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## REZONING APPLICATION ANALYSIS

**Prepared By:** Ellis Still, Deputy Director

**Petition Number:** RZ25-001

**Applicant:** Robert F. Bullard  
1235 Prospect Road  
Lawrenceville, GA 30043  
[blpbobby@bellsouth.net](mailto:blpbobby@bellsouth.net)

**Owner(s):** Boris Besay  
Allison Besay  
Michele Besay  
2474 Kings Arms Dr., Atlanta, GA 30345  
[besayb2@yahoo.com](mailto:besayb2@yahoo.com)

**Project Location:** 1455 Rogers Lake Road, Stonecrest, GA 30058 (Parcel ID # 16 131 03 012)

**District:** 1- Councilman Tara Graves

**Acreage:** 14.79 acres

**Existing Zoning:** R-100 District (Residential Med Lot)

**Future Land Use:** Suburban (SUB)

**Overlay District:** N/A

**Proposed Development/Request:** The applicant is seeking a rezoning and map amendment of 14.79 acres from R-100 (Residential Med Lot) district to RSM (Small Lot Residential Mix) district to construct 75 townhomes.

**CPIM:** March 13, 2025

**Planning Commission (PC):** April 1, 2025

**Mayor & City Council:** April 24, 2025

**Sign Posted/ Legal Ad(s) submitted:** March 18, 2025

**Staff Recommendation(s):** DENIAL

**PC Recommendation:** TBD



## PROJECT OVERVIEW

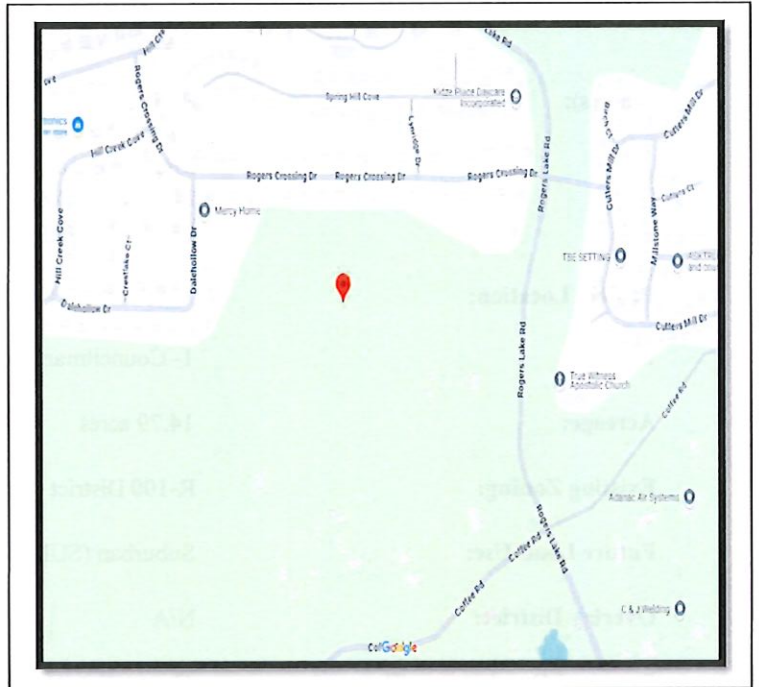
### Location

The subject properties are located at 1455 Rogers Lake Road with a parcel identification of 16 131 03 012. The subject property is currently vacant and was partially cleared in 2021 in accordance with permit number LD21-004.

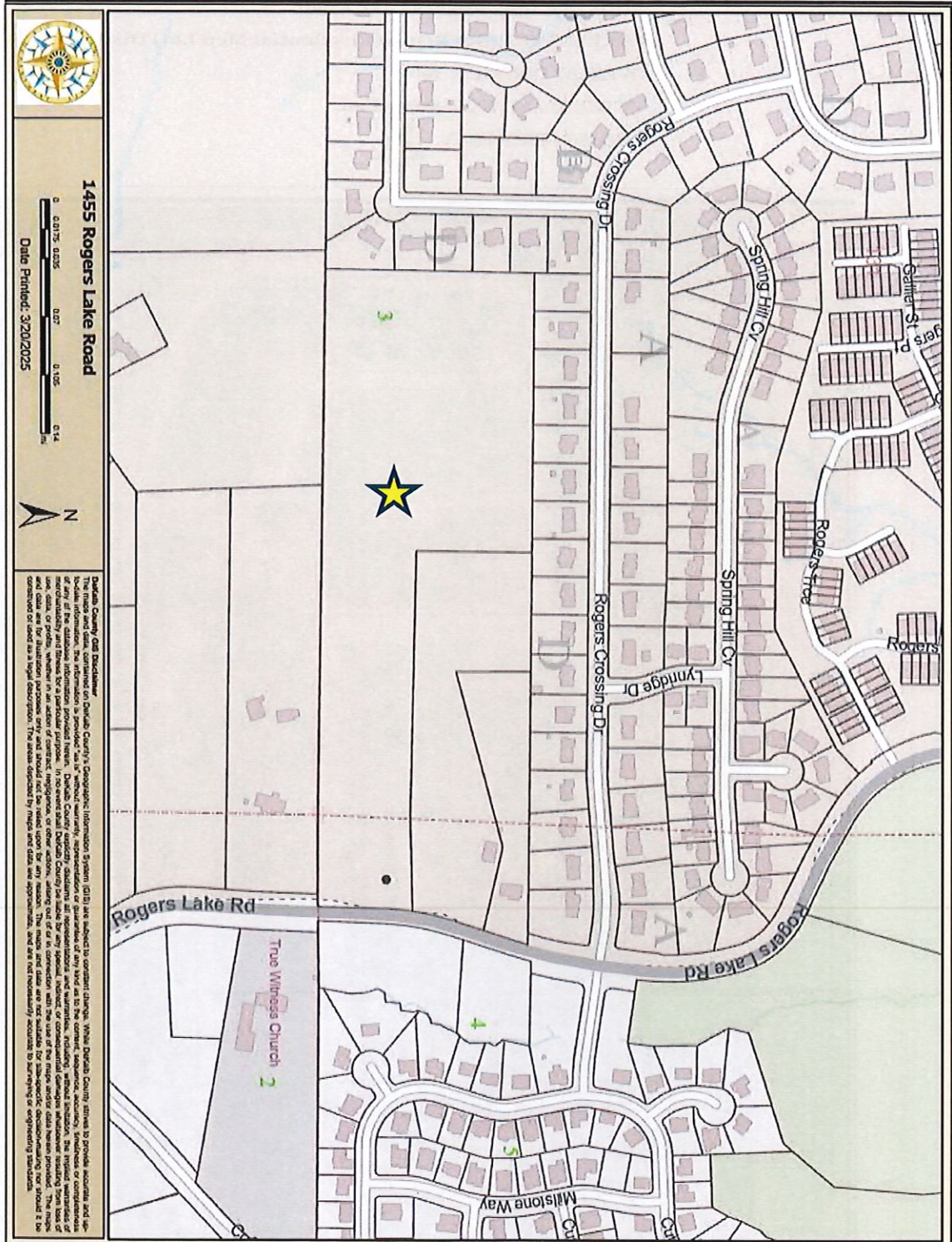
The property abuts R-100 (Residential Med Lot) District to the west, south and east. The abutting property to the north is R-100 (Residential Med Lot) and RSM (Small Lot Residential) districts.

### Background

The City of Stonecrest Zoning Map has the properties zoned R-100 (Residential Med Lot) District. The properties are partially wooded and vacant. There are no wetlands or floodplain areas on the property. The applicant is requesting to rezone Tax Parcels 16 131 03 012 (1455 Rogers Lake Road) from R-100 (Residential Med Lot) to RSM (Small Lot Residential).



LOCATION MAP



**RZ25-00001**

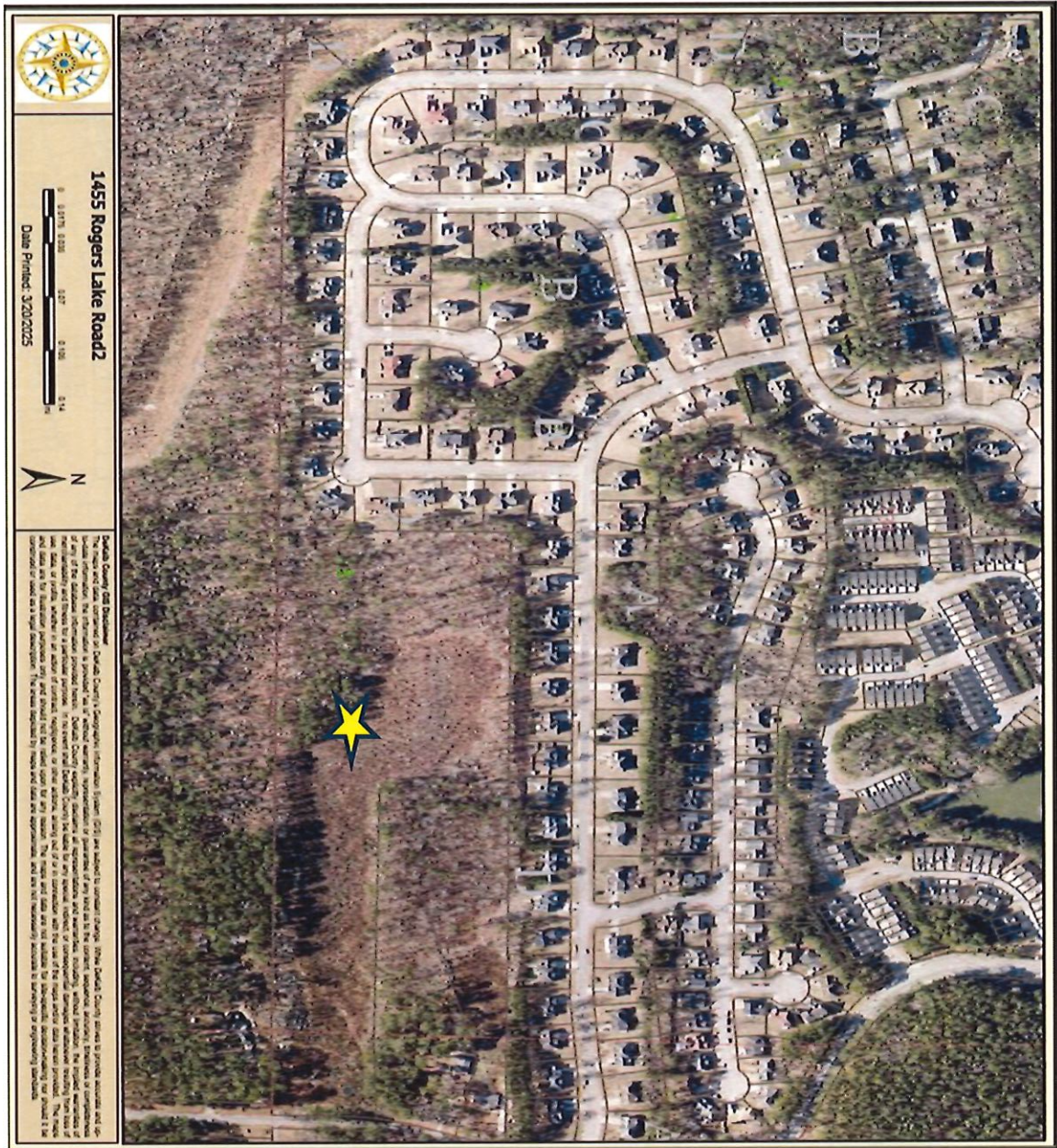
ADDRESS: **1455 Rogers Lake Road**

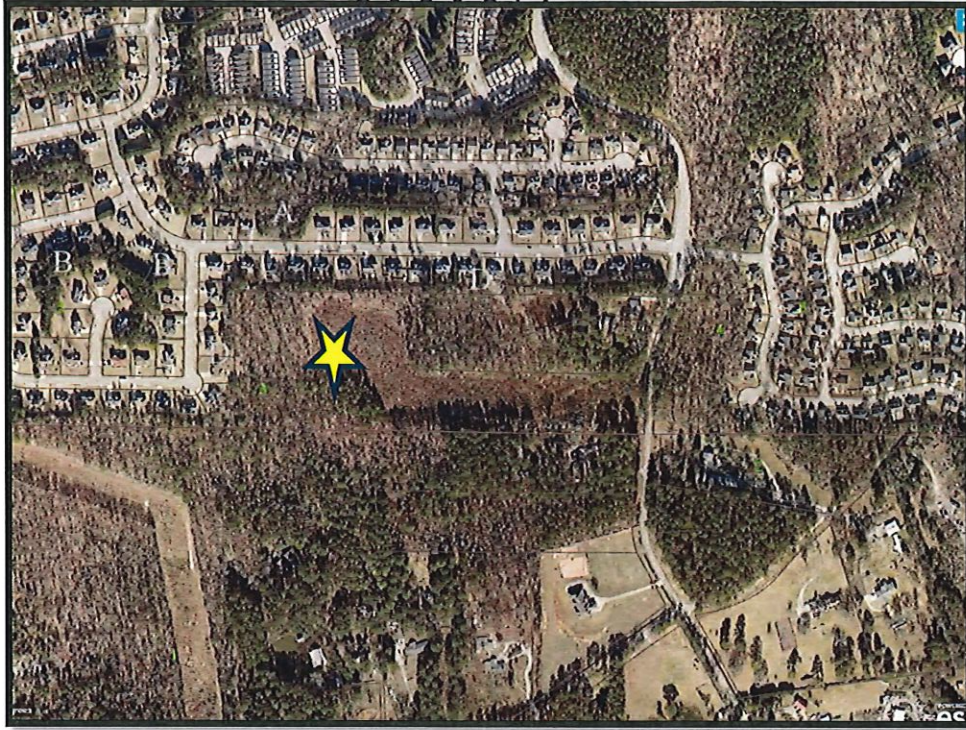
CURRENT ZONING: **R-100 (Residential Med Lot) District**

OVERLAY DISTRICT: **N/A**

FUTURE LAND USE: **Suburban**

SUBJECT PROPERTY:







Adjacent and Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	R-100 (Residential Med Lot) District	Vacant Land
Adjacent: North	R-100 (Residential Med Lot) District & RSM (Small Lot Residential)	Single-Family Homes
Adjacent: West	R-100 (Residential Med Lot) & RSM (Small Lot Residential)	Single-Family Homes
Adjacent: East	R-100 (DeKalb County)	Single-Family Homes (DeKalb County)
Adjacent: South	R-100 (Residential Med Lot) District	Single-Family Homes on Large Lots

## DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

### **Sec. 2.5.1. Statement of purpose and intent.**

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-100 (Residential Medium Lot-100) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;



- F. To provide for appropriately sized accessible and usable open space in new developments for health, recreational and social opportunities for city residents; and
- G. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

### Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
  - 1. Agricultural Activities.
    - a. Keeping of livestock; see section 4.2.
    - b. Keeping of poultry/pigeons; see section 4.2.
    - c. Riding academies or stables; see section 4.2.
    - d. Urban Community Garden, up to 5 acres; see section 4.2.
  - 2. Residential.
    - a. Dwelling, single-family (detached).
  - 3. Institutional/Public.
    - a. Golf course or clubhouse, public or private; see section 4.2.
    - b. Government facilities.
    - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
    - d. School, public kindergarten, elementary, middle or high schools.
  - 4. Communications—Utility.
    - a. Essential services.
    - b. Satellite television antenna; see section 4.2.
  - 5. Wireless Telecommunications.
    - a. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
  - 1. Agricultural.
    - a. Urban, community garden, over 5 acres.
  - 2. Residential.
    - a. Home occupation, no customer contact; see section 4.2.
  - 3. Commercial.
    - a. Farmer's market, temporary/seasonal; see section 4.2.
    - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
    - c. Temporary outdoor retail sales; see section 4.2.
    - d. Temporary outdoor sales or events, seasonal; see section 4.2.
    - e. Temporary produce stand; see section 4.2.



- f. Temporary trailer, as home site office or construction trailer; see section 4.2.
4. Wireless Telecommunications.
  - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
  - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
  - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
  1. Residential.
    - a. Bed and breakfast establishment; see section 4.2.
    - b. Home occupation, with customer contact; see section 4.2.
    - c. Child care home, 5 or less; see section 4.2.
    - d. Convents or monasteries; see section 4.2.
    - e. Personal care home, 6 or less; see section 4.2.
    - f. Senior housing; see section 4.2.
    - g. Short-term vacation rental.
  2. Institutional/Public.
    - a. Cemetery, columbarium, mausoleum; see section 4.2.
    - b. Places of worship; see section 4.2.
    - c. Recreation club; see section 4.2.
    - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
    - e. Swimming pools, commercial; see section 4.2.
  3. Commercial.
    - a. Adult daycare facility, up to 6; see section 4.2.
    - b. Child day care facility, up to 6; see section 4.2.
    - c. Kennel, noncommercial.
  4. Communication—Utility.
    - a. Amateur radio service or antenna; see section 4.2.
  5. Wireless Telecommunication.
    - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
  1. Residential.
    - a. Accessory uses or structures.
    - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
  2. Institutional/Public.
    - a. Educational use, private; see section 4.2.
    - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
  3. Commercial.





- a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

### **Sec. 2.5.3. Dimensional requirements.**

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))

### **Sec. 2.5.4. Site and building design standards.**

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))

## **DIVISION 12. RSM (SMALL LOT RESIDENTIAL MIX) DISTRICT**

### **Sec. 2.12.1. Statement of purpose and intent.**

The purpose and intent of the City Council in establishing the RSM (Small Lot Residential Mix) District is as follows:

- A. To provide for the creation of For Sale residential neighborhoods that allow a mix of single-family attached and detached housing options;
- B. To provide flexibility in design and product on the interior of new development while protecting surrounding neighborhoods;
- C. To implement the future development map of the city's comprehensive plan.

(Ord. of 8-2-2017, § 1(2.12.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

### **Sec. 2.12.2. Permitted and special land uses.**

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
  - 1. Agricultural Activities.
    - a. Urban Community Garden, up to 5 acres; see section 4.2.
  - 2. Residential.
    - a. Dwelling, cottage home; see section 4.2.
    - b. Dwelling, single-family (attached).
    - c. Dwelling, single-family (detached).
    - d. Dwelling, three-family.
    - e. Dwelling, townhouse; see section 4.2.



- f. Dwelling, two family. G E O R G I A
- g. Dwelling, urban single-family; see section 4.2.
- 3. Institutional/Public.
  - a. Golf course or clubhouse, public or private; see section 4.2.
  - b. Government facilities.
  - c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
  - d. School, public kindergarten, elementary, middle or high schools.
- 4. Communications—Utility.
  - a. Essential services.
  - b. Satellite television antenna; see section 4.2.
- 5. Wireless Telecommunications.
  - a. Carrier on Wheels (declared emergency); see section 4.2.
- B. Special Administrative Uses. The following uses are permitted only with administrative approval:
  - 1. Agricultural.
    - a. Urban, community garden, over 5 acres.
  - 2. Residential.
    - a. Home occupation, no customer contact; see section 4.2.
  - 3. Commercial.
    - a. Farmer's market, temporary/seasonal; see section 4.2.
    - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
    - c. Temporary outdoor retail sales; see section 4.2.
    - d. Temporary outdoor sales or events, seasonal; see section 4.2.
    - e. Temporary produce stand; see section 4.2.
    - f. Temporary trailer, as home sales office or construction trailer; see section 4.2.
  - 4. Wireless Telecommunications.
    - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
    - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
    - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
- C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
  - 1. Residential.
    - a. Bed and breakfast establishment; see section 4.2.
    - b. Home occupation, with customer contact; see section 4.2.
    - c. Child care home, 5 or less; see section 4.2.
    - d. Convents or monasteries; see section 4.2.
    - e. Personal care home, 6 or less; see section 4.2.
    - f. Personal care home, 7 or more; see section 4.2.



- g. Senior housing; see section 4.2.
- 2. Institutional/Public.
  - a. Cemetery, columbarium, mausoleum; see section 4.2.
  - b. Places of worship; see section 4.2.
  - c. Recreation club; see section 4.2.
  - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
  - e. Swimming pools, commercial; see section 4.2.
- 3. Commercial.
  - a. Adult daycare facility, up to 6; see section 4.2.
  - b. Child day care facility, up to 6; see section 4.2.
- 4. Communication—Utility.
  - a. Amateur radio service or antenna; see section 4.2.
- 5. Wireless Telecommunication.
  - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
  - 1. Residential.
    - a. Accessory uses or structures.
    - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
  - 2. Institutional/Public.
    - a. Educational use, private; see section 4.2.
    - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
  - 3. Commercial.
    - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.12.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

### **Sec. 2.12.3. Dimensional requirements.**

Dimensional requirements for the RSM (Small Lot Residential Mix) District shall be as provided in Table 2.4, Medium and High Density Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.12.3))

### **Sec. 2.12.4. Site and building design standards.**

Site and building design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.12.4))



**Sec. 2.12.5. Density and location criteria.**

- A. The maximum allowed dwelling unit density in the RSM District before application of any bonus is 4 dwelling units per acre, and after application of any bonuses is 8 dwelling units per acre.
- B. Density determination of each RSM (Small Lot Residential Mix) property:
  - 1. Existing RSM properties: For existing properties converted to RSM (Small Lot Residential Mix) District classification at the effective date of the ordinance from which this chapter is derived:
    - a. Where conditions of zoning regulating density have been attached to the property, maximum density shall remain as established in such conditions.
    - b. Where no conditions of zoning regulating density have been attached to the property, maximum density shall be the Base Max described in Table 2.5 unless administratively reviewed and approved for bonus increases, according to the criteria set forth in subsection C. of this section.
  - 2. New RSM properties: For property rezoned to the RSM (Small Lot Residential Mix) District classification after the effective date of the ordinance from which this chapter is derived, density shall be established by the City Council at the time of approval, based upon the criteria set forth in subsection C. of this section.
- C. Density bonus eligibility and calculations. Density bonuses are allowed only for subdivisions, as defined in this chapter, and are expressly not allowed for individual infill lots. The maximum allowed density on RSM (Small Lot Residential Mix) District zoned property may be increased above the Base Max by application of density bonuses as indicated by Table 2.6, and may be accumulated if eligible. An example of how allowable density bonuses are calculated is shown in the example at the end of Table 2.6. In no case shall density exceed the bonus maximum established by Table 2.5.

Table 2.6. Residential Density Bonus Eligibility and Percent, with Example Calculation

Density bonus percent increase by amenity, location, or other provision	
<i>20 percent greater than base</i>	
Public Improvements	Applicant provides any of the following improvements: Transit facilities (bus shelter, ride-share), public art, structured parking, trail with public access, sidewalks and/or road improvements beyond project.
Transit Proximity	Existing park-n-ride or ride-share facility is located within one-quarter mile of the property boundary.
Amenity Proximity	Existing amenities, such as healthcare facilities, senior and/or civic centers, public schools, public libraries, recreational facilities, personal service establishments, grocery stores, or shopping centers. (See section 2.12.7.)
<i>50 percent greater than base</i>	
Sustainability Elements	Certification that proposed buildings, if built as designed, would be accredited by LEED and reg, EarthCraft, or other similar national accreditation organization, for energy- and water-efficient site and building design.
Mixed Income or Mixed Age	30-year enforceable commitment approved by the city attorney and recorded on the deed records that total number of units will be reserved to be occupied as follows: 10 percent by very low income households, or 20 percent by low income households, or 25 percent for senior citizens. Household income level shall be as established by the Atlanta Regional Commission.



Additional Enhanced Open Space	<b>G E O R</b> Additional enhanced open space (with standards established by article 5 of this chapter) comprise 20 percent of the overall development site.
<i>100 percent greater than base</i>	
Additional Enhanced Open Space	Enhanced open space comprises 35 percent or more of the overall development site.
MARTA Rapid Transit Station	Existing MARTA rapid transit station is located within one-quarter mile of the property boundary.
Reinvestment Areas	Property is located within an Enterprise Zone or Opportunity Zone.

**Example Density Bonus:** (Dwelling Units per Acre (du/acre))

Character Area (example):	<i>Neighborhood Center Character Area</i>
Bonus types in example project:	<i>Sustainability Elements and Amenity Proximity</i>
Method:	<i>Multiply the Base x % = additional units eligible</i>

Step 1: Calculate density gained by bonus type:

<u><i>Sustainability Element Bonus:</i></u>	<u><i>Amenity Proximity Bonus:</i></u>
Base density: 4	Base density: 4
% Bonus = 50%	% Bonus = 20%
Base x 50% = 4 x 50% = 2	Base x 20% = 4 x 20% = 0.8
+ 2 bonus du/acre	+ 0.8 bonus du/acre

Step 2: Add bonus density to Base density

4	+	( 2 + .8 )	= 6.8 du/acre max density
Base		Cumulative Bonus	Total project density allowed

(Ord. of 8-2-2017, § 1(2.12.5); Ord. No. 2021-06-03, § 1(Exh. A, § F), 8-23-2021; Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022)

**Sec. 2.12.6. Amenity proximity requirements.**

For proposed development within one-quarter mile of an existing public school, park, library, trail or greenway network, a pedestrian facility linking to the amenity shall be provided, or a stub-out for linking to a future amenity shall be provided. Measurement of distance to a qualifying amenity shall be taken from center point of the proposed drive of the principal entrance and follow the shortest street route to the center point of the closest existing drive to access the existing amenity.

(Ord. of 8-2-2017, § 1(2.12.6))



### Sec. 2.12.7. Bonus density qualifying standards.

The following standards shall be applied when considering whether bonus density may be allowed:

A. *Qualifying public improvements.*

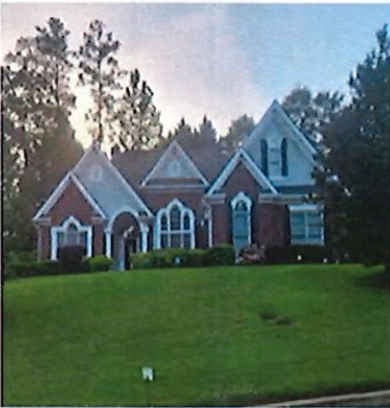
1. *Bus shelter.* To qualify as eligible for bonus density, proposed bus shelter facilities shall include at a minimum a shelter structure, bench and paved access and be designed according to MARTA or GRTA standards, based upon ridership thresholds and as documented as acceptable by either agency.
2. *Park-n-ride and/or ride-share.* To qualify as eligible for bonus density, proposed ride-share facilities shall provide for a minimum of 100 parking spaces, and park-n-ride amenities shall provide a minimum of 300 parking spaces, unless the station warrants fewer, as documented by MARTA or other transit service provider.
3. *Public art.* To qualify for bonus density, a proposed work of art shall be subject to approval by the planning commission, be located on the development site or in a public place off-site, and have a value of at least one-half of one percent of the total construction valuation of the building permit. The maximum required value shall not exceed \$250,000.00.
  - a. Options for providing public art are: Purchase an existing piece of art work or have a specific piece of art work commissioned.
  - b. For commissioned work, a deposit with the planning department of 115 percent of the value of the public art is required prior to the issuance of a building permit.
  - c. Public art or public works of art is defined as the creative application of skill and taste by artists to production of permanent tangible objects according to the aesthetic principles, including, but not limited to, the following:
    - Paintings;
    - Sculptures;
    - Site specific installations;
    - Engravings;
    - Carvings;
    - Frescos;
    - Mobiles;
    - Murals;
    - Collages;
    - Mosaics;
    - Statutes; and
    - Bas-reliefs.
  - d. Public art or public works of art shall also include the creative application of skill and taste by artists according to the aesthetic principals to the architectural embellishment of a building or structure. Architects and landscape architects are not considered artists under this definition.
  - e. The following shall not be considered public art or public works of art:
    - Reproductions or unlimited copies of original art work;
    - Art objects which are mass produced;
    - Works that are decorative, ornamental or functional elements of the architecture or landscape design, except when commissioned from an artist as an integral aspect of a structure or site; and
    - Architectural rehabilitation or historical preservation.
4. *Structured parking.* Developments that provide vertical, structured parking shall be eligible for the residential density bonus, provided:
  - a. Parking decks not integrated into other buildings shall be located internal to the site.
  - b. Structures are either:



- (i) At least two stories above ground or greater; and/or
  - (ii) Alternatively, at least one story is underground.
- c. Parking decks visible from a public right-of-way shall incorporate similar architectural materials as the primary buildings.
5. *Trail with public access.* Minimum length of new trail or multi-use path shall be one-quarter mile and shall connect to a greenway/trail or sidewalk network external to the site.
- B. *Qualifying amenity clarifications.*
- 1. Health or medical services: include clinics and offices for health, dental and/or medical services, as defined in article 9 of this chapter, including pharmacies with diagnostic services.
  - 2. Recreational facilities: include private or public exercise gymnasiums, fitness centers, sports fields, parks, and swim centers.

(Ord. of 8-2-2017, § 1(2.12.7))

## City of Stonecrest 2038 Comprehensive Plan 5- Year Update



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

**Suburban Neighborhood (SN):** The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

**Use Descriptions:** SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

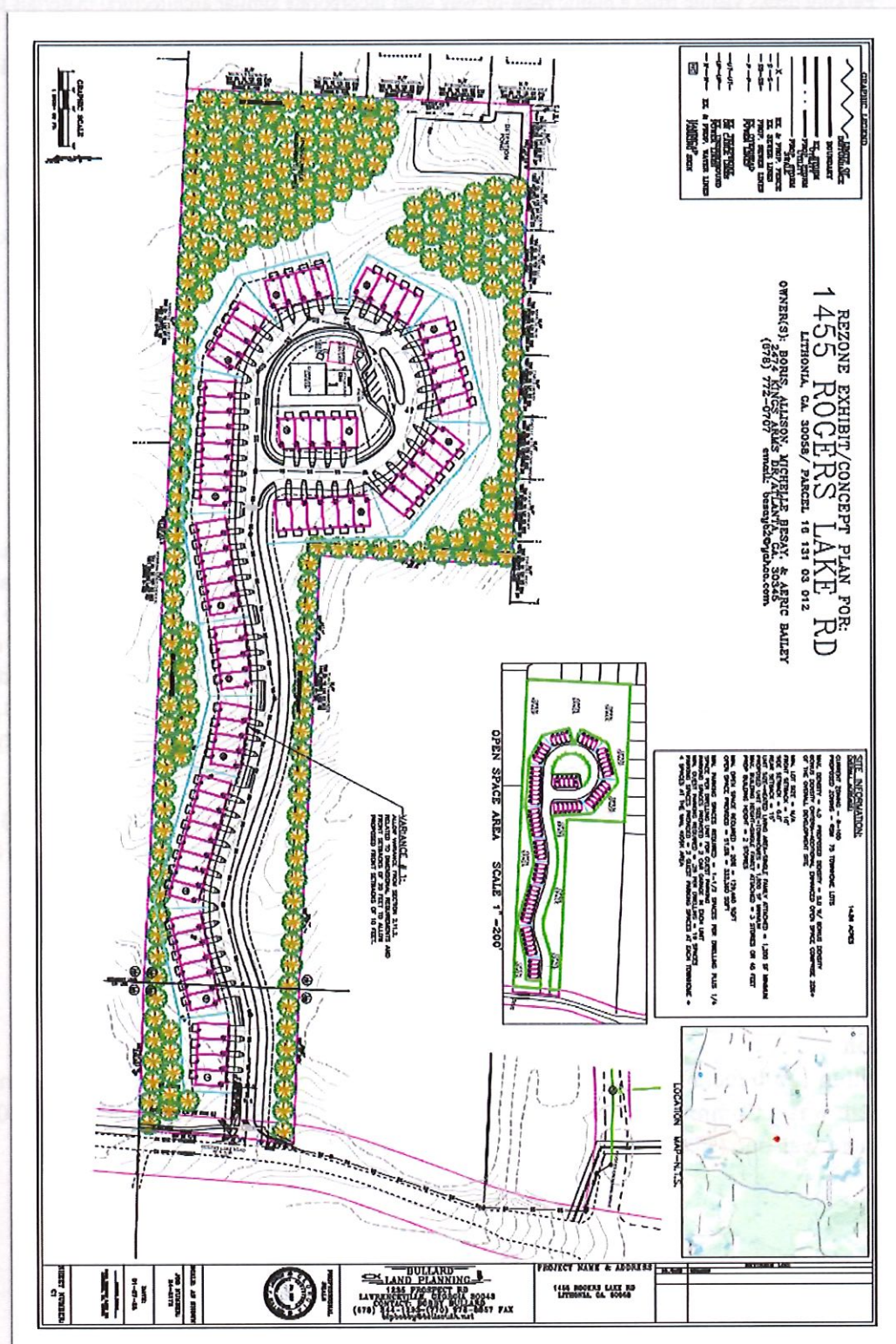
**Maximum Density, Units/Acre:** 4 to 8 du/ac

**Permitted Districts:** OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

### Public Participation

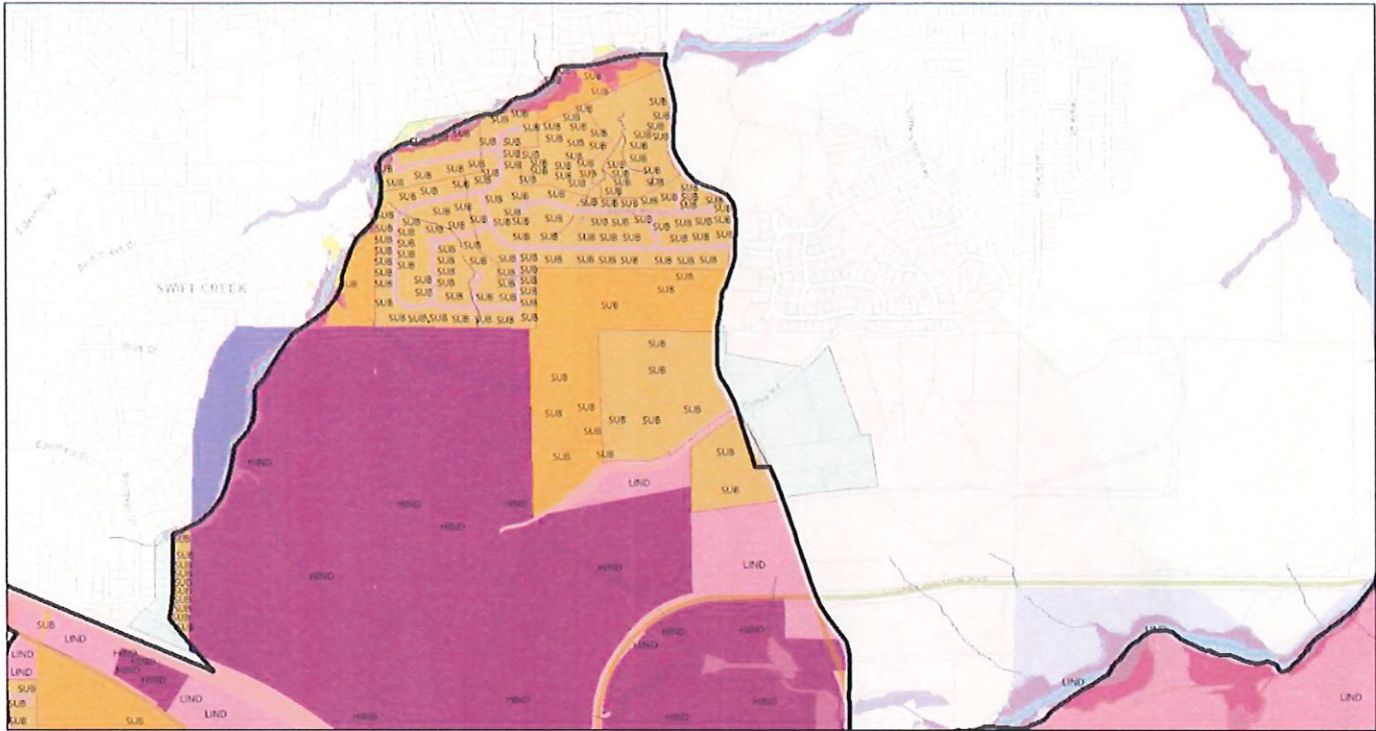
Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in February 2025. There was a Community Planning Information Meeting (CPIM) held on March 1, 2025, at 6:00 p.m. at city hall. There was one (1) attendee that spoke on the request.

Submitted Site Plan



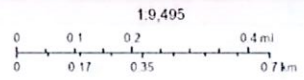


**LAND USE MAP**



3/20/2025, 9:10 28 AM

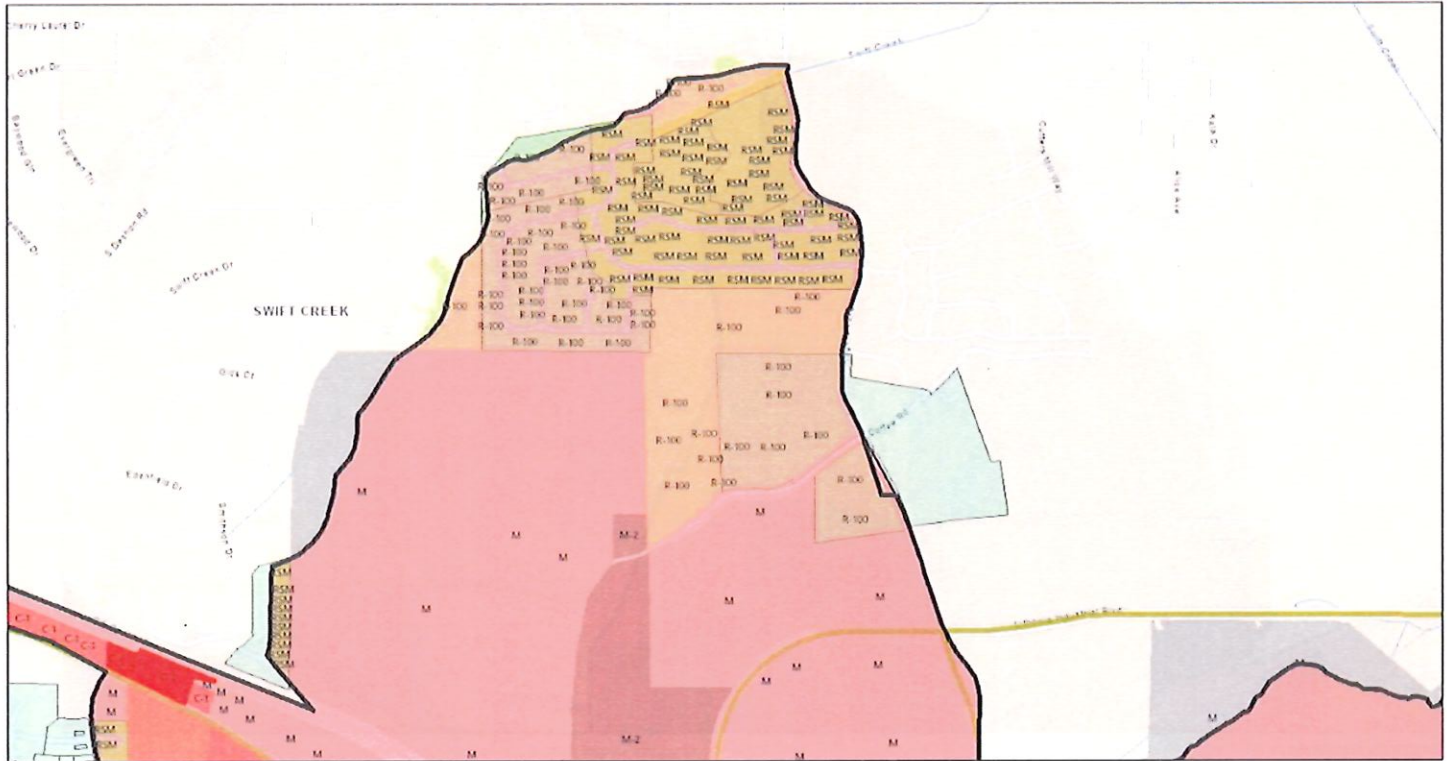
- City Limits
- City Council
- Stonecrest Council District 1
- USA Flood Hazard Areas
- 0 2% Annual Chance Flood Hazard
- Regulatory Floodway
- Stonecrest State Waters
- Truck Routes
- Subdivisions / Apartments
- DeKalb Parcels
- Future Land Use
- Heavy Industrial
- Light Industrial
- Office Professional
- Suburban



Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

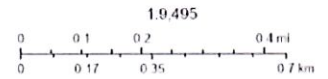


**ZONING MAP**



3/20/2025, 9:31:04 AM

- |                               |                          |                                 |
|-------------------------------|--------------------------|---------------------------------|
| City Limits                   | C-1 - Local Commercial   | R-100 - Residential Med Lot     |
| City Council                  | C-2 - General Commercial | RSM - Small Lot Residential Mix |
| Stonecrest Council District 1 | M - Light Industrial     | MR-1 - Med Density Residential  |
| Truck Routes                  | M-2 - Heavy Industrial   |                                 |
| Subdivisions / Apartments     |                          |                                 |



Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS, © OverStreetMap contributors, and the GIS User Community



## CITY OF STONECREST, GEORGIA

### STANDARDS OF ZONING MODIFICATION REVIEW

[Section 7.3.5](#) of the Stonecrest Zoning Ordinance list eight factors to be considered in a technical review of a zoning case completed by the Community Development Department and Planning Commission. Each element is listed with staff analysis.

**A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

The Stonecrest Future Land Use Map within the Stonecrest 2038 Comprehensive Plan-5 Year update shows the subject property as having a land use designation of Suburban. The *Use Descriptions* has townhomes as an allowable use in the RSM-Small Lot Residential zoning district. The proposed townhome development is within the allowable density range set forth by the comprehensive plan for this area of this type as 4 to 8 units per acre.

**B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.**

The rezoning proposal from R-100 to RSM will permit a use that is suitable in view of the use and development of adjacent and nearby developments. The rezoning of the subject property is consistent with zoning of the property to the northwest that is developed as single-family homes developed on five (5) acre parcels. Although the subject property with the proposed development will not directly abut a RSM townhome development, there is a townhome development to the north with the same zoning classification as being requested.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**

The subject property is currently zoned R-100 (Residential Med Lot). This zoning classification permits single-family homes with a 15,000 square foot minimum lot size. The property does have reasonable economic use under its current zoning designation and could yield approximately 40 lots. A single family detached development would be more in character with the adjacent developments.

**D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties.**

The rezoning proposal to rezone from R-100 to RSM to construct townhomes may adversely affect the existing use or usability of adjacent or nearby properties. The proposed rezoning is requesting to allow a townhome development that would add approximately 75 townhomes to this area that will have access Rogers Lake Road with approximately 185+/- cars to a very narrow roadway. The pavement width is approximately 20 feet along the frontage of the subject property. This could adversely affect the livability and current home values of the current residents', their quality of life as well as an increase the potential for accidents.



## CITY OF STONECREST, GEORGIA

**E. Whether there are other existing or changing conditions affecting the use and development of the property, which gives supporting grounds for either approval or disapproval of the zoning proposal.**

The proposed use would be inconsistent with the uses that are adjacent to it on all sides. The proposed townhome development would be surrounded by significantly larger lots of single family detached residential homes to the south and east. It would be bordered by single-family medium lot homes to the north and west. Although the RSM zoning district is a permissible district according to the Stonecrest 2038 Comprehensive Plan 5- Year Update. The Suburban Neighborhood future land use designations states that this area is characterized as low-pedestrian orientation. It would be out of character with the adjacent developments. These factors provide supporting grounds to disapprove the proposed rezoning request.

**F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.**

At the time of this report there are no direct indications that the proposed zoning change for 1455 Rogers Lake Road would adversely affect any historic buildings, sites, districts, or archaeological resources. The rezoning request is primarily to request the proposed development of townhomes.

**G. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

The zoning proposal requests a change that would generate approximately 185 additional vehicle traffic on a road that is very narrow and, in some areas, has no shoulders or guard rails. The Stonecrest 2038 Comprehensive 5-Year Update Plan update included that there is a Sidewalk Master Plan project that will expand on proposed trails, existing trails, and existing sidewalks to develop citywide connectivity for pedestrians. Of the 75 planned sidewalk projects one (1) is planned for Rogers Lake Road. (SW-65)

Additional vehicle traffic could cause a burdensome hardship on the streets in the area as (Rogers Lake Road ) is currently narrow and in some areas need repairs.

The proposed development will have an impact on the local school by increasing the number of students attending the area schools. It will also increase the need for utilities such as water and sewer and services such as sanitation refuge.

**H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The subject property was partially cleared approximately four years ago. Based on the site plan submitted with this application, it appears that the development intends to keep the existing mature trees that exist on the site. The proposed development will be required to adhere to all development regulations including evaluation of storm-water requirements, erosion control plan and landscaping, open space/tree save areas.

### **STAFF RECOMMENDATION**

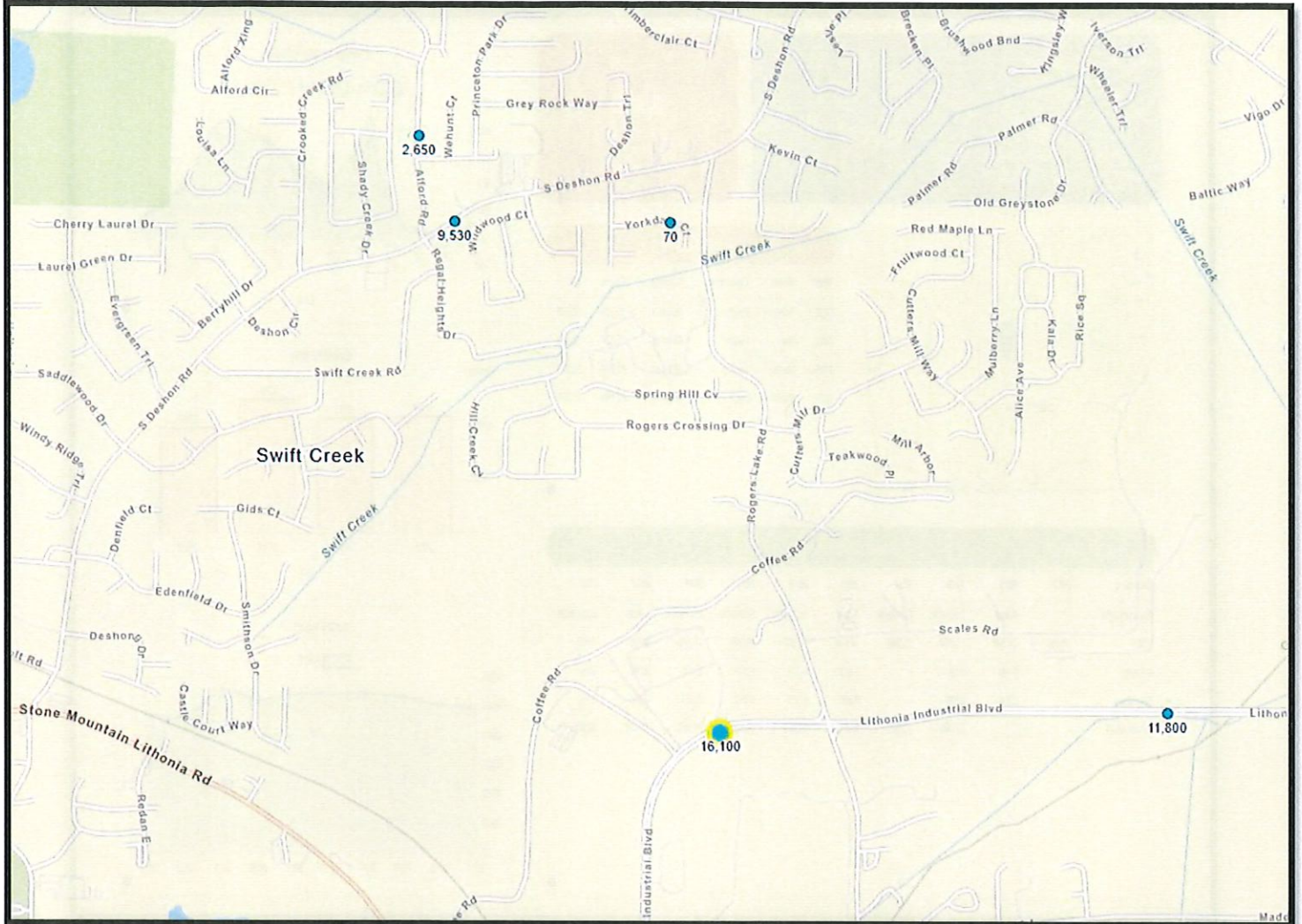
The requested rezoning from R-100 to RSM is to develop a townhome community. The site plan submitted does not provide any information on the typical unit width or lot size. The surrounding area is currently developed as single-family detached homes. The homes to the north and immediate south of the subject property are housed on lots that are five (5) acres or more. The proposed development would not fit with the surrounding development and is not considered a transitional development from large lots to smaller lots.

Staff recommends **DENIAL**.



## CITY OF STONECREST, GEORGIA

### TRAFFIC DATA/AVERAGE ANNUAL DAILY TRAFFIC (AADT)



The closest data to provide traffic counts is

- A. STATION 089-0481 S. Deshon Rd. N of S. Stone Mountain Lithonia Road . *estimated AADT 9530*
- B. STATION 089-4062 Lithonia Industrial Blvd. W. of Rogers Lake Road *estimated AADT 16,100*
- C. STATION 089-4064 Lithonia Industrial Blvd. E. of Rogers Lake Road *estimated AADT 11, 800*



# CITY OF STONECREST, GEORGIA

## A. STATION 089-0481 S. Deshon Rd. N of S. Stone Mountain Lithonia Road

**0000089\_0481 - 089-0481**

- S Deshon Rd N of S Stn Mtn Lithonia Rd  
 County: DeKalb  
 LRS section: 0892953200  
 Functional class: SU - Major Collector (Urban)  
 Coordinates: 33.759217, -84.117007

Site Data

**Count History**

Year	Month	Count type	Duration	Count	ADT
2022	February	Volume	48 hours	20,010	10,005
2018	May	Volume	48 hours	25,324	12,662
2015	March	Volume	48 hours	21,750	10,875
2011	March	Class	48 hours	22,195	11,098

**Annual Statistics**

Data Item	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Statistics type	-	Actual	Estimated	Estimated	Actual	Estimated	Estimated	Estimated	Actual	Estimated
AADT	10,000	10,200	10,700	11,000	10,900	10,900	10,500	11,100	9,200	9,530
K-Factor	-	0.091	0.091	-	0.078	0.078	0.078	0.078	0.006	0.006
D-Factor	-	0.500	0.500	-	0.550	0.550	0.550	0.550	0.550	0.550
Future AADT	-	-	12,000	13,900	13,800	13,800	13,800	15,300	11,700	12,000

**AADT Trend**



# CITY OF STONECREST, GEORGIA

## B. STATION 089-4062 Lithonia Industrial Blvd. W. of Rogers Lake Road

**0000089\_4062 - 089-4062**

- Lithonia Ind Blvd W of Rogers Lake Rd  
 City: Atlanta County: DeKalb  
 LRS section: 0893298900  
 Functional class: 4U - Minor Arterial (Urban)  
 Coordinates: 33.744293, -84.10769

Site Data

Count History

Year	Month	Count type	Duration	Count	ADT
2024	June	Volume	48 hours	31,042	15,521
2022	September	Class	48 hours	34,917	17,458

Annual Statistics

Data Item	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Statistics type	-	-	-	-	-	-	-	-	Actual	Estimated
AADT	-	-	-	-	-	-	-	-	15,900	16,100
K-Factor	-	-	-	-	-	-	-	-	0.101	0.101
D-Factor	-	-	-	-	-	-	-	-	0.600	0.600
Future AADT	-	-	-	-	-	-	-	-	25,800	20,300

AADT Trend



# CITY OF STONECREST, GEORGIA

## C. STATION 089-4064 Lithonia Industrial Blvd. E. of Rogers Lake Road *estimated AADT 11,800*

**0000089\_4064 - 089-4064**

- Lithonia Ind Blvd E of Rogers Lake Rd  
 City: Atlanta County: DeKalb  
 LRS section: 0893298900  
 Functional class: 4U - Minor Arterial (Urban)  
 Coordinates: 33.744867, -84.091946

Site Data

**Average Hourly Volume**

**Count History**

Year	Month	Count type	Duration	Count	ADT
2024	June	Volume	48 hours	25,382	12,681
2022	October	Class	48 hours	25,965	12,982

Annual Statistics

Data Item	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Statistics type	-	-	-	-	-	-	-	-	Actual	Estimated
AADT	-	-	-	-	-	-	-	-	11,700	11,800
K-Factor	-	-	-	-	-	-	-	-	0.097	0.097
D-Factor	-	-	-	-	-	-	-	-	0.600	0.600
Future AADT	-	-	-	-	-	-	-	-	19,000	14,900

**Count History**

**AADT Trend**





## CITY OF STONECREST, GEORGIA

PLANNING COMMISSION (PC) RECOMMENDATION – April 1, 2025.

TBD



## CITY OF STONECREST, GEORGIA

### APPLICATION PACKAGE

**1455 Rogers Lake Rd  
Lithonia, Ga. 30044**

City of Stonecrest Planning and Zoning Department  
3120 Stonecrest Blvd, Ste 190  
Stonecrest, Georgia 30038  
770-224-0200

RE: Letter of Intent  
Subject Parcel **16 131 03 012**  
January 25th, 2025

To Whom It May Concern,

We would like to request a rezoning of the 14.86 acre property located at 1455 Rogers Lake Rd. The existing zoning is R100 and we have included a Concept Plan that represents a request in rezoning to RSM. The plan features 75 single family attached (SFA) townhome lots. This represents a proposed density of 5.0 units/acre which includes a bonus density of 25% which is achieved through additional enhanced open space.

The following variance is requested:

1) Allow variance from code section 2.11.2. related to required setbacks to allow a 10 foot front setback instead of the required 20' front setback.

Sincerely,

*Robert Bullard*  
Applicant



## CITY OF STONECREST, GEORGIA

### Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



#### Amendment Application

PROPERTY			
Site Address(es): 1455 Rogers Lake Rd/Lithonia, Ga. 30058	Parcel #: 16 131 03 012	Zip: 30058	
Project Name (If applicable):			
Current Zoning	R-100	Proposed Zoning	RSM
Current Use	Undeveloped	Proposed Use	Townhome subdivision

OWNER INFORMATION			
Name:	Boris, Allison, and Michelle Besay		
Address:	2474 Kings Arms Dr/Atlanta, Ga. 30345		
Email:	besayb2@yahoo.com	Phone:	678-772-0707

APPLICANT			
Name:	Robert F. Bullard		
Address:	1235 Prospect Rd/Lawrenceville, Ga. 30043		
Email:	blpbobby@bellsouth.net	Phone:	678-344-1293

**AFFIDAVIT**

To the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Stonecrest Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included.

Applicant's Name:	Robert F. Bullard		
Applicant's Signature:		Date:	1/30/25

NOTARY			
Sworn to and subscribed before me this	30 <sup>th</sup> Day of	Jan.	
Notary Public:			
Signature:		Date:	1/30/25





# CITY OF STONECREST, GEORGIA

## Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



### Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

#### Applicant

Name:	Robert F. Bullard		
Address:	1235 Prospect Rd	City, State: Lawrenceville, Ga	Zip: 30043
Signature:		Date:	11/30/25
Sworn to and subscribed before me this <u>30<sup>th</sup></u> day of <u>Jan.</u> , 20 <u>25</u>			
Notary Public:			



#### Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

#### Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



CITY OF STONECREST, GEORGIA

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)




Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.


Property Owner

Name:	Boris Bosay		
Address:	2474 Kings Arms Dr	City, State: Atlanta, Georgia	Zip: 30345
Signature:		Date:	1/30/2025
Sworn to and subscribed before me this <u>30</u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:			



Additional Property Owner (if applicable)

Name:	Allison Bosay		
Address:	2474 Kings Arms Dr	City, State: Atlanta, Georgia	Zip: 30345
Signature:		Date:	1/30/25
Sworn to and subscribed before me this <u>30</u> day of <u>January</u> , 20 <u>25</u>			
Notary Public:			



Additional Property Owner (if applicable)

Name:	Michelle Bosay		
Address:	2474 Kings Arms Dr	City, State: Atlanta, Georgia	Zip: 30345
Signature:		Date:	1/30/25



# CITY OF STONECREST, GEORGIA

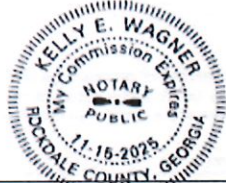
## Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Sworn to and subscribed before me this 30 day of January, 2025

Notary Public: *Kelly E Wagner*




### Additional Property Owner (if applicable)

Name:	Aeric Bailey		
Address:	2474 Kings Arms Dr	City, State: Atlanta, Georgia	Zip: 30345
Signature:	<i>Aeric Bailey</i>	Date:	<u>1-30-25</u>

Sworn to and subscribed before me this 30 day of January, 2025

Notary Public: *Kelly E Wagner*





# CITY OF STONECREST, GEORGIA

## Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



### Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

<b>Applicant/Property Owner Applicant</b>			
<b>Name:</b>	Robert F. Bullard		
<b>Address:</b>	1235 Prospect Rd	<b>City, State:</b> Lawrenceville, Ga.	<b>Zip:</b> 30043
<b>Signature:</b>		<b>Date:</b>	1/30/23

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount



# CITY OF STONECREST, GEORGIA

## Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



### Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

<b>Applicant/Property Owner</b>			
<b>Name:</b>	Aeric Bailey		
<b>Address:</b>	2474 Kings Arms Dr	<b>City, State:</b> Atlanta, Ga.	<b>Zip:</b> 30345
<b>Signature:</b>		<b>Date:</b>	1-30-25

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount





## CITY OF STONECREST, GEORGIA

### Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)




#### Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

<b>Applicant/Property Owner</b> Owner			
<b>Name:</b>	Alison Besay		
<b>Address:</b>	2474 Kings Arms Dr	<b>City, State:</b> Atlanta, Ga.	<b>Zip:</b> 30345
<b>Signature:</b>		<b>Date:</b>	11/30/25

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount





# CITY OF STONECREST, GEORGIA

## Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



### Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes

No

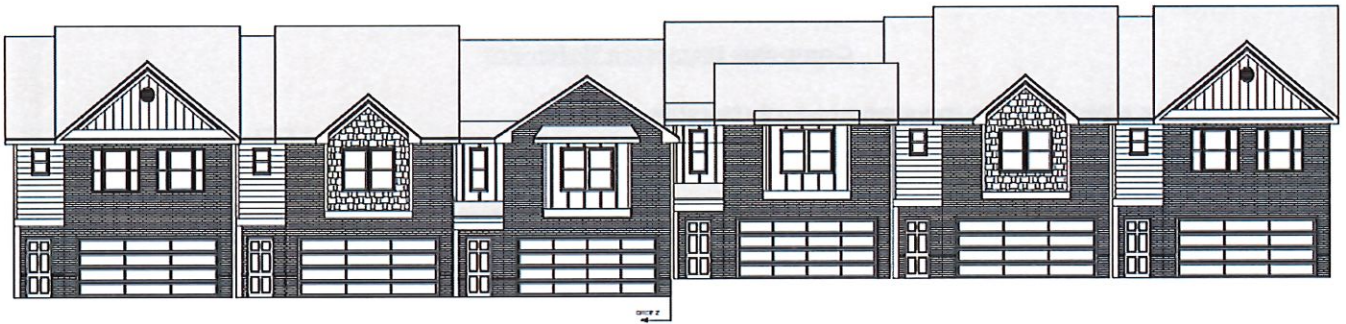
<b>Applicant/Property Owner</b> Owner			
<b>Name:</b>	Michelle Besay		
<b>Address:</b>	2474 Kings Arms Dr	<b>City, State:</b> Atlanta, Ga	<b>Zip:</b> 30345
<b>Signature:</b>		<b>Date:</b>	1/30/25

If the answer above is yes, please complete the following section:

Date	Government Official & Position	Description	Amount



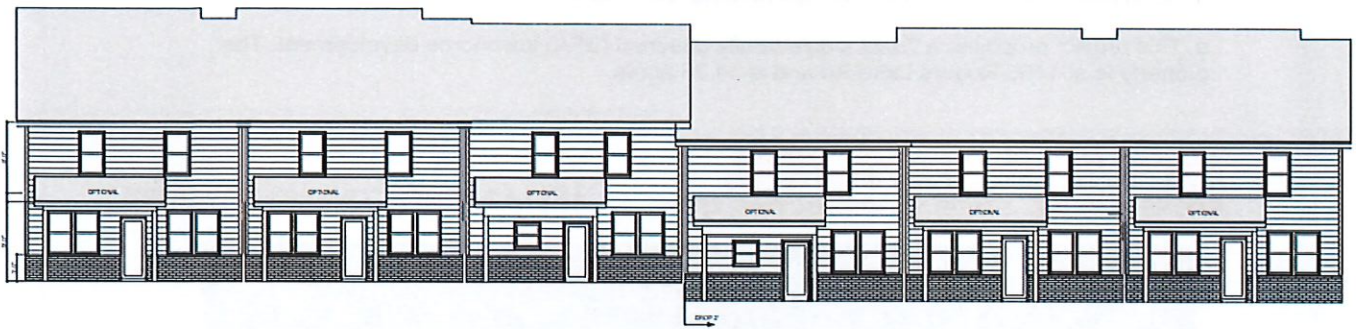
CITY OF STONECREST, GEORGIA



1455 ROGERS LAKE RD  
PROPOSED TOWNHOMES-FRONT ELEVATIONS



CITY OF STONECREST, GEORGIA



1455 ROGERS LAKE RD  
PROPOSED TOWNHOMES-REAR ELEVATIONS



## CITY OF STONECREST, GEORGIA

Environmental Site Analysis  
1455 Rogers Lake Rd  
Lithonia, Ga. 30044

### 1. Conformance to the Comprehensive Plan:

a. This project proposes a 75 lot single family attached (SFA) townhome development. The property is at 1455 Rogers Lake Rd and is 14.86 acres.

WOODED AREA CONSISTING OF PINES & HARDWOODS (4" TO 20" CALIPER) ALONG PROPERTY LINE, STEEP SLOPES IN THIS AREA

AREA RECENTLY TIMBER HARVESTED



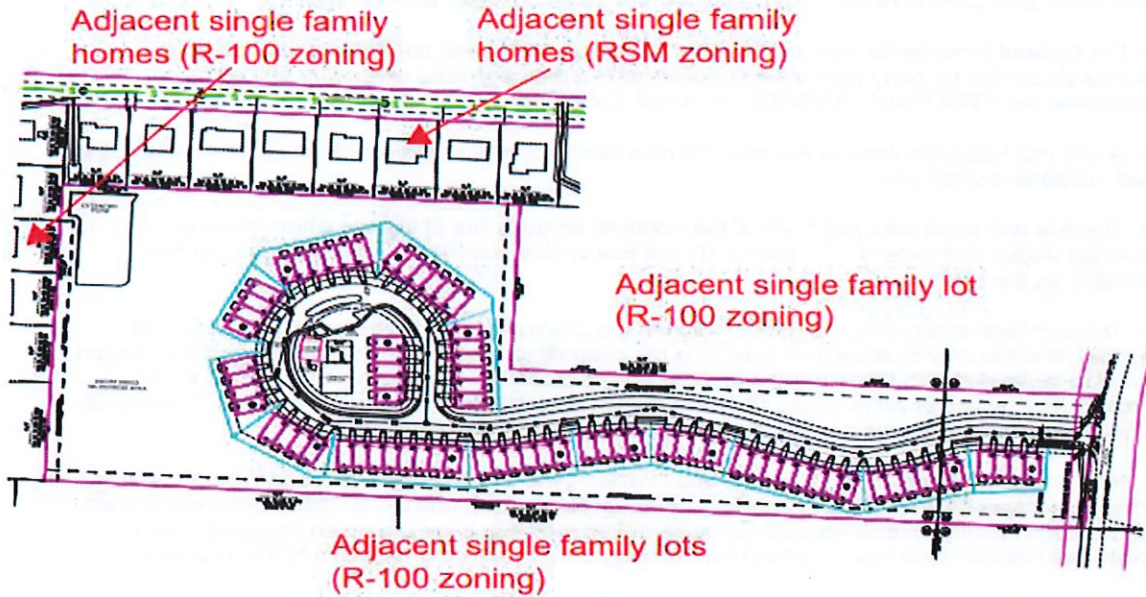
WOODED AREA CONSISTING OF MAINLY HARDWOODS (4" TO 12" CALIPER)

36" White Oak  
(Poor condition)



## CITY OF STONECREST, GEORGIA

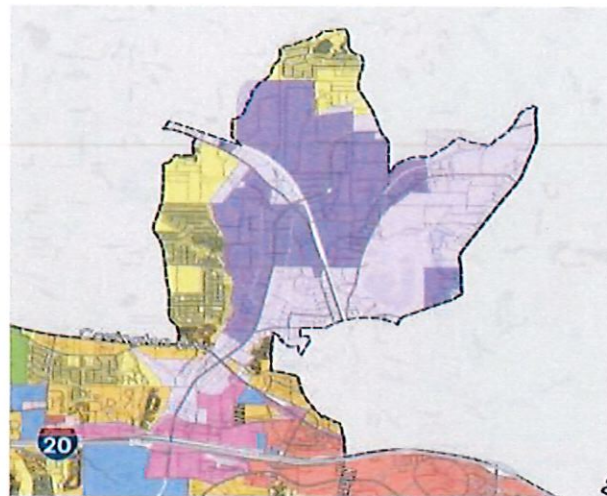
### b. Adjacent Property Description and Proposed Site Plan



c. This proposed project conforms to the Comprehensive Land Use Plan as it proposes single family attached (SFA) townhomes which is an allowed use under RSM zoning

d. Under the Comprehensive Land Use Map, the proposed project and property is located in the "Suburban Neighborhood" classification.

e. The proposed townhome development would be an acceptable "Suburban Neighborhood" Land Use.





## CITY OF STONECREST, GEORGIA

### 2. Environmental Impacts of the Proposed Project:

- a. The U.S. Fish and Wildlife Service, National Wetlands Inventory Map has been consulted and site visits have been done to this property and no wetlands areas exist on this site.
- b. The Federal Emergency Agency (FEMA) flood maps have been consulted and there is no floodplain on this property from a water course with a drainage area exceeding 100 acres or floodplain per FIRM Panel 13089C0113K dated 12/8/2016.
- c. A site visit has been done at this site and no streams or related stream buffers exist on the site or within 200 feet of the site.
- d. There is one small area just north of the northern property line of the site where there are existing slopes that exceed 25% over a 10 foot rise in elevation. There are no slopes like this actually on the site.
- e. Through field observations, a good portion of the site was cleared in the past 2-3 years, and almost all of the new development area is in the recently cleared area. The cleared area has begun to be re-vegetated with Black Berry and other early succession shrub, pine, and ground cover growth. The perimeter areas of the site have some Loblolly Pine but is a majority mix of hardwoods. The largest hardwoods are around 20" DBH but the majority are under 10" dbh.
- f. After an onsite review of the property, and reviewing the United States Fish and Wildlife Service inventory maps, the Georgia Department of Natural Resources, and the Wildlife Resources Division and Natural Heritage online records, we have determined that there are no endangered species, protected natural resources or natural heritage registered sites on or adjacent to this property.
- g. According to the National Register of Historic Places and our onsite site review, there are no historic or archaeological sites on, or adjacent to this site.





## CITY OF STONECREST, GEORGIA

### 3. Project Implementation Measures:

a. There are no streams or floodplains that exist on the site or within 200 feet of the site. On areas that exist with significant slopes to the north of the property, the addition of a stormwater detention pond will decrease the flow rates from the site to the neighboring properties.

b. The protection of water quality will be achieved through the addition of a stormwater detention pond and water quality measures.

c. There is no existing infrastructure on the site.

d. There are no historical or archaeologically significant areas on the site.

e. The site will not produce any negative impacts on environmentally stressed communities by exposure to any of the following factors such as public or municipal (e.g., solid waste or waste water treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries, and manufacturing facilities) uses.

f. This site proposes to save over 50% of its total area in green/open space.

g. The site will have buffer and green space areas around its perimeter to help protect surrounding citizens from any negative impacts of any proposed lighting and noise.

h. This site will propose and preserve recreational green space and parks.

i. This site will have minimal negative impacts to the existing wildlife in the area as it will set aside over 50% of its total area as open/green space.



12. Commercial trucks, tractor trailers and semi-trailers **vehicles**: A commercial truck **vehicle** (including **but not limited to** ~~medium and heavy-duty trucks~~, semi-trucks **with or without**, ~~tractor trailer~~, **dump trucks**, flatbed trucks, tow trucks, **utility trucks**, **buses**, box trucks, and delivery trucks) are prohibited from parking in all residentially zoned properties. **Unless work is being performed by the business associated with said commercial vehicles and workers are present.**

13. Commercial trucks, tractor trailers or semitrailers **vehicles** shall not be parked or stored **overnight** in any O-I (Office Institutional), OD (Office Distribution), C-1 (Local Commercial), C-2 (General Commercial), MU-1 (Mixed Use Low Density), MU-2 (Mixed Use Low Density), MU-3 (Mixed Use Medium Density), MU-4 (Mixed Use High Density) and NS (Neighborhood Shopping) districts. **Unless the commercial vehicle is associated with the business or is engaged in loading or unloading activity where the driver is present.**

The following are exceptions:

- a. ~~—The vehicle is engaged in loading or unloading activity where the driver is present and in charge thereof.~~
- b. ~~—The vehicle is owned or is being used by a business located on the property.~~
- c. ~~—A business on the property is conducting operations and the vehicle is being used in connection with such activity. Where a commercial vehicle is parked in an O-I, C-1, C-2, or MU district, it shall park only in areas designated and posted as loading zones and/or loading docks.~~
- d. ~~—Using loading zones and unloading docks by commercial vehicle operators for sleeping or parking overnight is strictly prohibited.~~
- e. ~~—If any vehicle found upon a parking lot, driveway or entrance drive, in violation of this Section regulating the parking and/or storage of commercial trailers, the owner or person in possession of any real property or the vehicle operator, or both may be punished as provided in this code section.~~

Also, in Sec. 6.1.3. (8). The parking of **business commercial** vehicles on private property located within residential zoning districts is prohibited. This section shall not prohibit:

- (1) Typical passenger vehicles, with or without logos, including automobiles, pickup trucks, passenger vans, and dually trucks;

(2) Vehicles engaged in active farming, construction activities or contractor services on the private property, or the temporary parking (12 hours or less) of vehicles for the purpose of loading/unloading within residential zoning districts; nor

(3) The parking of vehicles on property located in residential zoning districts, where such property is used for an authorized nonresidential use such as a church.

Vehicles used in law enforcement are exempt from the restrictions of this subsection.