the date of the community meeting could be used as the public hearing for this case.

Linda Logan—Ms. Logan pointed out that there might be other cases at a regular Planning Commission meeting.

Michele Battle—Ms. Battle said that she wanted a free-flow meeting without the structure of a formal meeting.

Chairman Abdullah—Mr. Abdullah agreed that a community meeting should be held. He said that he wanted to make a decision to benefit the community. He left it up to Ms. Battle to set up the meeting and notify the Planning Commission members of when it would take place. He made a motion to table this case until the next Planning Commission meeting, which was scheduled for January 28, 2021.

Shirley Wallace—Ms. Wallace seconded the motion.

All Planning Commission Members—The members voted unanimously to approve the motion.

[NOTE: After the meeting was over, e-mail communications took place between Ms. Battle, City staff, and Chairman Abdullah concerning the next meeting date for this case. It was agreed by all that this case should be deferred for two months rather than just one, until the scheduled February 25, 2021 Planning Commission meeting. The reasons for the delay were to allow ample time for 1) the desired Community Meeting to take place; and 2) the applicant to get a traffic study completed by an engineer. Ms. Battle said that she wanted the traffic study to be completed before the Community Meeting took place so that she could present the results of the study to the citizens.]

3. **Zoning Modification Case #ZM-2020-01** -- Rick Martin of Pulte Group/Pulte Georgia Homes Division requests a Zoning Modification for the purpose of modifying the previously-approved 1996 Development Agreement and Master Plan for the former Aberdeen Village / Brentwood Subdivision to allow for the construction of a residential development containing single-family detached and single-family attached units. The property is located in Land Lots 25, 40, and 41 of District 12 within the Stockbridge City Limits, with frontage on the north side of Walt Stephens Road, between Speer Road and Brentwood Parkway. It contains 155.2 +/- acres and is identified as Parcel #013-01019000.

Linda Logan, Senior Planner, read the above description of Zoning Modification Case #ZM-2020-01 into the record. She did not make a presentation of the case.

QUESTIONS AND COMMENTS FROM BOARD MEMBERS, THE APPLICANT, AND CITY STAFF:

Randy Knighton, City Manager—Mr. Knighton explained that this case was a “complicated matter”, and that new information was received from the applicant within the last couple of days, which did not allow the City staff to review and analyze it. He said that he had raised these concerns to the applicant, Rick Martin.

Chairman Abdullah—Mr. Abdullah said that he understood.

Rick Martin, Applicant from Pulte Homes—Mr. Martin said that he agreed, in the interest of clarity and scope, and that he would meet with the Staff to work through the various issues of this case.

David Planchon—Mr. Planchon asked about the timeframe for hearing this case again.

Randy Knighton—Mr. Knighton suggested that this case be deferred until the next Planning Commission meeting, which was scheduled for January 28, 2021.

Shirley Wallace—Ms. Wallace made a motion to table this case until the next meeting.

Stanley Dumas—Mr. Dumas seconded the motion.

All Planning Commission Members—The members voted unanimously to table this case until their next meeting on January 28, 2021.

[NOTE: *In an e-mail message to the City on January 18, 2021, Rick Martin, the applicant for ZM-2020-01, stated that due to the unresolved issues of this case, he would no longer be pursuing it. The Staff replied by offering to meet with him again to try to work out the issues, but no response was received. The Staff also requested that Mr. Martin submit to the City a formal Letter of Withdrawal, but no response was received.]*

VIII. STAFF COMMENTS – Randy Knighton, City Manager, expressed his thanks to the Planning Commission members for the service which they provide.

IX. BOARD COMMENTS – [None]

X. ADJOURNMENT – Adjournment occurred by a unanimous vote of the Planning Commission members at 8:28 p.m.



***REZONING FOR A PROPOSED SUBDIVISION
ON BRANNAN ROAD AND NORTH SALEM DRIVE:
FROM 'RA' TO 'R-3'***

CASE FACTS

Applicant:	Neil Koelbl.
Agent:	Moore Bass Consulting.
Location:	Located along the east side of Brannan Road and the south side of North Salem Drive in southeast Stockbridge, at the eastern edge of the City Limits, in Land Lot 29 of District 7.
Parcel ID:	Previously included five parcels, which were officially combined into one parcel at the December 17, 2020 Planning Commission meeting via Recombination Plat Case #RC-2020-03: • Parcel #088-02049000 (at 732 Brannan Road) • Parcel #088-02049005 (a large parcel on Brannan Road, which also includes a tiny, 0021-acre, triangular-shaped tract of land at the northeast corner of Brannan Road and North Salem Drive, inside the Stockbridge City Limits) • Parcel #088-0205000 (at 664 Brannan Road) • Parcel #088-02051000 (at 618 Brannan Road) • Parcel #088-02045000 (located on the south side of North Salem Drive).
Lot Size/Acres:	73.71 total acres , per property records data from the Henry County Tax Assessors' Office for each parcel.
Request:	Rezone property from 'RA' (Residential-Agricultural) to 'R-3' (Single-Family Residential).
Proposed Use/ Purpose	Development of a subdivision with 139 single-family detached homes under R-3, at a gross density of 1.89 dwelling units per acre and a net density of 3.09 dwelling units per acre.
Existing Land Uses:	Include a single-family home, two mobile homes, a cell tower, minor agricultural uses (a silo and farm shed), a flood plain area, a small pond, and a vacant, wooded area.
Zoning History:	Recombination Plat Case #RC-2020-03 was approved by the Planning Commission on December 17, 2020 to allow five parcels of

land which comprised the subject property to be combined into one parcel. No other previous rezoning cases were found. The parcel at 732 Brannan Road was annexed into the City in 2004, including the cell tower.

Future Land Use Designation: Low-Density Residential, which allows 1.25 to 2.0 dwelling units per acre.

Road Access: Brannan Road and North Salem Drive.

Signs Posted: Three signs were first posted on the property on October 26, 2020 at 2:56 p.m.—one on North Salem Drive, one at 732 Brannan Road, and one at 618 Brannan Road. After the case was deferred, overlay strips with new dates were posted on November 23, 2020 at 3:45 and December 7, 2020 at 1:50 p.m. After another deferral, additional overlay strips were posted on February 1, 2021 with the newest meeting dates of February 25, 2021 for the Planning Commission and March 8, 2021 for the Mayor/City Council meeting.

Planning Commission Meeting: February 25, 2021 (deferred from meetings on December 17, 2020 and November 19, 2020).

Council Meeting: March 8, 2021

EXECUTIVE SUMMARY

Applicant's Request. The applicant wishes to develop a subdivision with 139 single-family detached homes on property which is located at the east side of Brannan Road and the south side of North Salem Drive. For such purpose, the applicant is requesting the rezoning of the property from its current RA (Residential-Agricultural) zoning district classification to the requested 'R-3' zoning district classification. To allow for the subdivision, the previously-existing five parcels of land were officially combined, upon the request by the same applicant, to form one parcel via Recombination Plat Case #RC-2020-03. The proposed name of the subdivision is "The Reserve at Hickory Hills."

Property Location. The subject property is located at the eastern edge of the Stockbridge City Limits, on the eastern side of Brannan Road. County land surrounds the property on three sides--to the north, east, and south. A small portion of the property is located on the south side of North Salem Drive, which is a very narrow and curvy road.

Property Composition and Land Use. The subject property contains about 73.71 total acres of land. It previously consisted of five parcels, as are listed in Table 1 on the next page, before Recombination Plat Case #RC-2020-03 was approved on December 17, 2021 by the Planning Commission.

The property is mostly vacant, except for rural residential uses at 732, 664, and 618 Brannan Road; and minor agricultural uses along Brannan Road. A floodplain area is located near the center of the property, and a small pond is located near the southwest corner.

An existing cell tower is located at 732 Brannan Road. According to information from the Henry County Planning Department, the tower was built in 2000 by Sprintcom, Inc./Sprint PCS, although no conditional use permit was required. Henry County Tax Assessor records show that Sprintcom still owns the tower but it is leasing the underlying land from the owner of 732 Brannan Road. Further, AT&T is currently operating equipment which it co-located on the tower under a lease with Sprintcom.

TABLE 1: PREVIOUS PARCELS COMPRISING THE SUBJECT PROPERTY

PARCEL ID#	ADDRESS OR LOCATION	DESCRIPTION
088-02049000	732 Brannan Road	Features a residence and a cell tower.
088-02050000	664 Brannan Road	Features a residence.
088-02051000	618 Brannan Road	Features a residence.
088-02049005	Large parcel on Brannan Road	Features a silo and minor agricultural uses.
088-02045000	Small parcel on North Salem Drive	Is vacant and heavily wooded, with a steep embankment.

Surrounding Land Use and Zoning. Table 2 on the next page summarizes the surrounding land uses and zoning districts. They include single-family homes and mobile homes, minor farm uses, several platted subdivisions, and vacant land. Except for property to the west, the surrounding properties are located outside of the Stockbridge City Limits.

Two existing subdivisions which are located directly across from the subject property, on the west side of Brannan Road, are the Clark Meadows Subdivision (platted in 2007) and the Moss Pointe Subdivision (platted in 2001). Their properties are zoned 'PD' and 'R-2', respectively. They feature larger lots in the front, along Brannan Road (lots with at least 15,000 square feet), and smaller lots in the rear (lots with 6,500 and 7,500 minimum square feet). Several other subdivisions are located in the vicinity, including the Country Acres Subdivision, which borders the subject property to the southeast, outside of the City.

TABLE2: SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Scattered single-family houses and minor farm uses	Outside of the City
Property to the Southeast	Country Acres Subdivision	Outside of the City
Property to the East	Scattered single-family houses and vacant land	Outside of the City
Property to the West	Clark Meadows Subdivision (formerly Sprayberry Station) and vacant land	PD (Planned Development)
Property to the Southwest	Moss Pointe Subdivision and vacant land	R-2 (Single-Family Residential)

R-3 District Purpose and Requirements. Section 12.02.034 of the Zoning Code states that the purpose of the 'R-3' District "is to provide for single-family residential development on smaller lots where public sewer systems are provided when part of a planned development project." Cluster home developments and manufactured homes are also permitted in this district.

Table 3 below shows the R-3 District's requirements, in comparison to the requirements of the property's current 'RA' zoning classification. The R-3 District requires minimum lot sizes of 12,000 square feet, minimum lot widths of 75 feet, and minimum house sizes of 1,050 square feet. The applicant's revised site plan, dated December 4, 2020, shows that the developer would comply with all of the requirements of the R-3 zoning district.

TABLE 3: COMPARISON OF 'RA' and 'R-3' DISTRICT REQUIREMENTS

District Requirements	Existing 'RA' District	Proposed 'R-3' District
Minimum Lot Size	2 acres for new subdivisions	12,000 SF / 0.28 acres
Minimum Lot Width	200 feet (with County sewer)	75 feet
Minimum Front Yard Setback	75 feet	50 feet
Minimum Side Yard Setback	20 feet	10 feet
Minimum Rear Yard Setback	40 feet	40 feet
Minimum Heated Floor Area (House Size)	1,000 square feet for new subdivisions	1,050 square feet

Development Regulations Relevant to Request:

- City of Stockbridge Unified Development Code (including the Zoning Code and the Subdivision Ordinance).
- All other City Code sections regarding site development standards and requirements.

Proposed Development. The original site plan was dated December 4, 2020. Revisions were then made on January 15, 2021 (to account for the completion of the traffic impact study) and again on February 17, 2021 (to account for the second revision of the site plan, which included a community center amenity area). The applicant held two private meetings with citizens who live or own property within the vicinity. The meetings took place on January 21, 2021 and February 18, 2021. Some modifications to the site plan and other changes to the development proposal were made as a result of these meetings, which were not official City meetings.

The latest site plan shows that the developer would build 139 single-family homes in the proposed subdivision, to be named “The Reserve at Hickory Hills.” The overall density would be 1.89 dwelling units per acre and the net density would be 3.09 units per acre. To account for the existing pond, right-of-way areas, floodplain areas, and planned open space, only 44.96 acres of the site would actually be developable. The existing pond and proposed open space areas would comprise 19.69 acres of the site. Originally, the developer wanted to build 153 homes, but this would have exceeded the maximum allowable density of two units per acre under the property’s future land use designation of Low-Density Residential; thus six homes were eliminated from the site plan. The 153 homes were quickly reduced to 147 homes to comply with the maximum allowable density of the R-3 district, and it has now been reduced again to 139 homes to allow for the provision of a community center amenity area near the center of the property.

Regarding public utilities, a letter from Henry County Water Authority, dated August 5, 2020, stated that water service is available on the property, but that the developer would be required to extend a sewer line to serve the site. This might also require that easements be obtained.

The applicant’s latest site plan shows that the proposed subdivision would have a boulevard-style access off Brannan Road, south of Sprayberry Drive. This would be similar to the existing boulevard-style access which the Clark Meadows Subdivision has off Sprayberry Drive. The applicant originally proposed to provide a secondary access off North Salem Drive, but that was eliminated due to safety concerns because of the fact that North Salem Drive is a very narrow, curvy road. In addition, the main access to the property was originally to be located directly across from Sprayberry Drive, but it was moved farther south in order to relieve potential traffic congestion.

Proposed Site Design. The proposed subdivision would have a traditional design. The current site plan shows that the subdivision would have only one entrance, to be located south of Sprayberry Drive, which would be acceptable to the City’s Fire Marshal. The entrance would be boulevard-style and it would include acceleration/deceleration lanes to facilitate turning movements. Tree plantings would be located along Brannan Road. The existing pond, cell tower, and open space area near the center of the property would remain. The site plan states that 19.89 acres would be proposed open space. A fence would be installed at the northern property line, and a 30-foot-wide buffer would surround the

property. Altogether, only 44.96 acres of the site would be developable due to the presence of the existing pond and floodplain, as well as the required easements and rights-of-way. Two amenity areas would be provided on the site. One would be located near the center of the site, and the other one would encompass the existing pond in the southwest corner of the site.

Proposed Amenities. Various types of passive and active amenities would be included in the subdivision. A community center amenity area would be located near the center of the site. It would include a 2,000-square-foot swimming pool with a shade structure, a pavilion, a playground, an open lawn, a firepit, and a parking lot with 47 parking spaces. A pond amenity area would be provided at the southwest corner of the site, near the existing pond. A walking trail would be provided and the existing dock would remain. The amenity area would include a pavilion, a fire pit, and bocce ball courts. A mail kiosk would also be present in the amenity area, adjacent to a cul-de-sac street near the entrance to the subdivision.

Lot Sizes. The proposed site plan provides the following lot size data:

1. The average lot size would be 14,086 square feet.
2. Some lots would have the 'R-3' minimum requirement of 12,000 square feet.
3. About half of the lots on the site would have between 15,000 and 20,000 square feet.
4. Eleven lots adjacent to Brannan Road would have at least 15,000 square feet. This would mirror the sizes of the lots within the Clark Meadows Subdivision that are located along Brannan Road.
5. All lots would comply with the 'R-3' District requirements by being at least 75 feet wide and having the following yard setbacks: 50 feet in the front, 10 feet at the side, and 40 feet in the rear.

Architectural Design. Although the requested 'R-3' district allows homes to have heated areas of only 1,050 square feet, the applicant is proposing to build homes having a minimum of 2,000 square feet of heated space. Each home would have a two-car garage, at a minimum, which is a City-wide requirement anyway. The applicant proposes that all four exteriors of each home be comprised of brick. Vinyl-based materials would only be allowed on the soffits, eaves, and fascia. However, the developer should ensure that the Architectural Standards of City Ordinance #OR18-452 are met. All disturbed areas of the residential lots would be sodded, except for areas where landscaping is present or is installed.

Anticipated Traffic Impacts. A traffic impact study was prepared by a traffic engineer on behalf of the applicant on January 20, 2021 by Marc R. Acampora, PE, LLC. It assumed that the subdivision would consist of 147 new homes and that the access to the subdivision would be located south of Sprayberry Lane, which the applicant has proposed. The goals of the study were to determine the existing traffic operating conditions in the vicinity; to project future traffic volumes; to assess the impacts of the proposed development; and to prepare conclusions and recommendations to mitigate any anticipated traffic impacts while ensuring safe and efficient traffic conditions within the vicinity of the subdivision.

In analyzing the existing traffic conditions within the vicinity of the subject site, the traffic engineer found that Brannan Road is classified as a "local rural road" by Georgia DOT and as

a “collector” by the Henry County DOT. In 2019, Georgia DOT recorded an Annual Average Daily Traffic (AADT) volume of 3,600 vehicles per day (VPD) on Brannan Road, south of Radcliffe Drive. Then on Thursday, January 7, 2021, a 24-hour bi-directional traffic volume count was taken. It revealed a northbound volume of 1,278, a southbound volume of 1,392, and a 24-hour volume of 2,670 VPD. Traffic volume counts were taken at two intersections—Brannan Road at Sprayberry Lane and Brannan Road at North Salem Drive. Schools in the area were not open for the day. The traffic counts were taken during the 7:00 to 9:00 a.m. morning peak hour and again during the 4:00 to 6:00 p.m. afternoon peak hour on January 7, 2021.

To take into account the effects of the existing coronavirus pandemic, the traffic engineer stated that some adjustment factors were applied. The traffic count which was taken by Georgia DOT in 2019 on Brannan Road south of Radcliffe Drive was compared to the recent traffic count which was taken by the traffic engineer at the proposed entrance to the subdivision. The two traffic count locations are approximately 3,000 feet apart, thus the resulting traffic counts were expected to be similar. The 2019 Georgia DOT AADT was 3,600, and the five-year average growth rate was decreasing and was at zero percent as of the last traffic count. Therefore, the traffic engineer concluded that the 2019 traffic count would be comparable to a 2020 traffic count that would be expected without the pandemic. The 24-hour traffic count that was done on January 7, 2021 was 2,670. The 2019 Georgia DOT traffic count was 34.8 percent higher than was the January 7, 2021 traffic count. Based on this comparison, the traffic engineer stated that the January 7, 2021 traffic volumes were increased by 25 percent to account for the coronavirus pandemic. That was less than the 34.8 percent difference between the two traffic counts since the pandemic may have long-lasting effects on traffic volumes due to more people working from home and some children being home-schooled.

The intersection analysis that was undertaken by the traffic engineer revealed that traffic operations would be excellent at both of the intersections that were studied (Brannan Road at North Salem Drive and Brannan Road at the subdivision entrance), operating at Service Level ‘A’, which is the most efficient level. Therefore, the traffic engineer felt that no traffic mitigation measures need to be taken for the existing condition.

Regarding future traffic conditions, the traffic engineer identified a transportation improvement project in the area which has been programmed (funded and scheduled). It is the widening of U.S. Route 23 from Downtown McDonough to S.R. 138, from two to four through lanes. However, the traffic engineer stated that this improvement is not expected to have much impact on Brannan Road. Traffic volumes have been decreasing in the vicinity for Brannan Road and Campground Road.

The traffic impact study states that the proposed subdivision would be anticipated to generate 109 new trips in the a.m. peak hour, 147 new trips in the p.m. peak hour, and 1,482 new daily trips. The installation of left-turn lanes into and out of the subdivision will be required. Since the Henry County Unified Land Development Code classifies Brannan Road as a “collector”, a northbound right turn lane will be required to be installed. Further, Georgia DOT will require the installation of a southbound left turn lane since the subdivision

is expected to generate 482 left turn vehicles. This would be more than the 250-vehicle threshold for requiring left turn lanes. Therefore, the subdivision must have one entering lane and one exiting lane. Further, the exiting lane should have a stop sign and a stop bar.

The projected future intersection operations showed that most turning movements would operate at Level of Service (LOS) 'A', with a few 'Bs'. The future analysis revealed "excellent traffic operations." No traffic mitigation measures are needed, said the traffic engineer, other than the required turn lanes. At signalized intersections, LOS 'A' has a delay of 10 seconds or less per vehicle at an intersection, while LOS 'B' has a delay of 10 to 20 seconds per vehicle. At unsignalized intersections, LOS 'A' has a delay of 0-10 seconds per vehicle and LOS 'B' has a delay of more than 10 seconds and up to 15 seconds per vehicle.

A synopsis of the conclusions and recommendations of the traffic impact study is provided below.

1. The existing operations at the intersections which were evaluated are excellent, thus no traffic mitigation measures are currently needed.
2. "Traffic volume growth in this area has been minimal and this is expected to continue in the future."
3. Based on the previously-proposed 147 new homes, the subdivision was expected to generate 109 a.m. peak hour trips, 147 p.m. peak hour trips, and 1,482 weekday trips.
4. With new trips from the proposed subdivision, only minor increases in traffic delays are expected; yet traffic operations in the vicinity are still expected to be excellent. No traffic mitigation measures are needed other than the required turn lanes.
5. Henry County will require the installation of a northbound right-turn lane onto Brannan Road at the subdivision's entrance, and Georgia DOT would require the installation of a left turn lane at the entrance.
6. The subdivision access should have one entrance lane and one exit lane (or as required by local codes). The exiting lane should be controlled by a side street stop sign and an accompanying stop bar.
7. All traffic design standards should be complied with.

ANALYSIS OF REQUEST – Based on Nine Criteria (Sec.12.02.09.C.2):

Criterion #1: Consistency with the Comprehensive Plan.

The Stockbridge Future Land Use Map of the City's adopted Comprehensive Plan (2019-2038) shows that the subject property's future land use designation is "Low-Density Residential", which allows a density of 1.25 to 2.0 dwelling units per acre. The proposed subdivision would be a residential use of the property, and the proposed 139 new homes would allow the property's density to meet the maximum limit of 2.0 dwelling units per acre.

Criterion #2: The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of the City of Stockbridge Zoning Code.

The proposed amendment to rezone the subject property from 'RA' to 'R-3' would be reasonable by allowing a residential subdivision to be developed, which is a stated purpose of the 'R-3' District. The proposed lot sizes would be compatible with the lots sizes of the Clark Meadows and Moss Pointe Subdivisions that are located directly across from the subject property. In particular, the site plan shows that the eleven lots which would have frontage on Brannan Road would all have lot sizes of 15,000 square feet or more, which

would be comparable to the lot sizes in the Clark Meadows and Moss Pointe Subdivision for their lots which are located along Brannan Road.

Criterion #3: Potential positive effects of the amendment on the character of the proposed zoning district, a particular piece of property, neighborhood, a particular area, or community.

The proposed rezoning would enable the property to be developed in a type of use that is more suitable than the uses that are allowed under the property's existing 'RA' classification due to the presence of several other subdivisions adjacent to the property and in the immediate vicinity. Further, it is unlikely that further rural residential and agricultural uses would be developed on the property.

Although the requested R-3 district allows homes to have a minimum of 1,050 square feet of heated space, the applicant is proposing to build homes having a minimum of 2,000 square feet, which would be nearly double that size. The larger homes should enhance the visual appeal of the neighborhood. The applicant also intends to use brick on the exteriors of all four sides of each home.

The applicant's proposed amenities would be beneficial to the residents of the subdivision by offering them a variety of leisure and recreational opportunities. A homeowner's association or property management company must maintain them.

Criterion #4: The physical conditions of the site relative to its capability to be developed as requested, including topography, drainage, access, and size and shape of the property.

The applicant has designed the proposed subdivision in a manner that would be compatible with the existing features of the subject property. The latest version of the site plan (the second revision on 2/17/21) shows that the existing floodplain area in the center of the property would be preserved as open space with walking trails, and that it would be used to create a community center amenity area. The existing pond would also remain, and it also would become the focal point for an amenity area.

Criterion #5: The impact upon adjacent property owners should the request be granted.

The proposed subdivision would be compatible with the two other subdivisions that are located across Brannan Road from the subject property. Several vacant tracts are also located in the vicinity, thus the proposed new homes would not be located in close proximity

to other nearby homes. The applicant is planning to provide fencing along the north side of the property as a protection for the adjacent rural residential and farmland uses on North Salem Drive.

Criterion #6: The potential impact of the rezoning on City infrastructure including water and sewage system.

The applicant has submitted a letter from the Henry County Water Authority, dated August 5, 2020, as part of the rezoning application, to indicate the availability of satisfactory available water and sewerage facilities to serve the site. The letter states that water service is available to the property, and that a fire flow test that was calculated in the area indicated that the results were above the minimum required standards for residual pressure.

Regarding sewer facilities, the letter stated that sewage treatment and sewer line capacity are also presently available to the property. But the letter states as follows: “However, an offsite sanitary sewer line extension is required at the developer’s expense. The offsite sewer line extension may require acquisition of easements at the developer’s expense.” The letter further stated that the availability of water and sewer services to the property would be re-evaluated at the time when development plans are submitted.

The applicant has also submitted a letter from Henry County Schools’ McDonough District Office, which projects the impact of the proposed project on the school system. Children/students from the proposed subdivision would attend Hickory Flat Elementary School, Union Grove Middle School, and Union Grove High School. Calculations were made on the basis of two students per dwelling unit and twenty-five students per classroom. If 139 homes are built (the letter was based on 156 homes being built), then the subdivision would have an estimated 278 students, which would require eleven new classrooms. However, because the proposed development would consist of single-family homes, property taxes that the new residents would pay would likely help to offset any needed capital improvement costs to accommodate the additional students and help to lessen any burden that might be placed on the school system.

Criterion #7: The impact of the proposed amendment on adjacent thoroughfares and pedestrian and vehicular circulation and traffic volumes.

The traffic impact study which was completed on January 20, 2021 by a traffic engineer on behalf of the applicant reported the findings of traffic counts that were taken on January 7, 2021 and compared them to traffic counts which were taken by Georgia DOT in 2019 in the vicinity. The traffic engineer examined the existing traffic conditions in the vicinity, analyzed turning movements at two intersections (Brannan Road at North Salem Drive and Brannan Road at Sprayberry Drive), made adjustments for the current coronavirus pandemic (which have affected local traffic conditions), researched planned transportation improvements,

and made projections of future traffic conditions in the vicinity, both with and without the presence of the proposed subdivision.

The traffic engineer found that existing traffic conditions are “excellent”, and that traffic volumes in the vicinity of Brannan Road and Campground Road have actually been decreasing. The programmed widening of U.S. 23 through the vicinity is not anticipated to have much effect on traffic conditions on Brannan Road.

The traffic impact study states that the proposed subdivision is anticipated to generate 109 new trips during the morning peak hour, 147 new trips in the afternoon peak hour, and 1,482 new daily trips. Due to the classification of Brannan Road as a “collector” by Henry County, a northbound right turn lane would be required to be installed at the subdivision’s entrance. In addition, Georgia DOT would require that a southbound left turn lane be installed since the subdivision is expected to generate 482 left turn vehicles. Both entering and exiting lanes must be provided, and the exiting lane must be controlled by a side street stop sign and stop bar. The intersection analysis revealed projected Levels of Service ‘A’ and ‘B’ after the proposed subdivision is developed. Further, the development of the subdivision is expected to result in only minor increases in traffic delays, and traffic operations within the vicinity are still expected to be excellent. For these reasons, no additional traffic mitigation measures were felt to be needed, other than the required turn lanes.

To facilitate pedestrian movements, sidewalks should be installed along the internal subdivision streets.

Criterion #8: The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Planning Commission and City Council may use in furthering the objective of the comprehensive plan.

The approval of the requested rezoning would allow the subject property to be developed in a similar type of use as the surrounding area.

The applicant or the developer would need to submit a subdivision application to the City if and when the proposed rezoning is approved. The applicant or the developer would also need to submit an application for a land disturbance permit for the entire subdivision, as well as land disturbance and building permit applications for each proposed lot and home to be built.

The requested rezoning of the property, as well as the subsequent acquisition of development permits from the City, is subject to the following timing restrictions from the Zoning Code:

12.12.003 *Expiration of Approvals.*

A. Amendment of the Official Zoning Map (Rezoning).

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1. After an approval has been granted for an amendment to the official zoning map to create or extend any zoning district, the applicant, agent or property owner has eighteen (18) months in which to make substantial progress in developing the property.
 2. Substantial progress shall mean the point of construction at which time the first inspection is carried out.
 3. If no substantial construction or alteration of the property or other affirmative action to develop the property has occurred within eighteen (18) months of the granting of an application for rezoning, the zoning advisory board may review the situation and report its findings with recommendations to mayor and council. The council may change the zoning category to its prior or other appropriate zoning district classification at a public hearing.

B. Development Permits.

1. If construction described in a development permit has not commenced within twelve (12) months from the date of issuance, the permit shall expire. However, the permit may be extended for an additional twelve (12) months, upon payment of the permit fee for such extension.
2. If construction described in the development permit is suspended after work has commenced, the permit shall expire twelve (12) months after the date the work ceased. In cases of permit expiration due to abandonment or suspension of work, the landowner shall be required to restore topography to its original contours and restore vegetation as determined by the development director.

Criterion #9: The ability of the subject land to be developed as it is presently zoned.

Due to the property's location in the midst of other subdivisions, it is not likely that further rural residential or agricultural development would occur on the property. It is instead reasonable to believe that further subdivision development would occur in the vicinity. The most appropriate use for the site is single-family residential. Due to the presence of a floodplain near the center of the site, it would be appropriate to allow for that area to remain as open space.

RECOMMENDATIONS

Staff recommends the **APPROVAL** of the rezoning of the subject property to the requested 'R-3' zoning district classification, contingent upon the developer meeting the **ZONING CONDITIONS** that are listed below. Where these conditions conflict with the stipulations and offerings that are contained within the applicant's Letter of Intent, these conditions shall supersede unless specifically stipulated by the Mayor and Council.

1. **Regarding the site plan --** The subdivision shall be developed in accordance with the submitted revised site plan that was received by the City of Stockbridge Department of Community Development, entitled "Conceptual Site Plan / Brannan Road Tract", comprising Sheet #1.1, as was prepared by Moore Bass Consulting on December 4, 2020 and which comprises the second revision, which was prepared on February 17, 2021
City of Stockbridge, GA Community Development Department (770) 389-7900 February 24, 2021

(after the first revision was prepared on January 15, 2021). Said plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event that the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to complete the concept review procedure prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

2. Regarding subdivision design:

- a. The developer shall construct an offsite sanitary sewer line extension to the property, at the developer's expense, in cooperation with the Henry County Water and Sewer Authority. This may require that the developer acquire any needed easements, also at the developer's expense."
- b. The subdivision entrance from Brannan Road shall be located south of Sprayberry Drive. It shall be boulevard-style with monument signage located outside of the public right-of-way. Such signage shall incorporate a water feature in its design.
- c. The developer shall construct acceleration/deceleration lanes off Brannan Road, at the entrance to the subdivision, in compliance with Henry County DOT specifications.
- d. The developer shall comply with all requirements of the City's Subdivision Ordinance.
- e. A maximum of 139 lots and 139 single-family detached homes shall be constructed on the property.
- f. All lots that are located adjacent to Brannan Road shall have at least 15,000 square feet.
- g. A homeowner's association shall be established, or a property management company shall be secured, for the purpose of maintaining all common areas of the site.

3. Regarding landscape design:

- a. A fence (wooden or vinyl-coated chain link) shall be constructed along the northern boundary of the property.
- b. A minimum of 20 percent (20%) of the site shall be preserved as open space. The existing floodplain area, pond, and other open space areas shall be preserved, and they shall include walking paths that are constructed of pervious materials.
- c. The subdivision shall contain both a community center amenity area near the center of the site and a pond amenity center which encompasses the existing pond.

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- d. The proposed community center amenity area shall include a minimum of the following amenities: a 2,000-square-foot swimming pool with a shade structure, a pavilion, an open lawn, a walking trail, a playground, and a fire pit; plus a parking lot with 47 parking spaces.
 - e. The proposed pond amenity area shall include a minimum of the following amenities: a walking trail, a pavilion, bocce ball courts (or a similar type of active recreational facility), a fire pit, and a central mail kiosk with a vehicle pull-off area.
 - f. The proposed amenities shall be installed or constructed after 50 percent of the dwelling units have been constructed, and before any land disturbance permits are issued for the development of additional lots.
 - g. The developer shall provide a minimum 30-foot-wide buffer around the perimeter of the property boundary, with the exception of areas that are required for access or utility connections.
 - h. The developer shall provide a landscaping plan which shall comply with the requirements of the City's Landscaping, Buffers and Tree Protection Ordinance.
 - i. Sidewalks that are at least four (4) feet wide shall be installed along at least one side of each internal subdivision street.
 - j. All disturbed areas of the residential lots shall be sodded, except for areas where landscaping is present or is installed.

4. Regarding architectural design:

- a. All homes shall have a two-car garage, at a minimum.
- b. All homes shall have a minimum of 2,000 square feet of heated space.
- c. All homes shall have brick exteriors on all four sides.
- d. All homes shall have exteriors which further comply with the Architectural Standards of City Ordinance #OR18-452.

5. Regarding procedural matters:

- a. The applicant or developer shall submit a subdivision application for review and approval by the Planning Commission after the rezoning of the property is approved.
- c. An official subdivision plat shall be approved by the City and shall be recorded with the Henry County Superior Court before any land disturbance or building permits may be issued by the City to develop the subdivision.

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- d. In compliance with Section 12.12.003(A) of the City's Zoning Code ("Expiration of Approvals"), the zoning classification of the property may revert back to 'RA', or to some other zoning classification after a period of eighteen (18) months, if the Mayor and City Council chooses, if "substantial progress" has not been achieved in the construction of the subdivision, whereby the first inspection is carried out.
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City of Stockbridge Planning and Zoning Staff

RECOMMENDATION:

APPROVAL of the rezoning of the subject property to 'R-3' (Single-Family Residential District), contingent upon the ZONING CONDITIONS that are listed above being met by the applicant and/or the developer.

City of Stockbridge Planning Commission

RECOMMENDATION:

City of Stockbridge Mayor and Council:

ACTION:
