

**STOCKBRIDGE
PLANNING COMMISSION
BOARD MEMBERS**

Stanley Dumas, Vice Chair

David Planchon

Anthony Mitten

Harold Thibodeaux

Matthew Thomas

Jayden Williams

ADMINISTRATION

Ryan Anderson

Community Development Director

Keedra Jackson

Chief Planner

Linda Logan

Senior Planner, Secretary

Gordon Linton, Planner I

Valerie Ross, Attorney

Planning Commission Meeting Agenda June 20, 2024 6:30 PM



STOCKBRIDGE CITY HALL

4640 NORTH HENRY BLVD.

STOCKBRIDGE, GA 30281

Website: www.stockbridgega.org

Phone: 770-389-7900

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AGENDA PLANNING COMMISSION MEETING CITY OF STOCKBRIDGE

THURSDAY, JUNE 20, 2024 6:30 PM

- I. Roll Call**
- II. Call to Order**
- III. Invocation**
- IV. Pledge of Allegiance**
- V. Adoption of the Agenda**
- VI. Approval of Minutes**
 - Approval of the Planning Commission Minutes for May 16, 2024**

NEW BUSINESS

Item # 1 - COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-02. (Council District 4)

The City of Stockbridge Planning Commission will hold a public meeting on Thursday, June 20, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for a Comprehensive Plan Amendment for property at 111 Old Conyers Road to change the property's future land use designation of "Low-Density Residential" to "Special Purpose" to allow for the construction of a mixed-use development, including commercial and residential uses. The applicant is Charlie

Hightower, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.

Presented by: Keedra Jackson

Item # 2 - REZONING CASE #RZ-2024-02. (Council District 4)

The City of Stockbridge Planning Commission will hold a public meeting on Thursday, June 20, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, July 8, 2024 at 6:00p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for the Rezoning of property at 111 Old Conyers Road, to rezone the property from 'SR' (Suburban Residential) to 'PUD' (Planned Unit Development) to allow for the construction of a mixed-use development, including commercial and residential uses. The applicant is

Charlie Hightower, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.

Presented by: Keedra Jackson

Item # 3 - VARIANCE CASE #VR-2024-01. (Council District 4) Variance to reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. The City of Stockbridge Planning Commission will hold a public meeting on Thursday, June 20, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for three variances, for property at 111 Old Conyers Road, to allow for the construction of a mixed-use development, including commercial and residential uses. The applicant is Charlie Hightower, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.

Presented by: Keedra Jackson

Item # 4 - VARIANCE CASE #VR-2024-02. (Council District 4) Variance Request VR-2024-02 - Variance to modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%. The City of Stockbridge Planning Commission will hold a public meeting on Thursday, June 20, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for three variances for property at 111 Old Conyers Road, to allow for the construction of a mixed-use development, including commercial and residential uses. The applicant is Charlie Hightower, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.

Presented by: Keedra Jackson

Item # 5 - VARIANCE CASE #VR-2024-03. (Council District 4) Variance to increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre. The City of Stockbridge Planning Commission will hold a public meeting on Thursday, June 20, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for three variances for property at 111 Old Conyers Road, to allow for the construction of a mixed-use development, including commercial and residential uses. The

applicant is Charlie Hightower, on behalf of First National Land Trust, LLC. The property is located in Land Lot 68 of District 12, with 6.71 +/- acres within the Stockbridge City Limits.

Presented by: Keedra Jackson

STAFF COMMENTS

BOARD COMMENTS

ADJOURN



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.



SUMMARY MINUTES
PLANNING COMMISSION
 THURSDAY, MAY 16, 2024 AT 6:30 p.m.

BOARD MEMBERS:

Stanley Dumas, Chairman
 Anthony Mitten, Vice Chairman
 Harold Thibodeaux
 David Planchon
 Jayden Williams
 Matthew Thomas

ADMINISTRATION:

Ryan Anderson, Comm. Dev. Director
 Valerie Ross, City Zoning Attorney
 Vanessa Holiday, City Clerk
 Keedra Jackson, Chief Planner
 Linda Logan, Senior Planner
 Gordon Linton, Planner I

I. CALL TO ORDER – Made by Stanley Dumas as 6:30 p.m.

II. INVOCATION – Led by Matthew Thomas.

III. PLEDGE OF ALLEGIANCE – Done in unison.

IV. ROLL CALL:

	Present:	Absent:
~ Stanley Dumas	_____X_____	_____
~ Anthony Mitten	_____X_____	_____
~ Harold Thibodeaux	_____X_____	_____
~ David Planchon	_____X_____	_____
~ Jayden Williams	_____	_____X_____
~ Matthew Thomas	_____X_____	_____

V. ADOPTION OF THE AGENDA

A motion to adopt the agenda was made by Harold Thibodeaux, and it was seconded by David Planchon. A vote was taken, and the agenda was unanimously adopted.

VI. APPROVAL OF MINUTES – April 18, 2024 Summary Minutes.

A motion to approve the April 18, 2024 Summary Minutes was made by Anthony Mitten, and it was seconded by Matthew Thomas. A vote was taken, and the Summary Minutes were unanimously adopted.

VII. **TEXT AMENDMENT CASE #TX-2024-04 FOR HOUSING SHELTERS.** Citywide.

The City of Stockbridge Mayor and City Council will hold a public hearing on Monday, June 10, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a proposed text amendment to the Stockbridge Unified Development Code (UDC) to allow for the location of various types of housing shelters within the C-2 (General Commercial), C-3 (Heavy Commercial), O-I (Office-Institutional), and LI (Light Industrial) zoning districts as Special Uses, requiring the approval of a Special Use Permit through the public hearing process.

To be presented by the Community Development Staff.

Staff Presentation -- Keedra Jackson presented TX-2024-04. She explained the purpose of the case and she read through Exhibit A of the proposed ordinance. It includes a definition of a “specialized housing facility”, and it specified various sections of the Stockbridge Unified Development Code (UDC) which would be added or amended, as well as additions to the “Use Table” and the “Supplemental Regulations.” Ms. Jackson described the potential benefits of housing shelters, the allowable zoning districts where they could be located, and the need for a Special Use Permit.

Board Questions and Comments – Anthony Mitten asked about the approval process. Ryan Anderson said that he envisioned only three or four housing shelters being approved in the City. Harold Thibodeaux mentioned an issue with weapons, and Mr. Anderson said that that issue would be added into the final draft of the ordinance. Also, a public hearing would be required. David Planchon asked whether tent cities would be allowed, and Mr. Anderson said that they would not. Mr. Planchon also wondered whether any outsiders would be coming into the City to stay at a housing shelter, but Mr. Anderson replied that the intent was for City residents to use the housing shelters, although that could be regulated; and that veterans could also use these facilities.

Public Hearing – Chairman Dumas first explained the rules of the public hearing. Then six citizens went to the podium to speak. A summary of their comments is comments are listed below.

1. Connie Snow of 426 Chase Marion Way – Ms. Snow asked about where housing shelters could be located, and whether any could be located in the Patrick Henry Parkway area. Ryan Anderson responded that housing shelters would be excluded from properties which lie within the Parkway Mixed-Use (PMU) Overlay District. Ms. Snow wondered whether suitable areas should be located on maps prior to the June 10th City Council meeting. She wanted a tailed report or map of where housing shelters could be located. Hartold Thibodeaux agreed with Ms. Snow, but Mr. Anderson said that he had identified all of the districts where they may not be located.
2. Cash Cancel – Ms. Cancel said that this is the first time that she has heard about this matter, and that the City does not properly notify citizens. She said that some homeless people are criminals, and she wondered about the security of the nearby residents.
3. Jocelyn Williams – Ms. Williams said that she was opposed to having housing shelters, and she wondered how many that there would be. Ryan Anderson said that the City Council could always place limits on the numbers of them. Ms. Williams said that she is a new resident of the City, and that she wants information in layman's terms.
4. Christina Lovett of 180 Oakwood Circle – Ms. Lovett said that she is in favor of having housing shelters in the City in order to try to help homeless people, as long as it is safe. Housing shelters would give homeless people somewhere to go.
5. Connie Snow of 426 Chase Marion Way (second time) – Ms. Snow said that she would not want to hit elderly people with additional taxes. David Planchon asked where this proposal came from, and Ryan Anderson replied that it was just from the City's recognition of the need for housing shelters in the City.
6. Serenthia Evans – Ms. Evans said that she is a veteran. She asked whether there were any numbers on how many homeless people there are in the City. She said that she wanted more information on this.

Board Comments – After Chairman Dumas closed the public hearing, Anthony Mitten asked whether the Board would see the final version of the ordinance for TX-2024-04. Ryan Anderson said that all of tonight's comments would be incorporated into the final draft. Harold Thibodeaux said to citizens that the Board does not have the final say in this case, but that the Council does. Matthew Thomas said to citizens that he understands their concerns. Stanley Dumas asked Keedra Jackson to identify the issues that were raised tonight. Mr. Anderson added that

limitations on the number of housing shelters would be made according to the City's population.

Board Action -- A motion to deny TX-2024-04 was made by David Planchon, and Harold Thibodeaux seconded the motion. A vote was taken, and TX-2024-04 received a unanimous recommendation of denial.

VIII. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2024-01. Council District 5.

The City of Stockbridge Planning Commission will hold a public meeting on Thursday, May 16, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, June 10, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a Comprehensive Plan Amendment Request to change the future land use designation of property on the **north side of Hudson Bridge Drive, comprising Parcel #032-01026000**, from 'Medium-Density Mixed-Use' to 'Medium-Density Residential' to allow for the construction of a townhome development. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.

To be presented by the Community Development Staff.

Combined Staff Presentation for CP-2024-01 and RZ-2024-01 – Keedra Jackson presented these cases separately. She described the proposed townhome development. She mentioned that no traffic study had yet been done, and that variances would also be needed.

Combined Public Hearing for CP-2024-01 and RZ-2024-01 – The applicant was not present, thus did not make a presentation. Four citizens went to the podium to speak. A summary of their comments is listed below.

1. **Barbara Fleishman of 1026 Brannan Road –** Ms. Fleishman mentioned the roads and traffic within the vicinity of this property, and she wondered what benefit there is for a property to be annexed into the City.
2. **Christina Lovett –** Ms. Lovett asked whether townhomes would be for sale; whether there would be an HOA; and whether taxes would increase. Ryan Anderson provided responses to her questions.
3. **Jocelyn Williams –** Ms. Williams said that Flippen Road has no proposed widening project. Ryan Anderson said that it has been looked at, but that nothing definite has been planned. Ms. Williams also wondered about the proposed access to the property.
4. **Cheryl Withnell of 300 St. Michelle Court –** Ms. Withnell said that she lives near St. Ives and Flippen Road. She said that the roads cannot accommodate more

traffic, and that it is difficult to get out of her subdivision. Ms. Whipple said that streetlights are needed, and that some bushes need to be cut down. Ryan Anderson reminded the Board that they cannot take traffic issues into consideration, per State law.

Board Action and Comments – David Planchon said that although the number of units was given for the proposed townhome development, but not the number of residents. Perhaps additional property would need to be purchased for access. Alex Corte with Moore Bass Consulting requested a deferral of CP-2024-01 and RZ-2024-01. Anthony Mitten wondered whether a community meeting had been held. Ryan Anderson said that he had just heard from the attorney who represents the applicant for these cases, and that the attorney requested a deferral of these cases. Harold Thibodeaux made a motion to defer CP-2024-01 and RZ-2024-01, per the applicant's request, and Anthony Mitten seconded the motion. A vote was taken, and the Board voted unanimously to defer these cases.

IX. REZONING CASE #RZ-2024-01. Council District 5.

The City of Stockbridge Planning Commission will hold a public meeting on Thursday, May 16, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday, June 10, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request to rezone property on the **north side of Hudson Bridge Drive, comprising Parcel #032-01026000**, from the C-2 (General Commercial) zoning district to the MFR (Multiple Family Residential) zoning district to allow for the construction of a townhome development. The property also lies within the PMU (Parkway Mixed-Use) Overlay District. Applicant: Lennar Georgia, LLC. Agent: Battle Law, P.C. The property is located in Land Lot 21 of District 6, and it contains 20.367 +/- acres.

To be presented by the Community Development Staff.

Staff Presentation, Board Comments, Public Hearing, and Board Action – See the combined minutes above for CP-2024-01 and RZ-2024-01.

X. ANNEXATION. CASE #AX-2024-01. Council District 5.

The City of Stockbridge Planning Commission will hold a public meeting on Thursday, May 16, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and City Council will hold a public hearing on Monday July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request to annex property on the southeastern corner of Patrick Henry Parkway and Holloway Rd. 071A01088003, 071A01089000, 071A01090000, and 071A01091000 from the Henry County R-3 and C-3 to the City of Stockbridge C-3. Applicant: Nathan McGarity. The property is located in Land Lot 50,79 of District 6 in Unincorporated Henry County, and it contains 2.63 +/- acres of land.

To be presented by the Community Development Staff.

Combined Staff Presentation for AX-2024-01, CP-2024-04, and RZ-2024-04 – Made by Gordon Linton.

Combined Public Hearing for AX-2024-01, CP-2024-04, and RZ-2024-04 – Two citizens went to the podium to speak. A summary of their comments is listed below.

1. **Connie Snow of 426 Chase Marion Way** – Ms. Snow said that she disagrees with any proposed annexations near her subdivision, chase Marion Way. She is afraid that it will become an island. (She lives in unincorporated Henry County.) Also, Ms. Snow said that the City of Stockbridge is constantly changing the Comprehensive Plan to fit the needs of developers.
2. **Natasha Campbell** – Ms. Campbell said that she is opposed to this annexation. She said that there is no traffic light at Holloway Road, and that the proposed development would bring more congestion and more crime. But Keedra Jackson clarified that there is no proposed development at this time.

Board Action – A motion to approve this case was made by Anthony Mitten, and Matthew Thomas seconded the motion. A vote was taken, and the Board voted 3-1 to approve, with Harold Thibodeaux opposed.

- XI. COMPREHENSIVE LAND USE AMENDMENT CASE #CP-2024-04.** Council District 5. The City of Stockbridge Planning Commission will hold a public meeting on Thursday, May 16, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and Council will hold a public hearing on Monday July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for a comprehensive land use amendment on the southeastern corner of Patrick Henry Parkway and Holloway Rd. 071A01088003, 071A01089000, 071A01090000, and 071A01091000 from the Henry County R-3 and C-3 to the City of Stockbridge C-3. Applicant: Nathan McGarity. The property is located in Land Lot 50,79 of District 6 in Unincorporated Henry County, and it contains 2.63 +/- acres of land.

To be presented by the Community Development Staff.

Staff Presentation and Public Hearing – See the combined staff presentation and public hearing for AX-2024-01, CP-2024-04, and RZ-2024-04 above.

Board Action – A motion to approve this case was made by Anthony Mitten, and Matthew Thomas seconded the motion. A vote was taken, and the Board voted 3-1 to approve, with Harold Thibodeaux opposed.

XII. REZONING CASE #RZ-2024-04. Council District 5. The City of Stockbridge Planning Commission will hold a public meeting on Thursday, May 16, 2024 at 6:30 p.m., and the City of Stockbridge Mayor and Council will hold a public hearing on Monday July 8, 2024 at 6:00 p.m., in the Stockbridge City Hall, located at 4640 North Henry Boulevard in Stockbridge, Georgia, to consider a request for a rezoning from C-3 (unincorporated Henry County) to C-3 (City of Stockbridge) on the southeastern corner of Patrick Henry Parkway and Holloway Rd. 071A01088003, 071A01089000, 071A01090000, and 071A01091000 from the Henry County R-3 and C-3 to the City of Stockbridge C-3. Applicant: Nathan McGarity. The property is located in Land Lot 50,79 of District 6 in Unincorporated Henry County, and it contains 2.63 +/- acres of land.

To be presented by the Community Development Staff.

Staff Presentation and Public Hearing – See the combined staff presentation and public hearing for AX-2024-01, CP-2024-04, and RZ-2024-04 above.

Board Action – A motion to approve this case was made by Anthony Mitten, and Matthew Thomas seconded the motion. A vote was taken, and the Board voted 3-1 to approve, with Harold Thibodeaux opposed.

XIII. PROJECT UPDATES [None.]

To be presented by the Community Development Staff. No action is required.

XIV. STAFF COMMENTS [None.]

To be presented by the Community Development Staff. No action is required.

XV. BOARD COMMENTS [None.]

XVI. ADJOURNMENT – The meeting was adjourned. No vote was taken.



TO: Planning Commission; Mayor/Council

FROM: Gordon Linton, Planner I

CC: R. Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: June 20, 2024 (Planning Commission)
July 8, 2024 (Mayor and Council)

Subject: #CP-2024-02 For 111 Old Conyers Road

I. PURPOSE

Consider a Comprehensive Plan Amendment application by Charlie Hightower of First National Land Trust to change the future land use designation from Low-Density Residential to Special Purpose to allow for the construction of a mixed-use development, that will include both commercial and residential uses at 111 Old Conyers Road. The property is 6.71 +/- total acres.

II. Background

Proposed Development	Mixed-use development with 200 residential units that will include commercial spaces on the ground floor
Site Address	111 Old Conyers Road
Parcel Identification	S24-01017000
Parcel Acreage	6.71 +/- acres
Applicant	Charlie Hightower
Agent	Charlie Hightower

Owner	Solutions Development, LLC.
City Land Use Designation	Low-Density Residential
City Land Use Zoning	'SR' (Suburban Residential)
Number of Proposed Units Per Acre	29.80 units per acre
Current Use	The property is vacant, undeveloped with an intermittent stream that is located near the southeast corner of the site.

SURROUNDING LAND USE DESIGNATIONS

Location	Existing Land Use	Existing Future Land Use Designation
Property to the North	Vacant; Publix Shopping Center Stockbridge Lakes Bed & Breakfast	Low Density Mixed Use
Property to the South	Downtown Food mart (Convenience store) Korner Store (Convenience store) Stockbridge Public Works Department	Low Density Residential
Property to the East	God First Breakthrough Ministries	Public Institutional
Property to the West	Cochran Park	Park/Recreation/Conservation

SURROUNDING LAND USE DENSITIES

Name of Subdivision/Development	Units	Estimate Density Per Acres
Spanish Village Subdivision	28	1.5 units per acre
HH Duvall Subdivision	16	1 units per acre
Diamante Townhomes	200	7 units per acre
DR Horton Townhomes	165	6.62 units per acre
135 East Townhomes	27	16.36 units per acre
Pine Grove	270	4 units per acre
Pineview	77	2.49 units per acre
111 Old Conyers Road	200	29.80 units per acre

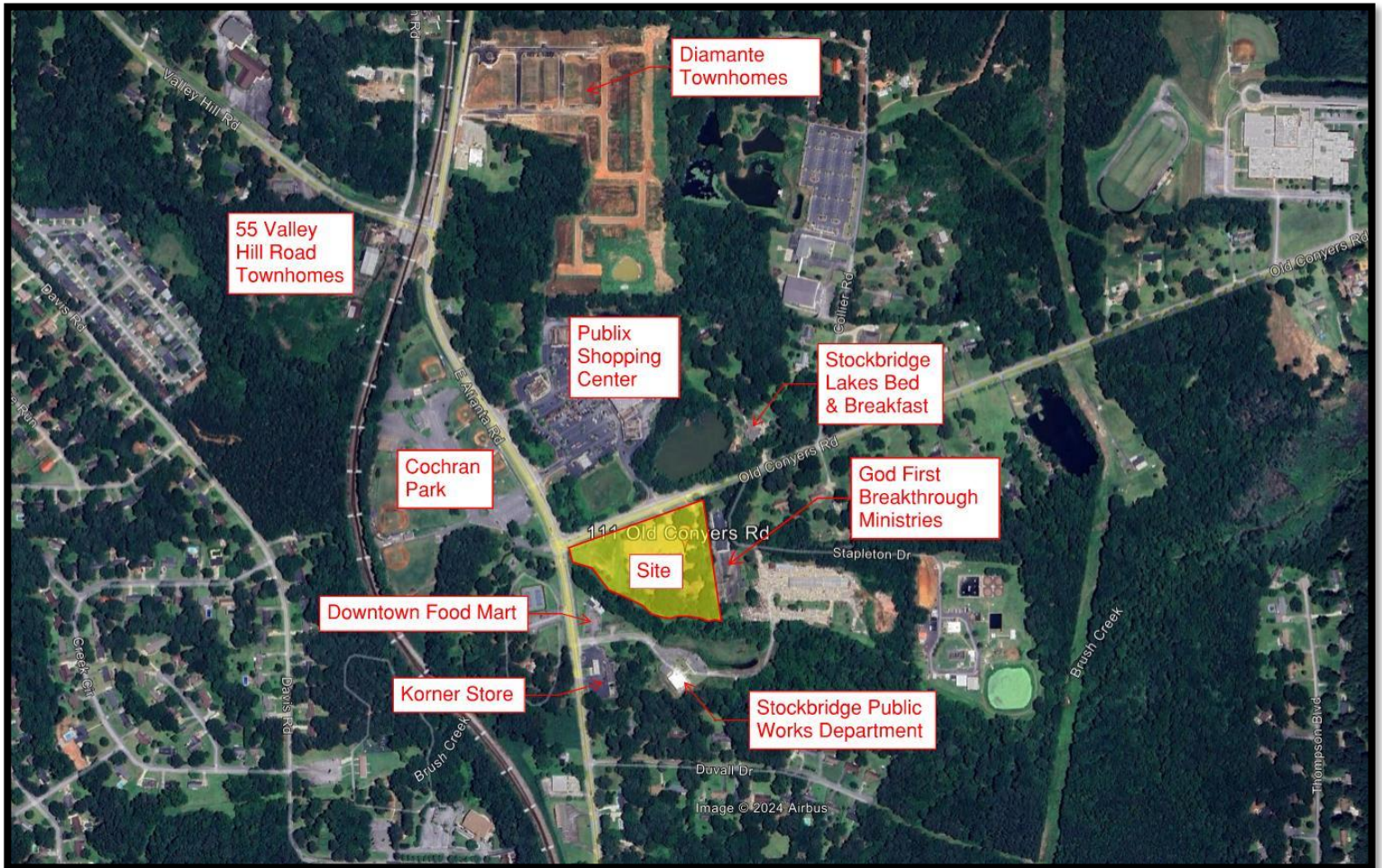
III. Findings of Fact

1. The applicant has requested to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).
2. The applicant submitted three variances (VR-2024-01) on the subject property which are as follows:
 - a) Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only

1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit.

- b) Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
 - c) Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.
3. The surrounding land use designations that are in the vicinity of the area are as follows: LDMU (Low Density Mixed Use), PI (Public/Institutional), and PRC (Park/Recreation/Conservation).
4. The subject property is a part of the TAD (Tax Allocation District) a district that is designed to attract quality development to an underutilized or distressed redevelopment area.

Vicinity Map of 111 Old Conyers Road

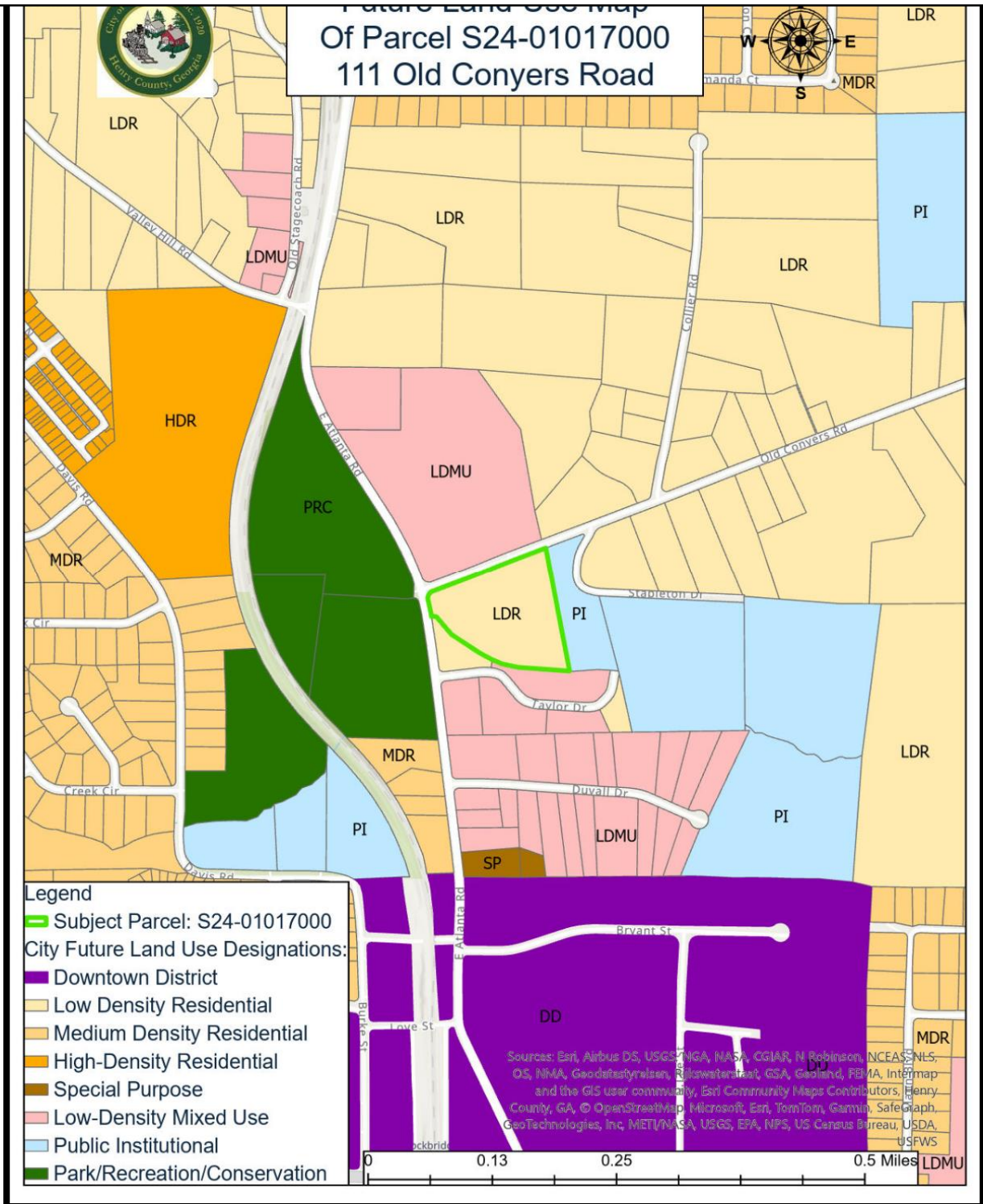




Aerial Photo of 111 Old Conyers Road

Future Land Use Map of 111 Old Conyers Road
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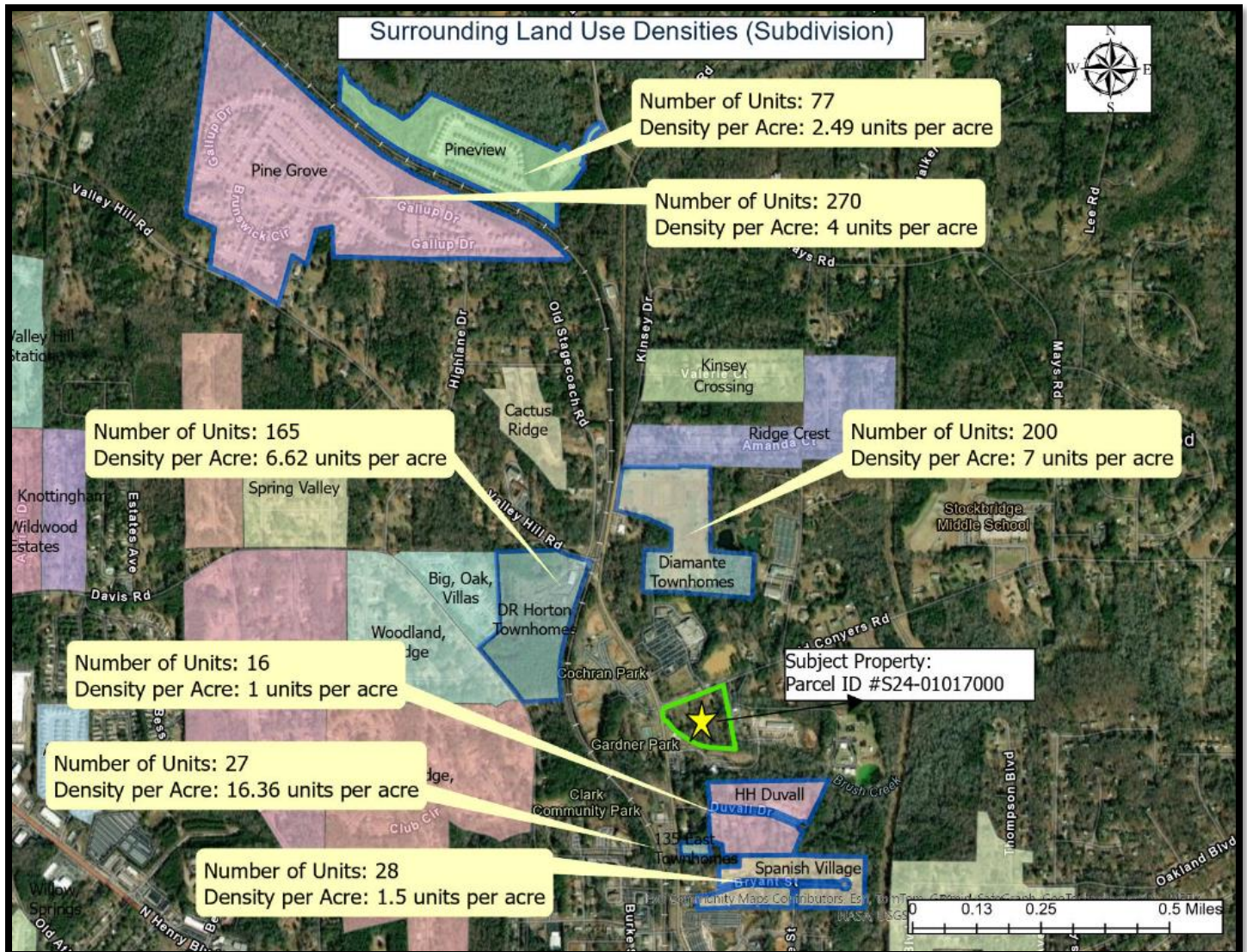
Proposed Future Land Use Plan Updates for LCI Study on 111 Old Conyers Road





July 9, 2012

Surrounding Land Use Density Map for 111 Old Conyers Road



Analysis

Project Description

The applicant, Charlie Hightower of First National Land Trust, proposes to build a mixed-use development that will consist of a five-story building with 200 apartment units and commercial spaces that will be located on the ground floor. Of the proposed 200 apartment units, 95 units will be studios, 95 will be one-bedroom units with one bathroom, 6 will be two-bedroom units with two bathrooms, and 4 will be 3 bedroom-units with 2 bathrooms. There will be a total of three retail spaces with a combined total of 15,000 square feet on the first floor of the proposed building. The proposed mixed-use development will provide vehicular access to the site with a deceleration lane that will be located along Old Conyers Road.

The proposed mixed-use development will include the following amenities: a four-foot sidewalk, an arrival court pavilion, a sitting pergola, a grill, a therapy garden, a playground, an adult pool, a 10-foot sidewalk, a dog park with mulch, and an open landscape. The development will also include a 16,800 square foot retention pond along with twelve trash bins that will be located on the site.

Lastly, the proposed mixed-use development will provide a total of 336 parking spaces. Of the 336 parking spaces that will be provided, 257 will be residential and 79 will be provided for the retail spaces that will be located on the ground floor of the proposed five-story building. Of the 257 residential parking spaces that will be provided, 119 parking spaces will be provided to the residents living in the studio apartment units, 119 parking spaces will be provided to the residents living in the one-bedroom apartment units, 11 parking spaces will be provided to the residents living in the two-bedroom apartment units, and 8 parking spaces will be provided to the residents living in the three-bedroom apartment units.

Currently, the subject property has a current future land use designation of Low-Density Residential. However, due to the high proposed density of 29.80 units per acre, the applicant has requested to change the future land use designation from Low-Density Residential to Special Purpose.

Staff Analysis

The applicant requests a **Comprehensive Plan Amendment** under the City of Stockbridge Unified Development Code Section **(Sec. 9.2.7)**:

ANALYSIS OF REQUEST

1. Consistency with the Comprehensive Plan.

The City of Stockbridge 2024 Comprehensive Plan states that the future land use designation of Special Purpose is for properties with 16.01-24 units per acre. This proposed mixed-used development has a density of 29.80 units per acre.

Page 51 of the City of Stockbridge 2024 Comprehensive Plan states that the intent of the Special Purpose future land use designation is intended for special, innovative projects which could include anything from different model residential, to larger mixed use or commercial development. In addition, the Special Purpose Future Land Use designation is compatible with all the zoning districts including the PUD District. The proposed mixed-used development is consistent with the policy goals of the 2024 Comprehensive Plan on pages 42-44.

Community Goals and Policies (page 42-44)	To provide a variety of housing choices to suit the changing needs and lifestyles of City residents. (Housing Goal)
	To provide additional housing in the downtown core. (Housing Goal)
	Provide a mixture of housing options to attract young professionals, singles, and small families. (Housing Policy)
	To ensure that new developments promote a better sense of place and preserve valued elements of community character. (Future Land Use Goal)
	To establish land use designations that meet the needs of the City and are consistent with the new UDC. (Future Land Use Goal)
	Encourage mixed-use development to promote a live, work, play concept. (Future Land Use Policy)
	Maintain a family friendly environment and focus on attracting and retaining young adults. (Population Policy)

	To attract and retain high-quality and diverse employers with quality of life, education, culture, housing, healthcare, retail, and recreation facilities. (Economic Development Goal)
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2. Relation to the Zoning of the Property.

In addition to the requested future land use designation, the applicant is requesting to rezone the subject properties from SR (Suburban Residential) to PUD (Planned Unit Development). Page 45 of the 2024 Comprehensive Plan identifies the requested PUD (Planned Unit Development) as being compatible with any future land use designation including the requested Special Purpose land use designation.

Mixed-Use developments are not allowed in the SR zoning district; however, they are allowed in the requested PUD (Planned Unit Development) zoning district.

3. Suitability of the Site's Location.

The proposed mixed-use development seems to have a strategic location that offers several advantages:

- **Proximity to key locations**: Being within 0.7 miles of both the Stockbridge Amphitheater and the downtown area is beneficial for residents who may be interested in cultural events, dining, and shopping.
- **Accessibility**: The closeness to Cochran Park and the Publix Shopping Center supports the idea of a walkable community, which is desirable. The proposed mixed-use development would encourage residents to walk rather than drive, which can reduce traffic congestion and promote a healthier lifestyle.
- **Enhanced livability**: The adjacency to recreational and shopping amenities can significantly enhance the quality of life for the residents, providing convenience and leisure activities within a short distance.

Overall, the site's location appears to be well-suited for a mixed-use development, aligning with the principles of smart growth and sustainable development.

4. Maintaining the Current Land Use Designation.

The proximity of diverse amenities such as a retail shopping center, a church, and a park indeed supports the request for a Special Land Use Future Land Use designation for the proposed mixed-use development.

The proximity to these amenities is beneficial for several reasons. First, the adjacent Publix Shopping Center would provide convenient access to shopping and services for future residents. In addition, the proposed mixed-use development is adjacent to Cochran Park which would add recreational space and would promote a healthy lifestyle and providing

an aesthetic benefit to the vicinity of the area.

IV. STAFF RECOMMENDATION

This Staff Report has demonstrated that the requested Comprehensive Plan Amendment via CP-2024-02 would be necessary and desirable for the subject property in conjunction with the requested rezoning of RZ-2024-02 to change the zoning district from SR (Suburban Residential) to PUD (Planned Unit Development), and with the requested variance of VR-2024-01. Therefore, the Planning and Zoning staff recommends **APPROVAL**.



TO: Planning Commission; Mayor and Council

FROM: Gordon Linton, Planner I

CC: R. Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: June 20, 2024 (Planning Commission)
July 8, 2024 (Mayor and Council)

Subject: #RZ-2024-02 For 111 Old Conyers Road

I. PURPOSE

Consider a rezoning request by Charlie Hightower of First National Land Trust to rezone certain property located at 111 Old Conyers Road from 'SR' (Suburban Residential) to 'PUD' (Planned Unit Development) to allow for the construction of a mixed-use development, that will include both commercial and residential uses.

The applicant also simultaneously submitted two other applications to the City of Stockbridge as are listed below:

- **Comprehensive Plan Amendment (CP-2024-02)** – The applicant requests to change the future land use designation from Low-Density Residential to Special Purpose.
- **Variance (VR-2024-01)** – The applicant submitted three variances on the subject property which are as follows:
 1. Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit.
 2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.

3. Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.

II. Background

Proposed Development	Mixed-use development with 200 residential units that will include commercial spaces on the ground floor
Site Address	111 Old Conyers Road
Parcel Identification	S24-01017000
Parcel Acreage	6.71 +/- acres
Applicant	Charlie Hightower
Agent:	Charlie Hightower
Owner:	Solutions Development, LLC.
Current Zoning	SR (Suburban Residential)
Current Use	The property is vacant, undeveloped with an intermittent stream that is located near the southeast corner of the site. At least 3 acres of the property is in the Brush Creek

SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Vacant; Publix Shopping Center	C-2 (General Commercial District)
	Stockbridge Lakes Bed & Breakfast	C-3 (Heavy Commercial District)
Property to the South	Downtown Food mart (Convenience store)	C-2 (General Commercial District)
	Korner Store (Convenience store)	C-2 (General Commercial District)
	Stockbridge Public Works Department	C-2 (General Commercial District)

Property to the East	God First Breakthrough Ministries	OI (Office Institutional District)
Property to the West	Cochran Park	DT (Downtown District)

III. Finding of Facts

1. The applicant has requested a Comprehensive Plan Amendment (CP-2024-02) to change the future land use designation from Low-Density Residential to Special Purpose.
2. The applicant submitted three variances (VR-2024-01) on the subject property which are as follows:
 - a) Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit.
 - b) Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
 - c) Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.
3. The vicinity of the area is mostly residential with the following zoning classifications: C-2 (General Commercial District), C-3 (Heavy Commercial District), OI (Office Institutional District), DT (Downtown District), and SR (Suburban Residential District).
4. The surrounding land use designations that are in the vicinity of the area are as follows: LDMU (Low Density Mixed Use), PI (Public/Institutional), and PRC (Park/Recreation/Conservation).
5. 3.87 acres of the subject property are located inside the Parkway Mixed Use Overlay District.
6. The subject property is a part of the TAD (Tax Allocation District) a district that is designed to attract quality development to an underutilized or distressed redevelopment area.

IV. Maps, Site Plan, and Renderings

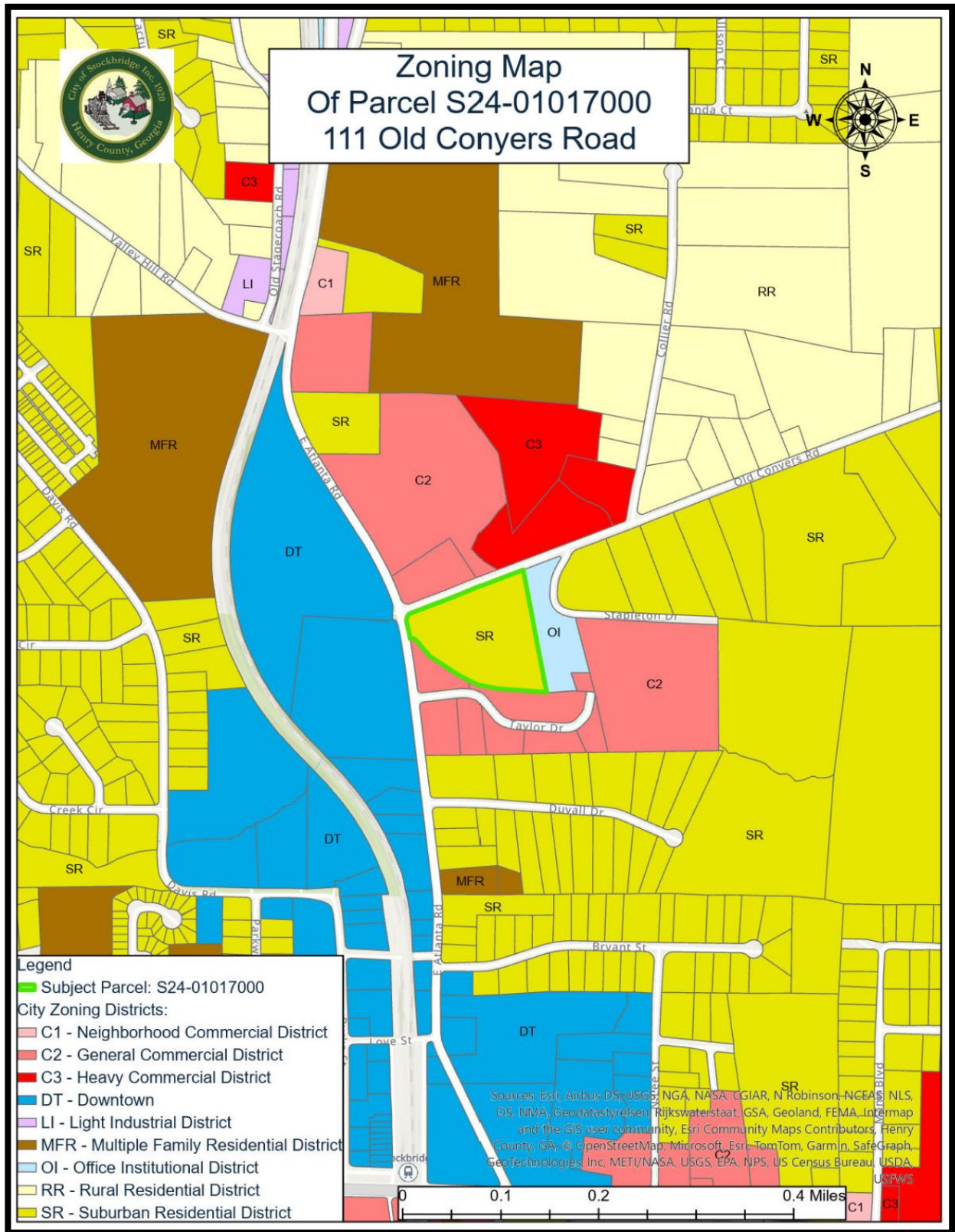
Vicinity Map



Aerial Photo with Site Plan



Zoning Map of 111 Old Conyers Road



Location of Part of 111 Old Conyers Road in the Parkway Mixed Use Overlay District

THE FIELD DATA UPON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSEST PRECISION OF ONE FOOT IN 71,364 FEET, AND AN ANGULAR ERROR OF 0.7" FOR ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.
THIS MAP OR PLAN HAS BEEN CALCULATED FOR CLOSENESS AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 216,437 FEET.
EQUIPMENT USED: ROBOTIC TOTAL STATION 300 30
& SPECTRA GEOSPATIAL SP85 GPS UNIT



THIS LOT COMBINATION NEEDS TO BE APPROVED BY THE LOCAL JURISDICTION

SITE LEGEND	
	PROPERTY LINE
	CHAIN LINK FENCE AROUND LOT
	GATE
	FIVE STORY BUILDING
	RETAIL SPACE
	GROUND FLOOR PARKING
	WALKWAY
	4 FT WIDE SITE WALK
	ARRIVAL COURT PAVILION
	PERGOLA / SITTING
	10 FT WIDE NEW SIDEWALK
	TRASH BIN
	ADULT POOL
	GRILL
	BICYCLE PARK
	DOG PARK - MULCH
	THERAPY GARDEN
	PLAY GROUND
	LANDSCAPE

NOTES

1. THIS PROPERTY IS IN CITY WATER.
2. THIS PROPERTY IS IN A FIVE YEAR SERVITUDE COUNTY RIGHT OF WAY.
3. THIS PROPERTY IS NOT PART OF A PLATTED SUBDIVISION.
4. THIS PROPERTY DOES HAVE EVIDENCE OF WATER ON THE PROPERTY.
5. THIS PROPERTY IS PARTIALLY INSIDE THE 100 YEAR FLOOD PLAIN.
6. THIS PROPERTY DOES HAVE EVIDENCE FOR COUNTY 300 30.
7. THIS PROPERTY IS NOT IN A WATERSHED PROTECTION AREA.

SURVEY ORDER BY:
JAMES TURNER
675-791-6200

LOTS COMBINATION
N/T SOLUTIONS DEV. LLC
PARCEL ID# 524-01018000
101 OLD CONYERS RD.
PARCEL ID# 524-01017000
111 OLD CONYERS RD.
PARCEL ID# 524-01016000
113 OLD CONYERS RD.
TOTAL AREA(71.671 acres)

A. OVERLAY PMU "PARKWAY MIXED-USE OVERLAY DISTRICT"
1. SEE UNIFIED DEVELOPMENT CODE, "CITY OF STROUBRIDGE"
MARCH 14, 2022, PAGES 59 TO 67, FOR MORE INFORMATION
B. ZONING OR "SUBURBAN RESIDENTIAL DISTRICT"
1. LOT DIMENSIONS
MINIMUM LOT AREA 12,000 SQ. FT.
MINIMUM LOT WIDTH 75 FT.
MAXIMUM LOT DEPTH NONE
MINIMUM LOT FRONTAGE 100% OF THE LOT FRONTAGE
2. YARD SETBACKS
MINIMUM FRONT YARD SETBACK 50 FT.
MINIMUM SIDE YARD SETBACK 10 FT.
MINIMUM REAR YARD SETBACK 40 FT.
3. OTHER REQUIREMENTS
MAXIMUM LOT COVERAGE 30%
MINIMUM LIVING AREA 1,000 SQ. FT.

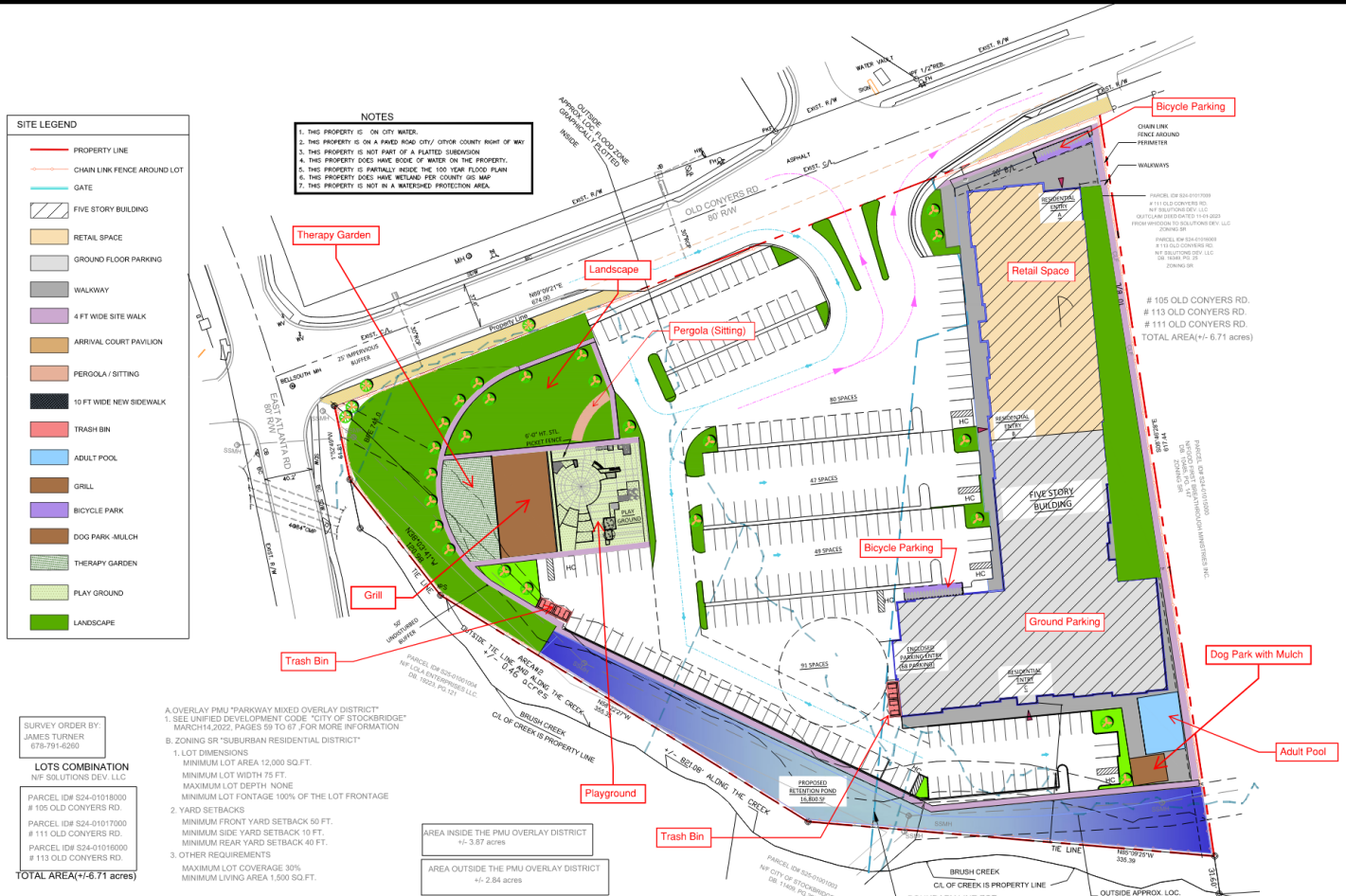
AREA INSIDE THE PMU OVERLAY DISTRICT
~13.07 acres

AREA OUTSIDE THE PMU OVERLAY DISTRICT
~2.84 acres

Area inside the Parkway Mixed-Use Overlay District

101 OLD CONYERS RD.
113 OLD CONYERS RD.
111 OLD CONYERS RD.
TOTAL AREA(71.671 acres)

Site Plan of 111 Old Conyers Road



Development Data Summary for Site Plan of 111 Old Conyers Road

BUILDING AREA:

1st FLOOR	48,000	S.F.
2nd FLOOR	48,000	S.F.
3rd FLOOR	48,000	S.F.
4th FLOOR	48,000	S.F.
5th FLOOR	48,000	S.F.
TOTAL	240,000	S.F.

EXISTING ZONING:**PROPOSED USE**

SUB URBAN RESIDENTIAL DISTRICT
MIXED-USE (COMMERICAL AT GROUND
FLOOR AND LIVING UNITS AT TOP
FLOORS

FLOOR PLAN TYPES AND NUMBER OF UNITS

UNIT TYPE	AREA	# UNITS
"A" STUDIO, 1 BATH	477 S.F.	95
"B" 1 BEDROOM, 1 BATH	835 S.F.	95
"C" 2 BEDROOMS, 2 BATH	900 S.F.	6
"D" 3 BEDROOMS, 2 BATH	1,240 S.F.	4
3,452 S.F. X 200 = 690,400 S.F. (TOTAL RESIDENTIAL AREA)		

PARKING -RESIDENTIAL

UNIT	REQUIRED	PROPOSED
STUDIO	1.25 PER UNIT 95X1.25=	119
1 BEDROOM	1.25 PER UNIT 95X1.25=	119
2 BEDROOMS	1.75 PER UNIT 6X1.75=	11
3 BEDROOMS	1.25 PER UNIT 4X2.0=	8
TOTAL RESIDENTIAL PARKING PROPOSED	200 UNITS	257

PARKING - RETAIL

GENERAL RETAIL UG 6 (15,000 S.F. AT FIRST FLOOR)
(5) SPACE/1,000 SF 75 PARKING SPACE REQUIRED
79 PARKING SPACE PROVIDED

TOTAL PARKING SPACE PROVIDED: 336
(257 RESIDENTIAL+79 RETAIL)

ACCESSIBLE SPACES REQUIRED
FOR 301-400 8 PARKING SPACE REQUIRED
8 PARKING SPACE PROVIDED

TRASH

TRASH BINS REQUIRED 10
TRASH BINS PROVIDED 12

AREA TABULATION

BUILDING FOOT PRINT 48,000 S.F.
NET OPEN SPACE 221,267 S.F. (82.1%)

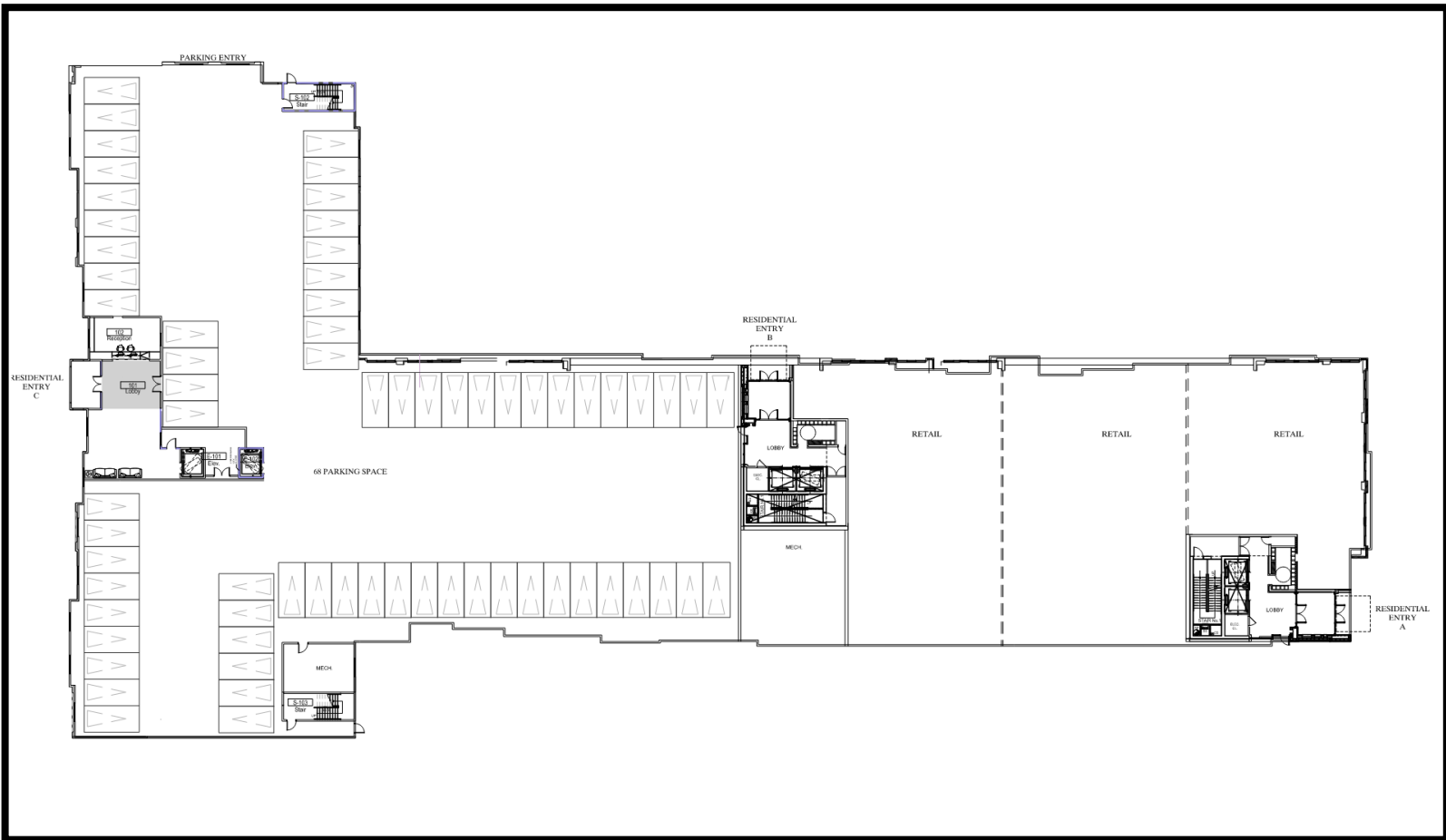
Exterior Elevations of Proposed Mixed Use Development



RIGHT ELEVATION
SCALE: 1/8" = 1'-0" 2



First Floor Plan of Proposed Mixed-Use Development



LCI Study Showing Location of Property as part of Growth Center in Downtown Area of Stockbridge

Part 4: Recommendations

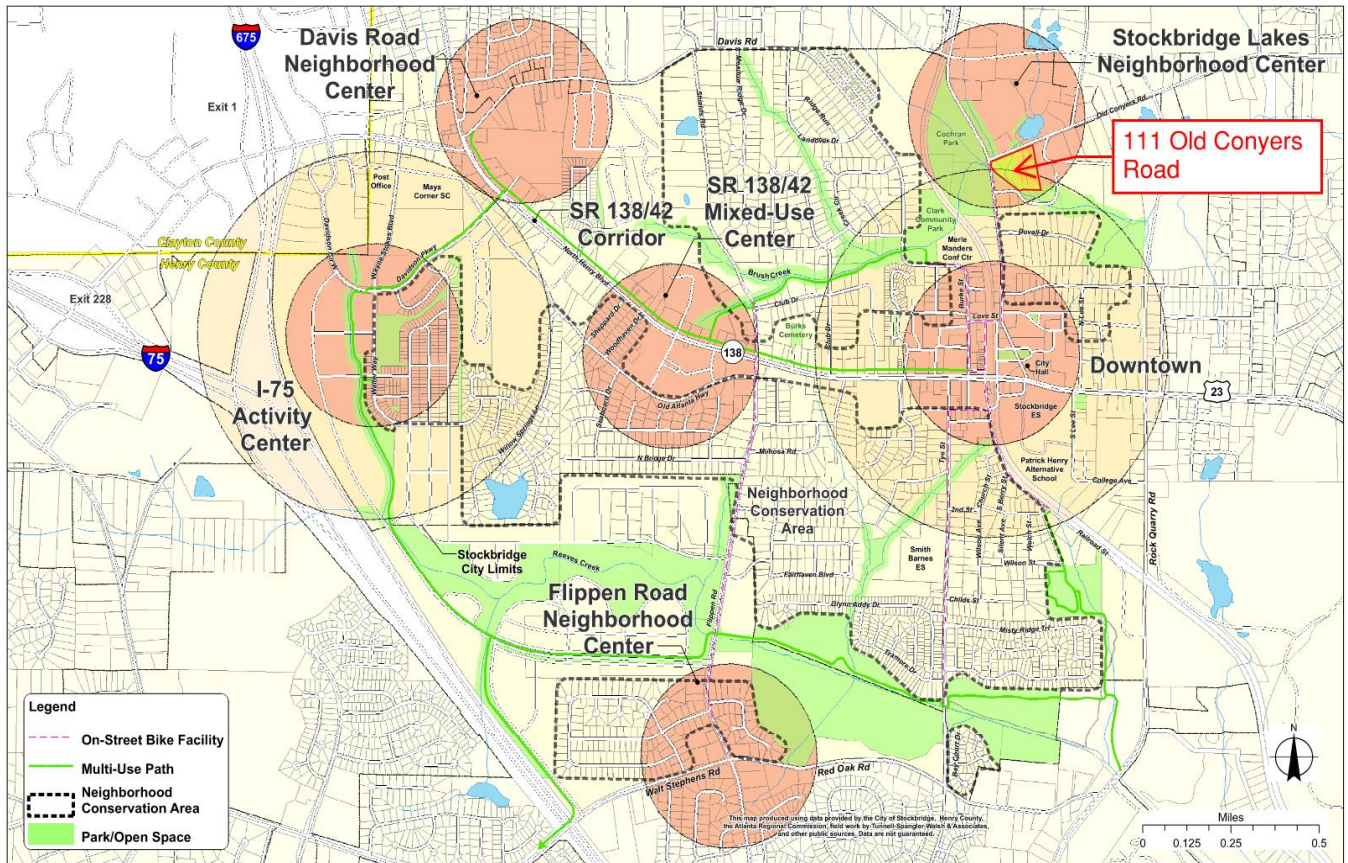
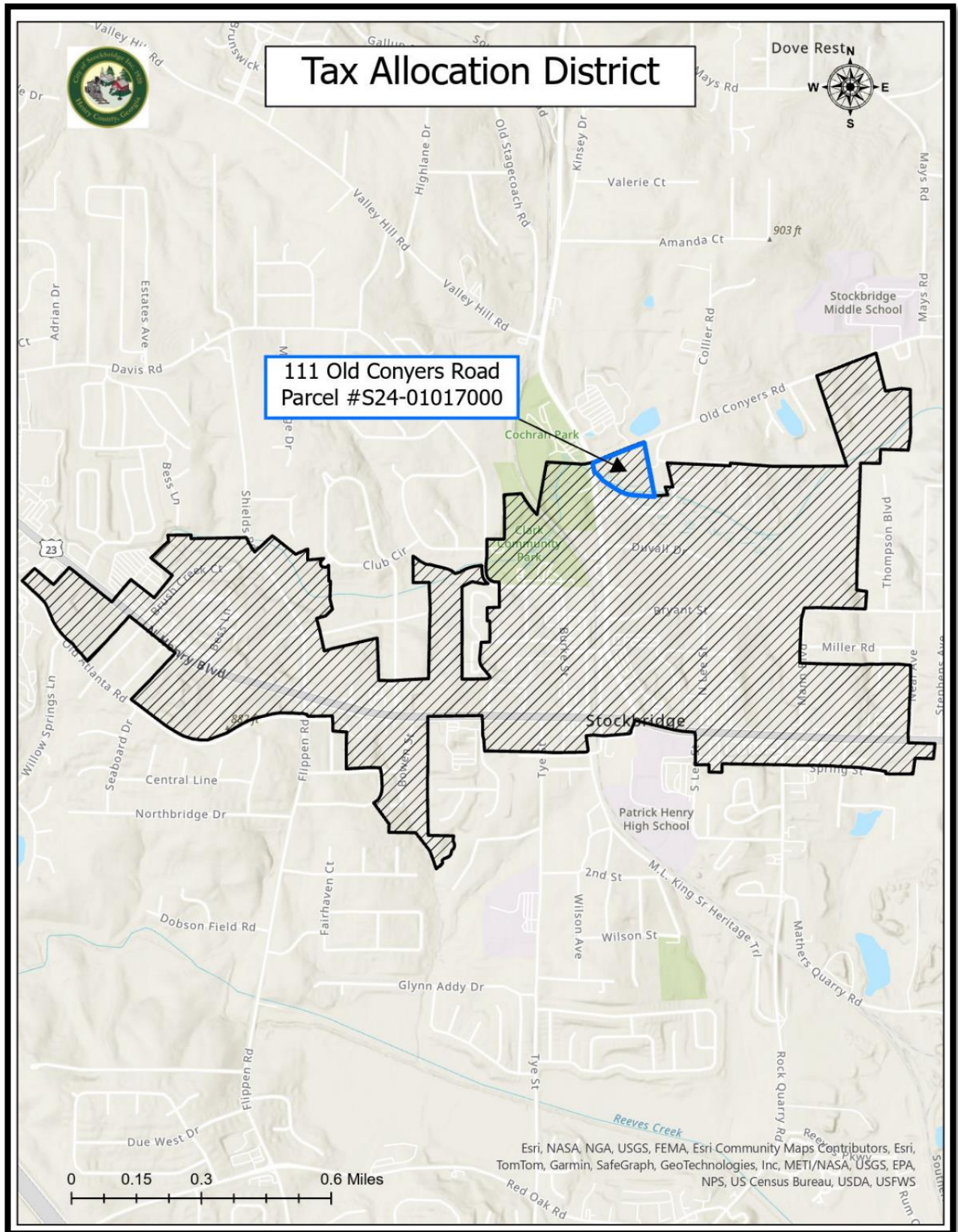


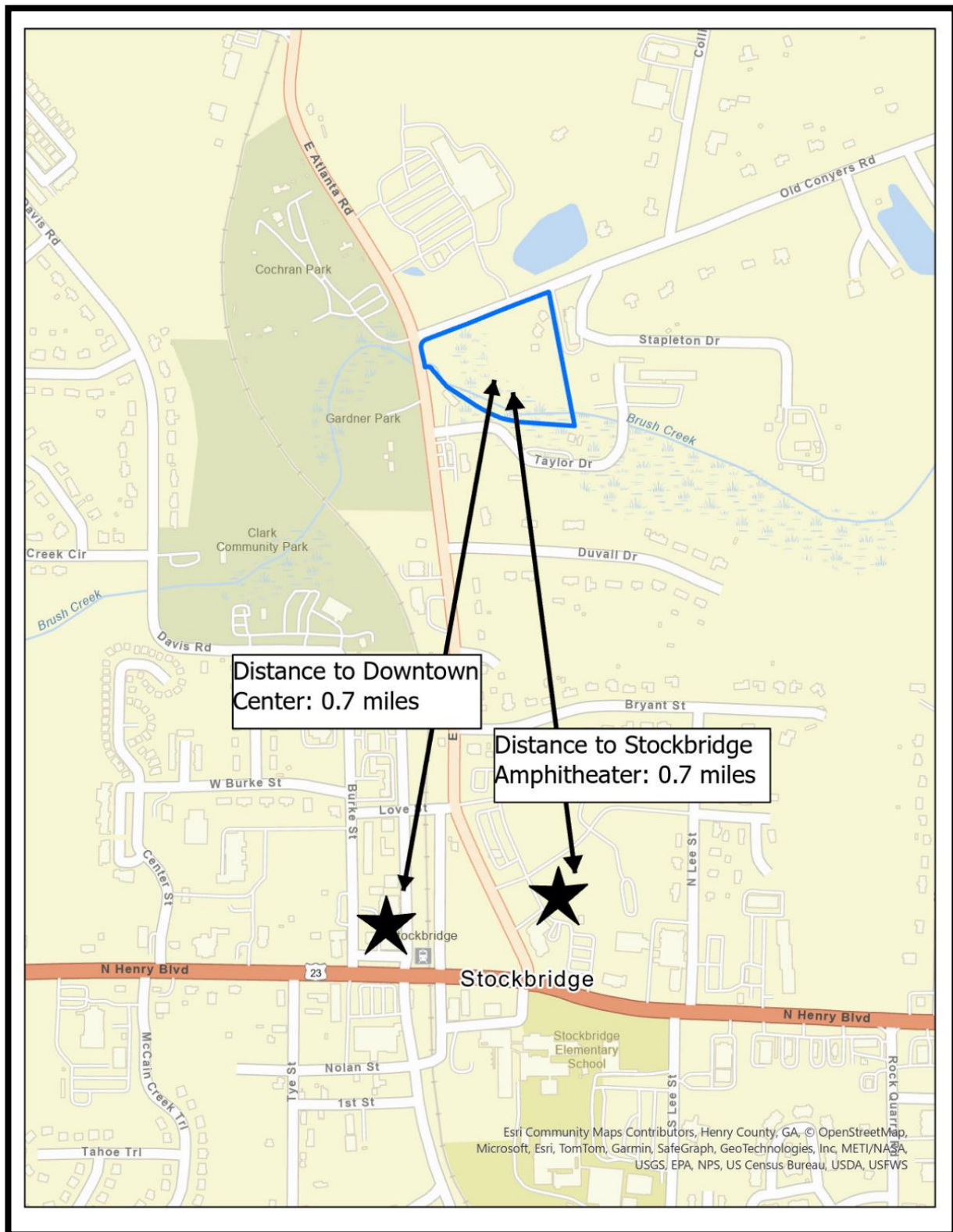
Figure 4.1:
Growth Centers

July 9, 2012

Tax Allocation District Map Showing 111 Old Conyers Road



Distance from Proposed Mixed-Use Development to Amphitheater, Clark Park, and Downtown Area of Stockbridge



IV. Analysis

Project Description

The applicant, Charlie Hightower of First National Land Trust, proposes to build a mixed-use development that will consist of a five-story building with 200 apartment units and commercial spaces that will be located on the ground floor. Of the proposed 200 apartment units, 95 units will be studios, 95 will be one-bedroom units with one bathroom, 6 will be two-bedroom units with two bathrooms, and 4 will be 3 bedroom-units with 2 bathrooms. There will be a total of three retail spaces with a combined total of 15,000 square feet on the first floor of the proposed building. The proposed mixed-use development will provide vehicular access to the site with a deceleration lane that will be located along Old Conyers Road.

The proposed mixed-use development will include the following amenities: a four-foot sidewalk, an arrival court pavilion, a sitting pergola, a grill, a therapy garden, a playground, an adult pool, a 10-foot sidewalk, a dog park with mulch, and an open landscape. The development will also include a 16,800 square foot retention pond along with twelve trash bins that will be located on the site.

Lastly, the proposed mixed-use development will provide a total of 336 parking spaces. Of the 336 parking spaces that will be provided, 257 will be residential and 79 will be provided for the retail spaces that will be located on the ground floor of the proposed five-story building. Of the 257 residential parking spaces that will be provided, 119 parking spaces will be provided to the residents living in the studio apartment units, 119 parking spaces will be provided to the residents living in the one-bedroom apartment units, 11 parking spaces will be provided to the residents living in the two-bedroom apartment units, and 8 parking spaces will be provided to the residents living in the three-bedroom apartment units.

Currently, the subject property is zoned SR (Suburban Residential). However, the SR zoning district provides a list of permitted use, which does not include mixed-use developments. Thus, the applicant has requested to rezone the subject property from SR (Suburban Residential District) to PUD (Planned Unit Development). The PUD zoning district provides a list of permitted uses, which does include both apartments and commercial uses.

Residential Parking Spaces (Proposed) Residential multifamily high-rise (40 + units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	119
1 bedroom	95	119
2 bedroom	6	11
3 bedroom	4	8
Total Residential Parking Spaces (Proposed)	200	257

Residential Parking Spaces (Required) - Residential, multifamily (fewer than 40 units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	133
1 bedroom	95	133
2 bedroom	6	12
3 bedroom	4	9
Total Residential Parking Spaces (Proposed)	200	287

Commercial Parking Spaces (Proposed)

5 parking spaces per 1,000 square feet	79 required for commercial spaces
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Overall Number of Parking Spaces (Proposed)

Residential Parking Spaces (Proposed)	257
Total Commercial Parking Spaces (Proposed)	79
Overall Number of Parking Spaces	336

Overall Number of Parking Spaces (Required)

Residential Parking Spaces (Proposed)	287
Total Commercial Parking Spaces (Proposed)	79
Overall Number of Parking Spaces	366

Staff Analysis

The applicant requests a **Rezoning** under the City of Stockbridge Unified Development Code Section **(Sec. 9.2.1 C)**:

The Planning Commission and the City Council shall consider the following standards in considering any proposal that would result in a change to the text or map of this UDC, giving due weight or priority to those factors that are appropriate to the circumstances of each proposal.

ANALYSIS OF REQUEST

1. Consistency with the Comprehensive Plan.

The City of Stockbridge 2024 Comprehensive Plan identifies on page 43 the following housing goals: (1) "To provide a variety of housing choices to suit the changing needs and lifestyles of City residents" and, (2) "to provide additional housing in the downtown core." Thus, the requested rezoning of the subject property located at 111 Old Conyers Road to allow for the proposed mixed-

use development would meet the requirement of the housing goals that are found in the City of Stockbridge 2024 Comprehensive Plan. In addition, the mixed-use development would meet the following housing policy that are listed on page 43 of the City of Stockbridge 2024 Comprehensive Plan:

- Provide a mixture of housing options to attract young professionals, singles, and small families.

The applicant has requested a Comprehensive Plan Amendment to change the future land use designation from the existing Low-Density Residential to Special Purpose. The purpose and intent of the Special Purpose land use designation is to “to allow for special, innovative projects which could include anything from different model residential to larger mixed use or commercial development.” Since the applicant has requested a high density of 29.80 units per acre, the requested Special Purpose land use designation would be appropriate. Page 45 of the 2024 Comprehensive Plan states the requested PUD (Planned Unit Development) is compatible with all of the future land use designations, which includes the requested Special Purpose land use designation.

2. The relation that the proposed rezoning 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 development of the site as a mixed-use development with retail and residential meets the purpose and intent of the Stockbridge Unified Development Code. Section 1.4 of the Stockbridge Unified Development Code provides a list of objectives to accomplish which are listed below.

- A. Promote the health, safety, aesthetics, convenience, order, prosperity, and general welfare of the present and future residents of the City of Stockbridge.
- I. Encourage the most appropriate and best use of land, buildings, and other structures throughout the city.

The proposed mixed-use development is also consistent with the purpose and intent of the requested PUD (Planned Unit Development) zoning district. Section 2.4.13 of the Stockbridge Unified Development Code states that the intent and purpose of the PUD zoning district is to

- Allow the development of balanced neighborhoods containing physical, economic, and social assets which are difficult to achieve through the traditional separation of use and density zones.
- Provide an appropriate district for mixed-use developments; and
- Allow flexibility in design for environmentally challenged properties.

Since the applicant is preserving an open landscape and is providing both a 4 foot sidewalk and a 10 foot sidewalk, the proposed mixed-use development would meet the overall design goals of a PUD development which is found in Section A.

- “In designing a PUD development, special attention should be focused on the arrangement of buildings and other improvements for the orderly function and aesthetics, the preservation of open space for the use of residents and workers in the development, the variety of housing types and densities necessary to achieve a balanced neighborhood, and the provision of a pedestrian environment separate from the vehicular environment.” – Section 2.4.13 A of the Stockbridge Unified Development Code

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

The requested rezoning from SR (Suburban Residential) to PUD (Planned Unit Development) will have a positive effect on the vicinity of the area in various ways. While other areas in the city of Stockbridge have seen residential growth over the past couple of years, this area lacks modern residential growth. Currently, there are three townhome developments that have been approved within the vicinity of the area. Diamante Townhomes, which is located 0.8 miles away from the proposed mixed-used development, is currently building 200 units on 27.73 total acres for a density of 7 units per acre. The recently approved D.R. Horton townhome development, located 0.5 miles away from the proposed townhomes, is building 156 units on 24.908 total acres for a density of 6.26 units per acre. Since the area is lacking mixed-use developments, this will serve as a catalyst for future mixed-use developments to be built in the area.

Second, the proposed mixed-use development will be beneficial since the site is a prime location to the downtown area, amphitheater, the parks, and the shopping center. The Stockbridge Amphitheater is 0.2 miles away from the proposed mixed-use development, while the downtown area of Stockbridge is 0.2 miles. In addition, the proposed mixed-use development is adjacent from both the Publix Shopping and Cochran Park which will make it convenient for incoming residents to walk.

Recent studies that focused on the city of Stockbridge also recommended that there is a need for new housing in the downtown area of Stockbridge. The City of Stockbridge Livable Centers Initiative (LCI Study) from 2012 selected a series of growth centers and the subject property is included. The LCI study created a list of recommendations the city should follow that will impact the residents both in the short term and long term. Among the recommendations the LCI Study recommended was that the future land use of the property be changed from Low-Density Residential to Mixed-Use. The Downtown Residential and Retail Market Analysis, which focused on the retail and housing market in the downtown area of Stockbridge, stated that, “In downtown Stockbridge, new condominiums, attached townhomes, and clustered single-family home with a variety of price points will help satisfy a diversity of housing needs.” The Downtown Residential and Retail Market Analysis also stated, “Downtown Stockbridge has an opportunity to transform into a higher density, walkable town center with restored historic buildings, a variety of new housing options, mixed-use development, and park space.” Moreover, the City of Stockbridge Livable Centers Initiative (LCI Study) from 2012 stated on page 76 that “To position Stockbridge for changing local, regional, and national market and demographic trends, particularly the needs of aging residents and the so-called Millennials, the downtown must be revitalized in a way that builds on its historic character and positions it as a walkable, mixed-use alternative to surrounding areas – many of which will be less suitable to adapt to these changes.”

Lastly, the proposed mixed-use development will provide an alternative type of housing for young professionals who are choosing apartments in areas that provide access to both employment and retail. Moreover, the retail uses that will be added as part of the proposed mixed-use development will provide additional job opportunities to the residents living in the vicinity of the area.

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 developer is likely to encounter several hurdles while constructing the proposed mixed-use development, due to the distinctive physical characteristics of the subject property. First, the property's relatively flat terrain and irregular contours have already influenced the existing site design. Moreover, the property's position along city water (Brush Creek), its mildly wooded areas, and the varying elevations across the site add layers of complexity to the development process. In addition, there is a gravel egress that is located at the entrance of the subject property.

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

Since the subject property is surrounded by a commercial shopping center, a church, and a park, the proposed mixed-use development will not have any negative impact on any residential properties.

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

A letter from the Stockbridge Public Works Department dated May 6, 2024, states that water service can be made available to the subject property. However, the letter also states that all costs associated with connecting to the water and sewer are the developer's responsibility. The letter also states that the developer must adhere to the City's Minimum Development Standards. In addition, the letter states that if plans are not submitted within one year (May 6, 2025), the reservation of capacity will expire.

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

A Trip Generation Memorandum was prepared by Lowe Engineers on May 24, 2024, to calculate the anticipated number of vehicular trips that the proposed mixed-use development would generate on Old Conyers Road and Atlanta Road. The Trip Generation Memorandum concluded that the proposed mixed-use development is expected to generate a total of 1,478 net daily trips (739 inbound and 740 outbound). The proposed mixed-use development is expected to generate 99 AM Peak hour trips (33 inbound and 66 outbound) and 143 PM peak hour trips (80 inbound and 63 outbound). More information about the number of trips the proposed mixed-use development is expected to generate can be found in the table below.

Table 1: ITE Trip Generation Results

Land Use Information	Reduction %	Project Trips			Equation Used ¹	In / Out Distribution
		Total	Inbound	Outbound		
221 - Multifamily Housing (Mid-Rise)					200	Dwelling Units
Daily		908	454	454	$T = 4.77(X) - 46.46$	50% / 50%
AM Peak Hour		76	18	58	$T = 0.44(X) - 11.61$	23% / 77%
PM Peak Hour		78	48	30	$T = 0.39(X) + 0.34$	61% / 39%
822 - Strip Retail Plaza (<40k)					15,000	S.F.
Daily		863	431	432	$T = 42.20(X) + 229.68$	50% / 50%
AM Peak Hour		35	21	14	$T = 2.36(X)$	60% / 40%
PM Peak Hour		99	49	50	$T = 6.59(X)$	50% / 50%
Reductions for Pass-By Trips						
Daily	34%	293	147	147		
AM Peak Hour	34%	12	6	6		
PM Peak Hour	34%	34	17	17		
Totals						
Daily		1,771	886	885		
AM Peak Hour		111	39	72		
PM Peak Hour		177	97	80		
Reductions for Pass-By Trips						
Daily		293	147	147		
AM Peak Hour		12	6	6		
PM Peak Hour		34	17	17		
Net External Daily		1,478	739	740		
Net External AM Peak Hour		99	33	66		
Net External PM Peak Hour		143	80	63		

¹ Where: T = Trips; X = Density by Variable

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 rezoning request for the property from SR (Suburban Residential) to PUD (Planned Unit Development) aligns well with the Stockbridge Unified Development Code's policies and objectives. This transition is in harmony with the strategic vision for the area's growth and development.

Additionally, the proposed development adheres to the regulations of the PUD zoning district, ensuring that the proposed mixed-use development follows the goals of the PUD zoning district. The development's consistency with the Future Land Use Designation of Special Purpose further indicates that it is designed with the City of Stockbridge Comprehensive Plan. This foresight demonstrates a commitment to the area's long-term development goals.

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

The current zoning of the subject property as SR (Suburban Residential) permits the construction of single-family residences, such as houses. Historical data indicates that there were three residential structures that were previously built on the property. Despite this, the property has been vacant since last year, and no new development proposals have been put forward for this property.

V. STAFF RECOMMENDATION

Staff recommends **approval with conditions** to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development) with the following conditions:

1. The number of proposed units will be reduced from 200 units to 160 units (23.84 units per acre) due to the maximum density allowed by the requested Special Purpose Future land use designation which is 24 units per acre.

2. Flock cameras will be located at the entrance of the mixed-use development.
3. On the eastern side of the subject property, the 25-foot land strip shall be extended past the pool area found in the conceptual site plan.
4. The front facade of the residential building shall be comprised of not less than 50% of the combined materials such as brick, stone, or stucco or a combination of brick and stone. The remaining 20% may be comprised of stucco, shake, and/or cement fiberboard siding.
5. The side and rear façade of the residential building shall be comprised of any combination of primary materials including brick, stone and secondary materials including stucco, shake, and/or cement fiberboard but not to exceed 30% of the entire building.
6. The colors should consist of a cohesive, complimentary palette. Limited use of the accent color is permitted as long as they are not bright or not fluorescent and compliment the overall palette of the material.
7. The proposed mixed-used development shall not exceed four stories.



TO: Planning Commission; Mayor and Council

FROM: Gordon Linton, Planner I

CC: R. Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: June 20, 2024 (Planning Commission)
July 8, 2024 (Mayor and Council)

Subject: #VR-2024-01 For 111 Old Conyers Road

I. PURPOSE

Consider a variance application (VR-2024-01) by Charlie Hightower of First National Land Trust to allow for the construction of a mixed-use development, that will include both commercial and residential uses at 111 Old Conyers Road. The property is 6.71 +/- total acres.

The applicant is requesting three variances from the development regulations in the Unified Development Code. These variances are as follows:

1. Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit.
2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
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Agent:	Charlie Hightower
Owner:	Solutions Development, LLC.
Current Zoning	SR (Suburban Residential)
Current Use	The property is vacant, undeveloped with an intermittent stream that is located near the southeast corner of the site.

SURROUNDING LAND USE AND ZONING

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Property to the North	Vacant; Publix Shopping Center	C-2 (General Commercial District)
	Stockbridge Lakes Bed & Breakfast	C-3 (Heavy Commercial District)

Property to the South	Downtown Food mart (Convenience store)	C-2 (General Commercial District)
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Property to the East	God First Breakthrough Ministries	OI (Office Institutional District)
Property to the West	Cochran Park	DT (Downtown District)

III. Finding of Facts

1. The applicant requests to change the property's future land use designation of Low-Density Residential to Special Purpose.
2. The applicant requests to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).
3. The vicinity of the area is mostly residential with the following zoning classifications: C-2 (General Commercial District), C-3 (Heavy Commercial District), OI (Office Institutional District), DT (Downtown District), and SR (Suburban Residential District).
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5. 3.87 acres of the subject property are located inside the Parkway Mixed Use Overlay District.
6. The Henry County Tax Assessors record indicates that 111 Old Conyers Road is being used as a "transitional use".

IV. Maps, Site Plan, and Renderings

Vicinity Map of 111 Old Conyers Road



Aerial Photo with Site Plan





Development Data Summary for
Site Plan of 111 Old Conyers Road

BUILDING AREA:

1st FLOOR	48,000	S.F.
2nd FLOOR	48,000	S.F.
3rd FLOOR	48,000	S.F.
4th FLOOR	48,000	S.F.
5th FLOOR	48,000	S.F.
TOTAL	240,000	S.F.

EXISTING ZONING:
PROPOSED USE

SUB URBAN RESIDENTIAL DISTRICT
MIXED-USE (COMMERICAL AT GROUND
FLOOR AND LIVING UNITS AT TOP
FLOORS

FLOOR PLAN TYPES AND NUMBER OF UNITS

UNIT TYPE	AREA	# UNITS
"A" STUDIO, 1 BATH	477 S.F.	95
"B" 1 BEDROOM, 1 BATH	835 S.F.	95
"C" 2 BEDROOMS, 2 BATH	900 S.F.	6
"D" 3 BEDROOMS, 2 BATH	1,240 S.F.	4
3,452 S.F. X 200 =690,400 S.F. (TOTAL RESIDENTIAL AREA)		

PARKING -RESIDENTIAL

UNIT	REQUIRED	PROPOSED
STUDIO	1.25 PER UNIT 95X1.25=	119
1 BEDROOM	1.25 PER UNIT 95X1.25=	119
2 BEDROOMS	1.75 PER UNIT 6X1.75=	11
3 BEDROOMS	1.25 PER UNIT 4X2.0=	8
TOTAL RESIDENTIAL PARKING PROPOSED	200 UNITS	257

PARKING - RETAIL

GENERAL RETAIL UG 6 (15,000 S.F. AT FIRST FLOOR)
(5) SPACE/1,000 SF 75 PARKING SPACE REQUIRED
79 PARKING SPACE PROVIDED

TOTAL PARKING SPACE PROVIDED: 336
(257 RESIDENTIAL+79 RETAIL)

ACCESSIBLE SPACES REQUIRED
FOR 301-400 8 PARKING SPACE REQUIRED
8 PARKING SPACE PROVIDED

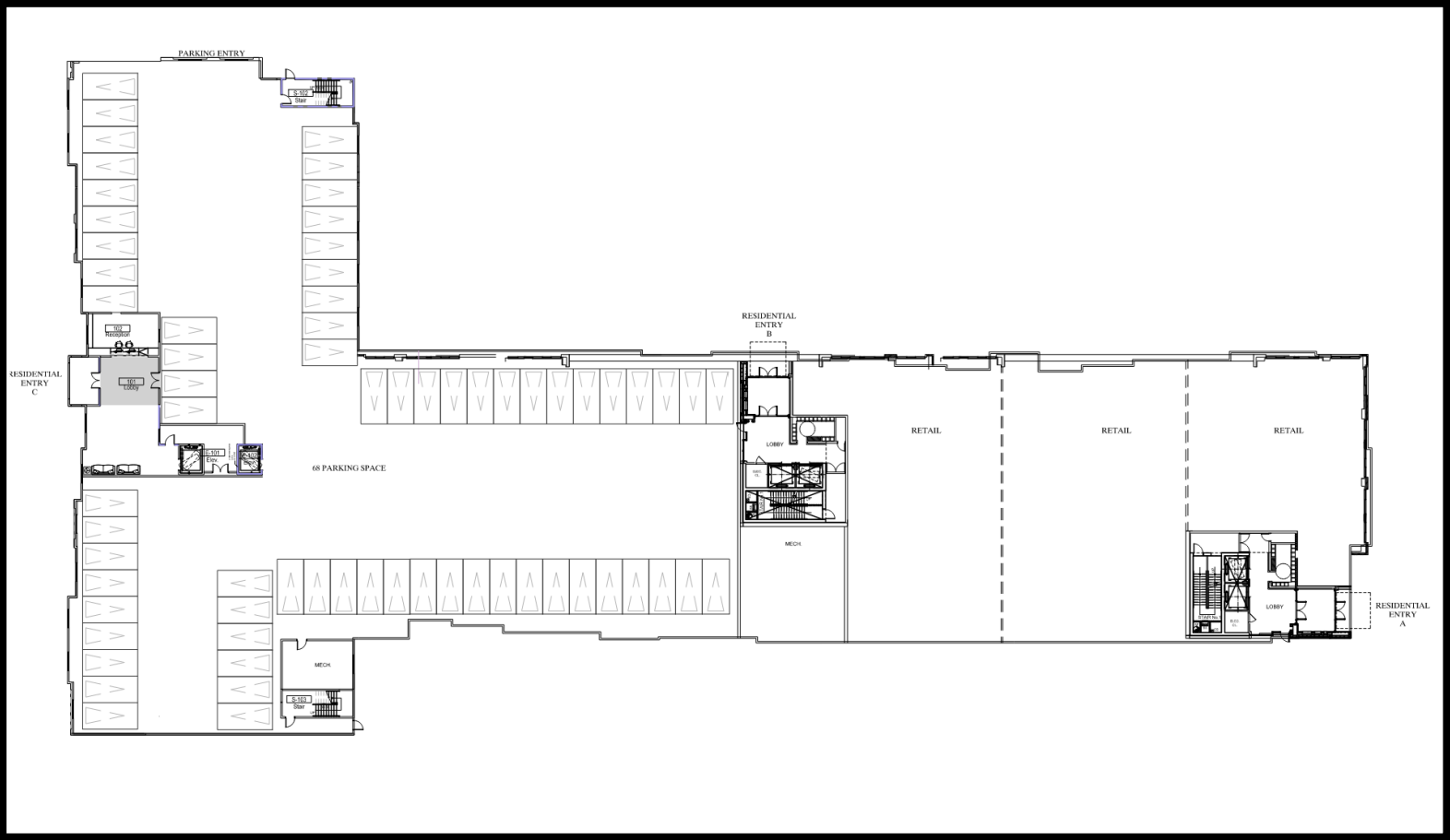
TRASH

TRASH BINS REQUIRED 10
TRASH BINS PROVIDED 12

AREA TABULATION

BUILDING FOOT PRINT 48,000 S.F.
NET OPEN SPACE 221,267 S.F. (82.1%)

First Floor Plan of Proposed Mixed-Use Development



V. Analysis

Project Description

The applicant, Charlie Hightower of First National Land Trust, proposes to build a mixed-use development that will consist of a five-story building with 200 apartment units and commercial spaces that will be located on the ground floor. Of the proposed 200 apartment units, 95 units will be studios, 95 will be one-bedroom units with one bathroom, 6 will be two-bedroom units with two bathrooms, and 4 will be 3 bedroom-units with 2 bathrooms. There will be a total of three retail spaces with a combined total of 15,000 square feet on the first floor of the proposed building. The proposed mixed-use development will provide vehicular access to the site with a deceleration lane that will be located along Old Conyers Road.

The proposed mixed-use development will include the following amenities: a four-foot sidewalk, an arrival court pavilion, a sitting pergola, a grill, a therapy garden, a playground, an adult pool, a 10-foot sidewalk, a dog park with mulch, and an open landscape. The development will also include a 16,800 square foot retention pond along with twelve trash bins that will be located on the site.

Lastly, the proposed mixed-use development will provide a total of 336 parking spaces. Of the 336 parking spaces that will be provided, 257 will be residential and 79 will be provided for the retail spaces that will be located on the ground floor of the proposed five-story building. Of the 257 residential parking spaces that will be provided, 119 parking spaces will be provided to the residents living in the studio apartment units, 119 parking spaces will be provided to the residents living in the one-bedroom apartment units, 11 parking spaces will be provided to the residents living in the two-bedroom apartment units, and 8 parking spaces will be provided to the residents living in the three-bedroom apartment units.

The applicant is requesting three variances (VR-2024-01) found in the Unified Development Code. These variances, are as follows:

1. Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. (Section 4.85 A of the Stockbridge Unified Development Code)
2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
3. Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.

Section 4.8.4 A of the Stockbridge Unified Development Code

Parking Requirements	Request From Applicant
1 bedroom or efficiency unit: 1.25 parking spaces per unit	1 bedroom or efficiency unit: 1.00 parking spaces per unit
2-bedroom unit: 1.75 parking spaces per unit	2-bedroom unit: 1.25 parking spaces per unit

Residential Parking Spaces (Proposed) Residential multifamily high-rise (40 + units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	119
1 bedroom	95	119
2 bedroom	6	11
3 bedroom	4	8
Total Residential Parking Spaces (Proposed)	200	257

Residential Parking Spaces (Required) - Residential, multifamily (fewer than 40 units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	133
1 bedroom	95	133
2 bedroom	6	12
3 bedroom	4	9
Total Residential Parking Spaces (Proposed)	200	287

Staff Analysis

The applicant requests a **variance** under the City of Stockbridge Unified Development Code Section (**Sec. 10.1**). **The Planning Commission and the City Council shall consider the weight and merits of each of the following factors before granting variances:**

Section 10.1.1.

- A. A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this Unified Development Code will result in an individual case result in unnecessary hardship.
- B. A variance shall observe the spirit of this Unified Development Code, secure public safety

and welfare, and deliver substantial justice.

- C. The existence of a nonconforming use on adjacent or nearby property shall not constitute a justification for granting a variance.
- D. The Planning Commission shall make recommendations to the Mayor and City Council which shall have the authority to render a decision on a variance application pursuant to the public notice and hearing requirements set forth in Chapter 9.
- E. A variance may not be granted for a use specifically prohibited by the Unified Development Code. A variance is intended to compensate for a shortfall in a dimension of property that would prevent the property from complying with a site design standard. Variances may only be granted following a review of an application against the **criteria** listed below:

ANALYSIS OF REQUEST (Section 10.1.3)

A variance may be granted only upon a finding by the Mayor and City Council that all the following conditions are met.

- 1. Extraordinary and exceptional circumstances pertaining to the particular piece of property exist due to its size, shape, or topography that are not found on other properties in the same zoning district.**

At least three acres of the subject property is located in Brush Creek. Therefore, the developer is likely to encounter several hurdles while constructing the proposed mixed-use development, due to the distinctive physical characteristics of the subject property. First, the property's relatively flat terrain and irregular contours have already influenced the existing site design. Moreover, the property's position along city water (Brush Creek), its mildly wooded areas, and the varying elevations across the site add layers of complexity to the development process. In addition, there is a gravel egress that is located at the entrance of the subject property.

- 2. A literal interpretation of the provisions of this Unified Development Code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.**

Section 10.1.1 A of the Unified Development Code states that "A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this unified development code will in an individual case result in unnecessary hardship." The applicant was advised of this right.

- 3. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.**

Granting the requested variances would not confer any special privileges upon the property owner. Furthermore, the denial of the requested variances would force the developer to comply with the same standards in the developing the proposed site, even though the proposed characteristics of the subject property would make it very difficult to do, thus creating an unnecessary hardship for the developer itself.

- 4. The variance will be consistent with the purposes and intent of this Unified Development Code, will be compatible with uses on neighboring properties, and will serve the public welfare.**

The variance request is consistent with the purpose of the Unified Development Code. In addition, the reduction of the proposed parking space would allow the developer to comply with the parking regulations and will be consistent with the neighboring properties. Furthermore, it would alleviate the number of potential cars that would be located on the proposed mixed-use development. In addition, the reduction of the proposed parking spaces would eliminate the impervious parking spaces that would be located on the mixed-used development.

- 5. The extraordinary circumstances are not the result of actions by the applicant.**

The physical conditions of the subject property were not created by the applicant. However, it is limiting the ability of the applicant to develop the property into a reasonable use, which is the proposed mixed-used development.

- 6. The variance is the minimum relief that will allow the legal use of the land, building or structure.**

The shape of the land and the acreage of state water on the subject property prevents a desired development. However, the requested variances would allow a reasonable development in the use of the land.

- 7. The variance is not a request to permit the use of land, buildings or structures that is prohibited in the same zoning district.**

The requested PUD zoning districts provide a list of permitted uses, which includes mixed-used developments.

VI. STAFF RECOMMENDATION

Based on the Staff analysis above, the Planning and Zoning Staff therefore recommends approval for the following variances:

- Variance #1 - Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. (Section 4.85 A of the Stockbridge Unified Development Code). Staff has discovered that that the incorrect calculation in the parking reductions were used. Therefore, the required parking calculation resulted in 287 residential parking spaces with 79 retail parking totaling 366 parking spaces. The applicant did not provide the proposed

total reduced parking spaces. Therefore, the staff is recommended to reduce the residential by 30 parking spaces which would result in a total of 336 spaces. – APPROVAL

- Variance 2 - Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%. – Not found in the Stockbridge Unified Development Code. Therefore, it would be **non-applicable**
- Variance #3 - Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre. APPROVED WITH CONDITIONS (The number of proposed units will be reduced from 200 units to 160 units (23.84 units per acre) due to the maximum allowed by the requested Special Purpose Future land use designation)



TO: Planning Commission; Mayor and Council

FROM: Gordon Linton, Planner I

CC: R. Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: June 20, 2024 (Planning Commission)
July 8, 2024 (Mayor and Council)

Subject: #VR-2024-01 For 111 Old Conyers Road

I. PURPOSE

Consider a variance application (VR-2024-01) by Charlie Hightower of First National Land Trust to allow for the construction of a mixed-use development, that will include both commercial and residential uses at 111 Old Conyers Road. The property is 6.71 +/- total acres.

The applicant is requesting three variances from the development regulations in the Unified Development Code. These variances are as follows:

1. Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit.
2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
3. Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.

The applicant also simultaneously submitted two other applications to the City of Stockbridge which are listed below:

- **Comprehensive Plan Amendment (CP-2024-02)** – The applicant requests to change the property’s future land use designation of Low-Density Residential to Special Purpose.
- **Rezoning (RZ-2024-02)** – The applicant requests to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).

II. Background

Proposed Development	Mixed-use development with 200 residential units that will include commercial spaces on the ground floor
Site Address	111 Old Conyers Road
Parcel Identification	S24-01017000
Parcel Acreage	6.71 +/- acres
Applicant	Charlie Hightower
Agent:	Charlie Hightower
Owner:	Solutions Development, LLC.
Current Zoning	SR (Suburban Residential)
Current Use	The property is vacant, undeveloped with an intermittent stream that is located near the southeast corner of the site.

SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Vacant; Publix Shopping Center	C-2 (General Commercial District)
	Stockbridge Lakes Bed & Breakfast	C-3 (Heavy Commercial District)

Property to the South	Downtown Food mart (Convenience store)	C-2 (General Commercial District)
	Korner Store (Convenience store)	C-2 (General Commercial District)
	Stockbridge Public Works Department	C-2 (General Commercial District)
Property to the East	God First Breakthrough Ministries	OI (Office Institutional District)
Property to the West	Cochran Park	DT (Downtown District)

III. Finding of Facts

1. The applicant requests to change the property's future land use designation of Low-Density Residential to Special Purpose.
2. The applicant requests to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).
3. The vicinity of the area is mostly residential with the following zoning classifications: C-2 (General Commercial District), C-3 (Heavy Commercial District), OI (Office Institutional District), DT (Downtown District), and SR (Suburban Residential District).
4. The surrounding land use designations that are in the vicinity of the area are as follows: LDMU (Low Density Mixed Use), PI (Public/Institutional), and PRC (Park/Recreation/Conservation).
5. 3.87 acres of the subject property are located inside the Parkway Mixed Use Overlay District.
6. The Henry County Tax Assessors record indicates that 111 Old Conyers Road is being used as a "transitional use".

IV. Maps, Site Plan, and Renderings

Vicinity Map of 111 Old Conyers Road



Aerial Photo with Site Plan





Development Data Summary for
Site Plan of 111 Old Conyers Road

BUILDING AREA:

1st FLOOR	48,000	S.F.
2nd FLOOR	48,000	S.F.
3rd FLOOR	48,000	S.F.
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5th FLOOR	48,000	S.F.
TOTAL	240,000	S.F.

EXISTING ZONING:
PROPOSED USE

SUB URBAN RESIDENTIAL DISTRICT
MIXED-USE (COMMERICAL AT GROUND
FLOOR AND LIVING UNITS AT TOP
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FLOOR PLAN TYPES AND NUMBER OF UNITS

UNIT TYPE	AREA	# UNITS
"A" STUDIO, 1 BATH	477 S.F.	95
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"D" 3 BEDROOMS, 2 BATH	1,240 S.F.	4
3,452 S.F. X 200 =690,400 S.F. (TOTAL RESIDENTIAL AREA)		

PARKING -RESIDENTIAL

UNIT	REQUIRED	PROPOSED
STUDIO	1.25 PER UNIT 95X1.25=	119
1 BEDROOM	1.25 PER UNIT 95X1.25=	119
2 BEDROOMS	1.75 PER UNIT 6X1.75=	11
3 BEDROOMS	1.25 PER UNIT 4X2.0=	8
TOTAL RESIDENTIAL PARKING PROPOSED	200 UNITS	257

PARKING - RETAIL

GENERAL RETAIL UG 6 (15,000 S.F. AT FIRST FLOOR)
(5) SPACE/1,000 SF 75 PARKING SPACE REQUIRED
79 PARKING SPACE PROVIDED

TOTAL PARKING SPACE PROVIDED: 336
(257 RESIDENTIAL+79 RETAIL)

ACCESSIBLE SPACES REQUIRED
FOR 301-400 8 PARKING SPACE REQUIRED
8 PARKING SPACE PROVIDED

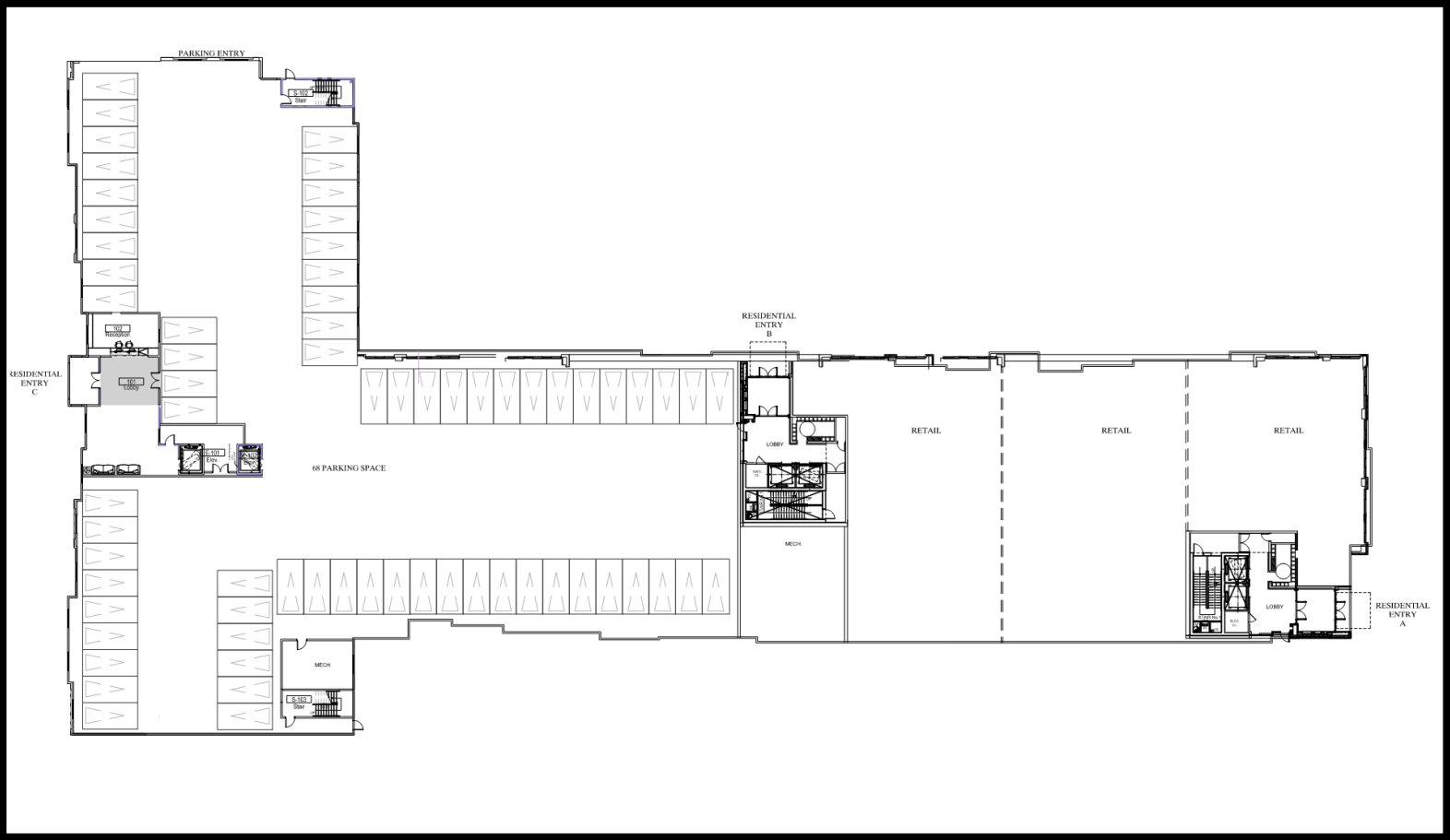
TRASH

TRASH BINS REQUIRED 10
TRASH BINS PROVIDED 12

AREA TABULATION

BUILDING FOOT PRINT 48,000 S.F.
NET OPEN SPACE 221,267 S.F. (82.1%)

First Floor Plan of Proposed Mixed-Use Development



V. Analysis

Project Description

The applicant, Charlie Hightower of First National Land Trust, proposes to build a mixed-use development that will consist of a five-story building with 200 apartment units and commercial spaces that will be located on the ground floor. Of the proposed 200 apartment units, 95 units will be studios, 95 will be one-bedroom units with one bathroom, 6 will be two-bedroom units with two bathrooms, and 4 will be 3 bedroom-units with 2 bathrooms. There will be a total of three retail spaces with a combined total of 15,000 square feet on the first floor of the proposed building. The proposed mixed-use development will provide vehicular access to the site with a deceleration lane that will be located along Old Conyers Road.

The proposed mixed-use development will include the following amenities: a four-foot sidewalk, an arrival court pavilion, a sitting pergola, a grill, a therapy garden, a playground, an adult pool, a 10-foot sidewalk, a dog park with mulch, and an open landscape. The development will also include a 16,800 square foot retention pond along with twelve trash bins that will be located on the site.

Lastly, the proposed mixed-use development will provide a total of 336 parking spaces. Of the 336 parking spaces that will be provided, 257 will be residential and 79 will be provided for the retail spaces that will be located on the ground floor of the proposed five-story building. Of the 257 residential parking spaces that will be provided, 119 parking spaces will be provided to the residents living in the studio apartment units, 119 parking spaces will be provided to the residents living in the one-bedroom apartment units, 11 parking spaces will be provided to the residents living in the two-bedroom apartment units, and 8 parking spaces will be provided to the residents living in the three-bedroom apartment units.

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2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
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Residential Parking Spaces (Proposed) Residential multifamily high-rise (40 + units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	119
1 bedroom	95	119
2 bedroom	6	11
3 bedroom	4	8
Total Residential Parking Spaces (Proposed)	200	257

Residential Parking Spaces (Required) - Residential, multifamily (fewer than 40 units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	133
1 bedroom	95	133
2 bedroom	6	12
3 bedroom	4	9
Total Residential Parking Spaces (Proposed)	200	287

Staff Analysis

The applicant requests a **variance** under the City of Stockbridge Unified Development Code Section (**Sec. 10.1**). **The Planning Commission and the City Council shall consider the weight and merits of each of the following factors before granting variances:**

Section 10.1.1.

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and welfare, and deliver substantial justice.

- C. The existence of a nonconforming use on adjacent or nearby property shall not constitute a justification for granting a variance.
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At least three acres of the subject property is located in Brush Creek. Therefore, the developer is likely to encounter several hurdles while constructing the proposed mixed-use development, due to the distinctive physical characteristics of the subject property. First, the property's relatively flat terrain and irregular contours have already influenced the existing site design. Moreover, the property's position along city water (Brush Creek), its mildly wooded areas, and the varying elevations across the site add layers of complexity to the development process. In addition, there is a gravel egress that is located at the entrance of the subject property.

- 2. A literal interpretation of the provisions of this Unified Development Code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.**

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- 3. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.**

Granting the requested variances would not confer any special privileges upon the property owner. Furthermore, the denial of the requested variances would force the developer to comply with the same standards in the developing the proposed site, even though the proposed characteristics of the subject property would make it very difficult to do, thus creating an unnecessary hardship for the developer itself.

- 4. The variance will be consistent with the purposes and intent of this Unified Development Code, will be compatible with uses on neighboring properties, and will serve the public welfare.**

The variance request is consistent with the purpose of the Unified Development Code. In addition, the reduction of the proposed parking space would allow the developer to comply with the parking regulations and will be consistent with the neighboring properties. Furthermore, it would alleviate the number of potential cars that would be located on the proposed mixed-use development. In addition, the reduction of the proposed parking spaces would eliminate the impervious parking spaces that would be located on the mixed-used development.

- 5. The extraordinary circumstances are not the result of actions by the applicant.**

The physical conditions of the subject property were not created by the applicant. However, it is limiting the ability of the applicant to develop the property into a reasonable use, which is the proposed mixed-used development.

- 6. The variance is the minimum relief that will allow the legal use of the land, building or structure.**

The shape of the land and the acreage of state water on the subject property prevents a desired development. However, the requested variances would allow a reasonable development in the use of the land.

- 7. The variance is not a request to permit the use of land, buildings or structures that is prohibited in the same zoning district.**

The requested PUD zoning districts provide a list of permitted uses, which includes mixed-used developments.

VI. STAFF RECOMMENDATION

Based on the Staff analysis above, the Planning and Zoning Staff therefore recommends approval for the following variances:

- Variance #1 - Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. (Section 4.85 A of the Stockbridge Unified Development Code). Staff has discovered that that the incorrect calculation in the parking reductions were used. Therefore, the required parking calculation resulted in 287 residential parking spaces with 79 retail parking totaling 366 parking spaces. The applicant did not provide the proposed

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- Variance 2 - Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%. – Not found in the Stockbridge Unified Development Code. Therefore, it would be **non-applicable**
- Variance #3 - Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre. APPROVED WITH CONDITIONS (The number of proposed units will be reduced from 200 units to 160 units (23.84 units per acre) due to the maximum allowed by the requested Special Purpose Future land use designation)



TO: Planning Commission; Mayor and Council

FROM: Gordon Linton, Planner I

CC: R. Ryan Anderson, Community Development Director
Keedra Jackson, Chief Planner

DATE: June 20, 2024 (Planning Commission)
July 8, 2024 (Mayor and Council)

Subject: #VR-2024-01 For 111 Old Conyers Road

I. PURPOSE

Consider a variance application (VR-2024-01) by Charlie Hightower of First National Land Trust to allow for the construction of a mixed-use development, that will include both commercial and residential uses at 111 Old Conyers Road. The property is 6.71 +/- total acres.

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- **Rezoning (RZ-2024-02)** – The applicant requests to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).

II. Background

Proposed Development	Mixed-use development with 200 residential units that will include commercial spaces on the ground floor
Site Address	111 Old Conyers Road
Parcel Identification	S24-01017000
Parcel Acreage	6.71 +/- acres
Applicant	Charlie Hightower
Agent:	Charlie Hightower
Owner:	Solutions Development, LLC.
Current Zoning	SR (Suburban Residential)
Current Use	The property is vacant, undeveloped with an intermittent stream that is located near the southeast corner of the site.

SURROUNDING LAND USE AND ZONING

Location	Existing Land Use	Existing Zoning
Property to the North	Vacant; Publix Shopping Center	C-2 (General Commercial District)
	Stockbridge Lakes Bed & Breakfast	C-3 (Heavy Commercial District)

Property to the South	Downtown Food mart (Convenience store)	C-2 (General Commercial District)
	Korner Store (Convenience store)	C-2 (General Commercial District)
	Stockbridge Public Works Department	C-2 (General Commercial District)
Property to the East	God First Breakthrough Ministries	OI (Office Institutional District)
Property to the West	Cochran Park	DT (Downtown District)

III. Finding of Facts

1. The applicant requests to change the property's future land use designation of Low-Density Residential to Special Purpose.
2. The applicant requests to rezone the subject property from SR (Suburban Residential) to PUD (Planned Unit Development).
3. The vicinity of the area is mostly residential with the following zoning classifications: C-2 (General Commercial District), C-3 (Heavy Commercial District), OI (Office Institutional District), DT (Downtown District), and SR (Suburban Residential District).
4. The surrounding land use designations that are in the vicinity of the area are as follows: LDMU (Low Density Mixed Use), PI (Public/Institutional), and PRC (Park/Recreation/Conservation).
5. 3.87 acres of the subject property are located inside the Parkway Mixed Use Overlay District.
6. The Henry County Tax Assessors record indicates that 111 Old Conyers Road is being used as a "transitional use".

IV. Maps, Site Plan, and Renderings

Vicinity Map of 111 Old Conyers Road



Aerial Photo with Site Plan





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Site Plan of 111 Old Conyers Road

BUILDING AREA:

1st FLOOR	48,000	S.F.
2nd FLOOR	48,000	S.F.
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4th FLOOR	48,000	S.F.
5th FLOOR	48,000	S.F.
TOTAL	240,000	S.F.

EXISTING ZONING:
PROPOSED USE

SUB URBAN RESIDENTIAL DISTRICT
MIXED-USE (COMMERICAL AT GROUND
FLOOR AND LIVING UNITS AT TOP
FLOORS

FLOOR PLAN TYPES AND NUMBER OF UNITS

UNIT TYPE	AREA	# UNITS
"A" STUDIO, 1 BATH	477 S.F.	95
"B" 1 BEDROOM, 1 BATH	835 S.F.	95
"C" 2 BEDROOMS, 2 BATH	900 S.F.	6
"D" 3 BEDROOMS, 2 BATH	1,240 S.F.	4
3,452 S.F. X 200 =690,400 S.F. (TOTAL RESIDENTIAL AREA)		

PARKING -RESIDENTIAL

UNIT	REQUIRED	PROPOSED
STUDIO	1.25 PER UNIT 95X1.25=	119
1 BEDROOM	1.25 PER UNIT 95X1.25=	119
2 BEDROOMS	1.75 PER UNIT 6X1.75=	11
3 BEDROOMS	1.25 PER UNIT 4X2.0=	8
TOTAL RESIDENTIAL PARKING PROPOSED	200 UNITS	257

PARKING - RETAIL

GENERAL RETAIL UG 6 (15,000 S.F. AT FIRST FLOOR)
(5) SPACE/1,000 SF 75 PARKING SPACE REQUIRED
79 PARKING SPACE PROVIDED

TOTAL PARKING SPACE PROVIDED: 336
(257 RESIDENTIAL+79 RETAIL)

ACCESSIBLE SPACES REQUIRED
FOR 301-400 8 PARKING SPACE REQUIRED
8 PARKING SPACE PROVIDED

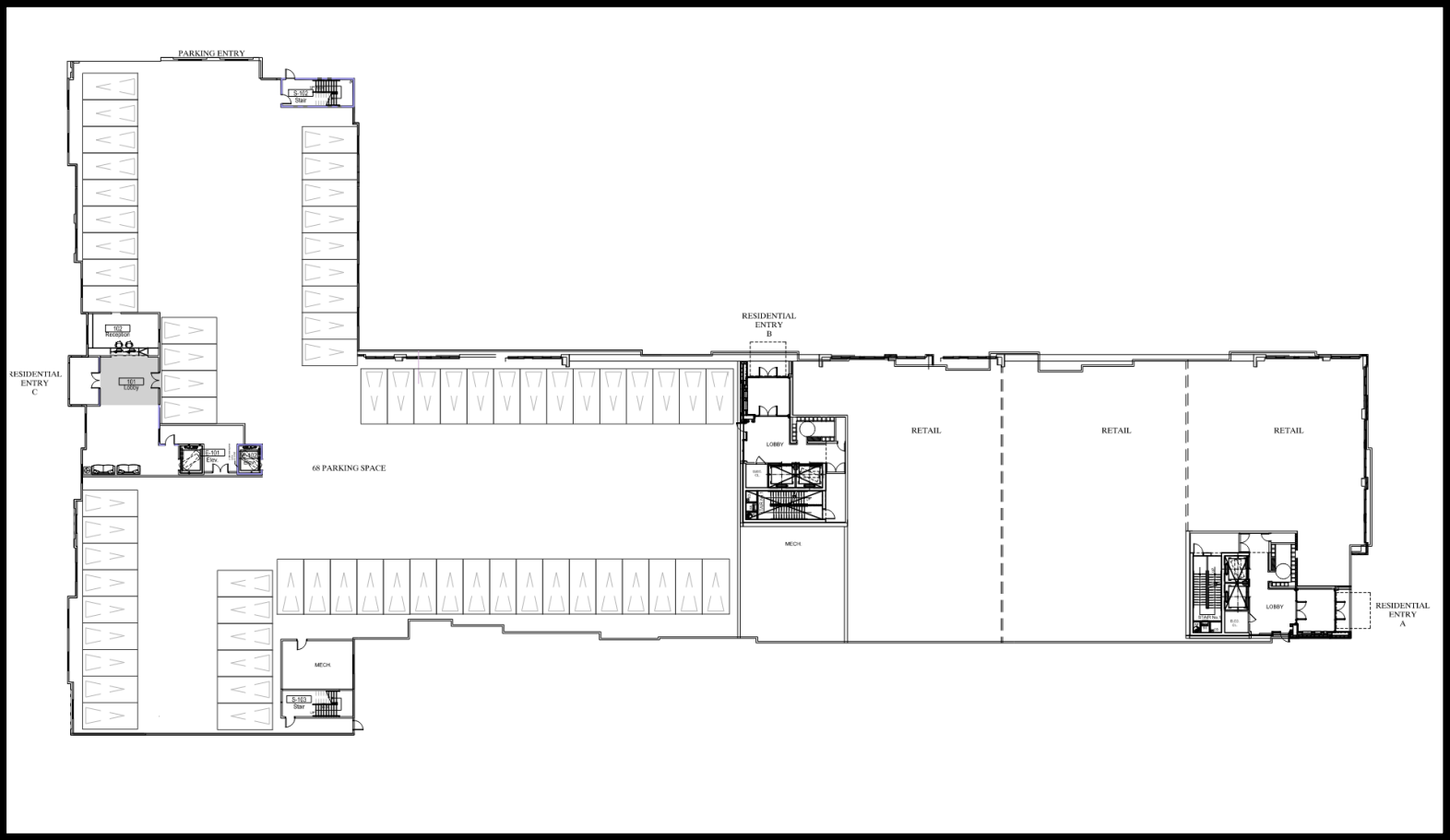
TRASH

TRASH BINS REQUIRED	10
TRASH BINS PROVIDED	12

AREA TABULATION

BUILDING FOOT PRINT	48,000 S.F.
NET OPEN SPACE	221,267 S.F. (82.1%)

First Floor Plan of Proposed Mixed-Use Development



V. Analysis

Project Description

The applicant, Charlie Hightower of First National Land Trust, proposes to build a mixed-use development that will consist of a five-story building with 200 apartment units and commercial spaces that will be located on the ground floor. Of the proposed 200 apartment units, 95 units will be studios, 95 will be one-bedroom units with one bathroom, 6 will be two-bedroom units with two bathrooms, and 4 will be 3 bedroom-units with 2 bathrooms. There will be a total of three retail spaces with a combined total of 15,000 square feet on the first floor of the proposed building. The proposed mixed-use development will provide vehicular access to the site with a deceleration lane that will be located along Old Conyers Road.

The proposed mixed-use development will include the following amenities: a four-foot sidewalk, an arrival court pavilion, a sitting pergola, a grill, a therapy garden, a playground, an adult pool, a 10-foot sidewalk, a dog park with mulch, and an open landscape. The development will also include a 16,800 square foot retention pond along with twelve trash bins that will be located on the site.

Lastly, the proposed mixed-use development will provide a total of 336 parking spaces. Of the 336 parking spaces that will be provided, 257 will be residential and 79 will be provided for the retail spaces that will be located on the ground floor of the proposed five-story building. Of the 257 residential parking spaces that will be provided, 119 parking spaces will be provided to the residents living in the studio apartment units, 119 parking spaces will be provided to the residents living in the one-bedroom apartment units, 11 parking spaces will be provided to the residents living in the two-bedroom apartment units, and 8 parking spaces will be provided to the residents living in the three-bedroom apartment units.

The applicant is requesting three variances (VR-2024-01) found in the Unified Development Code. These variances, are as follows:

1. Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. (Section 4.85 A of the Stockbridge Unified Development Code)
2. Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%.
3. Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre.

Section 4.8.4 A of the Stockbridge Unified Development Code

Parking Requirements	Request From Applicant
1 bedroom or efficiency unit: 1.25 parking spaces per unit	1 bedroom or efficiency unit: 1.00 parking spaces per unit
2-bedroom unit: 1.75 parking spaces per unit	2-bedroom unit: 1.25 parking spaces per unit

Residential Parking Spaces (Proposed) Residential multifamily high-rise (40 + units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	119
1 bedroom	95	119
2 bedroom	6	11
3 bedroom	4	8
Total Residential Parking Spaces (Proposed)	200	257

Residential Parking Spaces (Required) - Residential, multifamily (fewer than 40 units/acre)

Unit Type	Number of Units	Number of Parking Spaces
Studio	95	133
1 bedroom	95	133
2 bedroom	6	12
3 bedroom	4	9
Total Residential Parking Spaces (Proposed)	200	287

Staff Analysis

The applicant requests a **variance** under the City of Stockbridge Unified Development Code Section (**Sec. 10.1**). **The Planning Commission and the City Council shall consider the weight and merits of each of the following factors before granting variances:**

Section 10.1.1.

- A. A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this Unified Development Code will result in an individual case result in unnecessary hardship.
- B. A variance shall observe the spirit of this Unified Development Code, secure public safety

and welfare, and deliver substantial justice.

- C. The existence of a nonconforming use on adjacent or nearby property shall not constitute a justification for granting a variance.
- D. The Planning Commission shall make recommendations to the Mayor and City Council which shall have the authority to render a decision on a variance application pursuant to the public notice and hearing requirements set forth in Chapter 9.
- E. A variance may not be granted for a use specifically prohibited by the Unified Development Code. A variance is intended to compensate for a shortfall in a dimension of property that would prevent the property from complying with a site design standard. Variances may only be granted following a review of an application against the **criteria** listed below:

ANALYSIS OF REQUEST (Section 10.1.3)

A variance may be granted only upon a finding by the Mayor and City Council that all the following conditions are met.

- 1. Extraordinary and exceptional circumstances pertaining to the particular piece of property exist due to its size, shape, or topography that are not found on other properties in the same zoning district.**

At least three acres of the subject property is located in Brush Creek. Therefore, the developer is likely to encounter several hurdles while constructing the proposed mixed-use development, due to the distinctive physical characteristics of the subject property. First, the property's relatively flat terrain and irregular contours have already influenced the existing site design. Moreover, the property's position along city water (Brush Creek), its mildly wooded areas, and the varying elevations across the site add layers of complexity to the development process. In addition, there is a gravel egress that is located at the entrance of the subject property.

- 2. A literal interpretation of the provisions of this Unified Development Code would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district.**

Section 10.1.1 A of the Unified Development Code states that "A variance may be granted where owing to special conditions, a literal enforcement of the provisions of this unified development code will in an individual case result in unnecessary hardship." The applicant was advised of this right.

- 3. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.**

Granting the requested variances would not confer any special privileges upon the property owner. Furthermore, the denial of the requested variances would force the developer to comply with the same standards in the developing the proposed site, even though the proposed characteristics of the subject property would make it very difficult to do, thus creating an unnecessary hardship for the developer itself.

- 4. The variance will be consistent with the purposes and intent of this Unified Development Code, will be compatible with uses on neighboring properties, and will serve the public welfare.**

The variance request is consistent with the purpose of the Unified Development Code. In addition, the reduction of the proposed parking space would allow the developer to comply with the parking regulations and will be consistent with the neighboring properties. Furthermore, it would alleviate the number of potential cars that would be located on the proposed mixed-use development. In addition, the reduction of the proposed parking spaces would eliminate the impervious parking spaces that would be located on the mixed-used development.

- 5. The extraordinary circumstances are not the result of actions by the applicant.**

The physical conditions of the subject property were not created by the applicant. However, it is limiting the ability of the applicant to develop the property into a reasonable use, which is the proposed mixed-used development.

- 6. The variance is the minimum relief that will allow the legal use of the land, building or structure.**

The shape of the land and the acreage of state water on the subject property prevents a desired development. However, the requested variances would allow a reasonable development in the use of the land.

- 7. The variance is not a request to permit the use of land, buildings or structures that is prohibited in the same zoning district.**

The requested PUD zoning districts provide a list of permitted uses, which includes mixed-used developments.

VI. STAFF RECOMMENDATION

Based on the Staff analysis above, the Planning and Zoning Staff therefore recommends approval for the following variances:

- Variance #1 - Reduce the parking requirements according to the number of bedrooms per apartment unit, whereby studio and one-bedroom apartment units would have only 1.00 parking spaces instead of the required 1.25 parking spaces per unit, and two-bedroom units would have only 1.25 parking spaces per unit instead of the required 1.75 parking spaces per unit. (Section 4.85 A of the Stockbridge Unified Development Code). Staff has discovered that that the incorrect calculation in the parking reductions were used. Therefore, the required parking calculation resulted in 287 residential parking spaces with 79 retail parking totaling 366 parking spaces. The applicant did not provide the proposed

total reduced parking spaces. Therefore, the staff is recommended to reduce the residential by 30 parking spaces which would result in a total of 336 spaces. – APPROVAL

- Variance 2 - Modify the ground-floor retail square footage requirement by changing the residential-to-retail space ratio from the required ratio of 75%/25% to a proposed ratio of 87.5%/12.5%. – Not found in the Stockbridge Unified Development Code. Therefore, it would be **non-applicable**
- Variance #3 - Increase the project density from twenty-four (24) units per acre to twenty-nine (29) units per acre. APPROVED WITH CONDITIONS (The number of proposed units will be reduced from 200 units to 160 units (23.84 units per acre) due to the maximum allowed by the requested Special Purpose Future land use designation)