



CITY OF JONESBORO
Regular Meeting
1859 CITY CENTER WAY
April 8, 2024 – 6:00 PM

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) should you need assistance.

Agenda

- I. CALL TO ORDER - MAYOR DONYA L. SARTOR**
- II. ROLL CALL - MELISSA BROOKS, CITY CLERK**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**
- VII. PUBLIC HEARING**
 1. Public Hearing regarding renewal of a previously approved Variance application, 24-VAR-003, for minimum dwelling sizes by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236.
 2. Public Hearing regarding Alcohol Beverage Pouring license, 24-ALC-002, to dispense beer, wine & distilled spirits at 8274 Tara Boulevard, Jonesboro, Georgia 30236. The legal business name is Villa Sports Lounge, LLC. Stacey Ann Ritchie has requested to be the License Representative.
- VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)**
- IX. MINUTES**
- X. CONSENT AGENDA**

1. Council to consider approval of appointment of five (5) members to the Design Review Commission, Chapter 2 – Administration, Article VIII, Boards, Commissions, and Authorities, Division 2. Bonnie Shekarabi for a 3-year term expiring 4/8/27, Kimberly Lightford for a 3-year term expiring 4/8/27, Barbara Casey Lane for a 2-year term expiring 4/8/26, Ricky McKenzie for a 2-year term expiring 4/8/26, and Erica Zakamarek for a 1-year term expiring 4/8/25.
2. Council to consider approval of re-appointment of David Allen to the Clayton County Land Bank Authority.

XI. OLD BUSINESS

1. Council to consider reconstitution of the former Urban Redevelopment Agency of the City of Jonesboro and the appointment of the current Jonesboro Downtown Development Authority as the URA Board.
2. Council to consider renewal of a previously approved Variance application, 24-VAR-003, for minimum dwelling sizes by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236.
3. Council to consider Alcohol Beverage Pouring license, 24-ALC-002, to dispense beer, wine & distilled spirits at 8274 Tara Boulevard, Jonesboro, Georgia 30236. The legal business name is Villa Sports Lounge, LLC. Stacey Ann Ritchie has requested to be the License Representative.
4. Council to consider Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).
5. Council to consider Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.
6. Council to consider Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.
7. Council to consider Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.
8. Discussion of the Kentucky Derby.
9. Discussion Regarding Internship Program.

XII. NEW BUSINESS

1. Consideration and Action regarding fee waiver for the Clayton County Sheriff's Office to hold a 5K run (3.1 miles) on April 27, 2024, starting at 7:00AM.

XIII. REPORT OF MAYOR / CITY MANAGER

XIV. REPORT OF CITY COUNCILMEMBERS

XV. OTHER BUSINESS

1. Executive Session for the purpose of discussing the potential litigation, real estate, or personnel matters
2. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XVI. ADJOURNMENT



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

10.1

CONSENT AGENDA – 1

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider approval of appointment of five (5) members to the Design Review Commission, Chapter 2 – Administration, Article VIII, Boards, Commissions, and Authorities, Division 2. Bonnie Shekarabi for a 3-year term expiring 4/8/27, Kimberly Lightford for a 3-year term expiring 4/8/27, Barbara Casey Lane for a 2-year term expiring 4/8/26, Ricky McKenzie for a 2-year term expiring 4/8/26, and Erica Zakamarek for a 1-year term expiring 4/8/25.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Selection of Five Design Review Commission Board Appointments

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Community Planning, Neighborhood and Business Revitalization, Innovative Leadership

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The re-appointments of existing members of the Design Review Commission and Historic Preservation Commission were tabled and taken off the consent agenda on the February 12th Council agenda, in an effort to get fresh voices on the Design Review Commission and Historic Preservation Commission.

Since then, the five positions of both boards have been advertised on social media and various citizens, both old and new, have submitted applications. Four former members and one potential new member of the Design Review Commission have applied and qualified for the board. (Former member Tammary Dowdell declined to re-apply.)

As far as the Historic Preservation Commission is concerned, only one former member (Jule Segner) has re-applied and no potential new applicants have qualified. One member was just approved last summer and remains the sole person on the Board this time. This leaves three open seats on the Board now – one from a resignation over a year ago and two from former Board members who declined to re-apply as a reaction to the February 12th decision. Therefore, the decision of appointments to the Historic Preservation Commission needs to be delayed until at least the May Council meetings.

The following were the main qualifications for accepting applications, as advertised:

Sec. 42-28. - Creation of a historic preservation commission.

(a) Creation of the commission. There is hereby created a commission whose title shall be "historic preservation commission" (hereinafter "commission").

(b) Commission position within city government. The commission shall be part of the planning functions of the city.

(c) Commission members; number, appointment, terms and compensation.

(1) The commission shall consist of five members appointed by the mayor and ratified by the city council. **All members shall be residents of the city**, and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources.

(2) To the extent available in the city, at least three members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology or related professions.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

**04/01/24
ITEM**

**City Council
Next: 04/08/24**

CONSENT AGENDA

Signature

City Clerk's Office

For the other board, the Design Review Commission, we have the following standards:

Sec. 2-304. - Membership, terms, and quorum.

(a) The commission shall consist of five members appointed by the mayor and ratified by the city council. All members shall be either taxpayers residing in the city or an owner or operator of a business located within Clayton County and shall be persons who have demonstrated special interest, experience or education in zoning, planning and design-related matters.

A little different standard – you could serve if you own or operate a business in Clayton County.

The following four former members have reapplied for the Design Review Commission and meet the business standard:

Bonnie Shekarabi, Barbars Casey Lane, Ricky McKenzie, and Kimberly Lightford.

The following potential new member has applied for the Design Review Commission and meets the business standard:

Erica Lanell Zakamarek

If these five are appointed, the terms are staggered to prevent the entire Board having to be re-appointed at once and causing a delay in reviews by not having a working quorum (3) at any given time.

3-year term expiring 4/8/27

3-year term expiring 4/8/27

2-year term expiring 4/8/26

2-year term expiring 4/8/26

1-year term expiring 4/8/25

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

•

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval of Applicants

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 10.2
			CONSENT AGENDA – 2 COUNCIL MEETING DATE April 8, 2024
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen		
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Council to consider approval of re-appointment of David Allen to the Clayton County Land Bank Authority.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Clayton County Land Bank Authority Re-Appointment			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Community Planning, Neighborhood and Business Revitalization, Innovative Leadership			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> David Allen has served on the original Clayton County Land Bank Authority since 2019, and then the reconstituted Land Bank Authority since 2021. He has served as Chairman of the Authority for the past year and a half. His term expires on April 21, 2024. He and the attorney for the Clayton County Land Bank Authority, Allie Jett, are asking for his re-appointment to another term.			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> • Jett Email			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval			

FOLLOW-UP APPROVAL ACTION (City Clerk)			
Typed Name and Title Melissa Brooks, City Clerk	Date April, 8, 2024	04/01/24 ITEM	City Council Next: 04/08/24
Signature	City Clerk's Office		

Done. See below, FYI.

Allie Jett
Attorney at Law



Century Plaza I
2987 Clairmont Road
Suite 350
Atlanta, Georgia 30329
404.369.0388
allie@jettlawgroup.com
www.jettlawgroup.com

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From: Allie Jett
Sent: Thursday, January 25, 2024 2:35 PM
To: dsartor@jonesboroga.com <dsartor@jonesboroga.com>
Cc: ddixon@jonesboroga.com <ddixon@jonesboroga.com>; tmessick@jonesboroga.com <tmessick@jonesboroga.com>; bpowell@jonesboroga.com <bpowell@jonesboroga.com>; amiller@jonesboroga.com <amiller@jonesboroga.com>; blester@jonesboroga.com <blester@jonesboroga.com>; adixon@jonesboroga.com <adixon@jonesboroga.com>
Subject: City of Jonesboro appointment to Board of the Clayton County Land Bank Authority

Mayor Sartor and Distinguished Council Members,

I am Allie Jett and I have the honor of serving as General Counsel to the Clayton County Land Bank Authority. As you may know, the City of Jonesboro has appointment power over one seat to the Land Bank's Board of Directors. For several years the City's Director of Community Development, Mr. David Allen, has served as the City's representative on the Land Bank's Board. He has done a remarkable job and has been voted to serve as Chairman of the Land Bank's Board by his peers on the Board for the last two years.

I am writing to you because Mr. Allen's current term on the Land Bank's Board is set to expire on April 21, 2024. There are no term limits for service on the Land Bank's Board of Directors that would limit his ability to serve another term. To that end, I am writing to recommend for your consideration that the City reappoint Mr. Allen for another 4 year term to the Land Bank Board. If you do see fit to appoint Mr. Allen

Attachment: Jett Email (3735 : Clayton County Land Bank Authority Re-Appointment)

for another term, I request that his appointment be voted upon prior to the expiration of his current term on April 21 so there is no disruption to his service to our Board.

Certainly, if you have any questions or concerns, or need any additional information to consider this request, please do not hesitate to let me know.

Best regards,

Allie Jett
Attorney at Law



Century Plaza I
2987 Clairmont Road
Suite 350
Atlanta, Georgia 30329
404.369.0388

allie@jettlawgroup.com

www.jettlawgroup.com

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Attachment: Jett Email (3735 : Clayton County Land Bank Authority Re-Appointment)



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item #

11.1

OLD BUSINESS – 1

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Mr. Simpson

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider reconstitution of the former Urban Redevelopment Agency of the City of Jonesboro and the appointment of the current Jonesboro Downtown Development Authority as the URA Board.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Urban Redevelopment Agency Policy Change

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Innovative Leadership

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The Urban Redevelopment Agency of the City of Jonesboro is currently non-compliant with the Department of Community Affairs as they are delinquent on their FY2021 and FY2022 AARFs. I am therefore requesting that the Urban Redevelopment Agency of the City of Jonesboro is reconstituted, and the Jonesboro Downtown Development Authority appointed as its board. The DDA board will therefore have a triple role as DDA, Main Street and the Urban Redevelopment Agency. Many of the former URA Board members are no longer available.

URBAN REDEVELOPMENT LAW, O.C.G.A. § 36-61-1 et seq.

- **Bonds, O.C.G.A. § 36-61-12.**
- **Powers of the DDA as the Urban Redevelopment Agency.**
 1. the power to determine an area as a slum area for an urban redevelopment project;
 2. the power to approve and amend urban redevelopment plans;
 3. the power to establish a general plan for the locality as a whole;
 4. the power to formulate a workable program;
 5. the power to define conditions which render structures unfit for human habitation or to designate the officials to enforce ordinances or to provide for the enforcement of ordinances of the municipality;
 6. the power to issue general obligation bonds; or
 7. the power to appropriate funds, to levy taxes, or to close a street.

If the DDA is designated by a city as the urban redevelopment agency, it is authorized to exercise all the rights and powers granted under the Urban Redevelopment Act except the following:

- **Urban redevelopment agency, O.C.G.A. § 36-61-18.**

In the alternative to having a DDA serve as the redevelopment agency, a local government may authorize an urban redevelopment agency under this section of the law.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

City Council OLD BUSINESS

Next: 04/08/24

Signature

City Clerk's Office

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- URBAN REDEVELOPMENT LAW

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval

URBAN REDEVELOPMENT LAW, O.C.G.A. § 36-61-1 *et seq.*

- **Bonds, O.C.G.A. § 36-61-12.**
- **Powers of the DDA as the Urban Redevelopment Agency.**
 1. the power to determine an area as a slum area for an urban redevelopment project;
 2. the power to approve and amend urban redevelopment plans;
 3. the power to establish a general plan for the locality as a whole;
 4. the power to formulate a workable program;
 5. the power to define conditions which render structures unfit for human habitation or to designate the officials to enforce ordinances or to provide for the enforcement of ordinances of the municipality;
 6. the power to issue general obligation bonds; or
 7. the power to appropriate funds, to levy taxes, or to close a street.

If the DDA is designated by a city as the urban redevelopment agency, it is authorized to exercise all the rights and powers granted under the Urban Redevelopment Act except the following:

- **Urban redevelopment agency, O.C.G.A. § 36-61-18.**

In the alternative to having a DDA serve as the redevelopment agency, a local government may authorize an urban redevelopment agency under this section of the law.



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.2

PUBLIC HEARING – 2

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider renewal of a previously approved Variance application, 24-VAR-003, for minimum dwelling sizes by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Section 86-98 R-4 District Purpose and Standards;

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization, Historic Preservation

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval of Variance application, with conditions**; The City of Jonesboro owns both subject lots at 214 and 216 King Street. Recently, the dilapidated dwellings on both properties were torn down. In an effort to improve the quality of the aging housing stock in the City, Jonesboro is partnering with the Southern Crescent Habitat for Humanity to build quality replacement homes on the two subject properties.

Staff has analyzed the site and the house designs and determined that variances are needed for the minimum dwelling size for each.

214 and 216 King Street and the next lot to the east are all zoned R-4, and within the Historic Residential Overlay.

(b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-4 district shall conform to the following development standards:

(1) Minimum lot area: 10,480 square feet (¼-acre) **8400 sq. feet Grandfathered lot**

(2) Minimum lot width: 75 feet **60 feet Grandfathered lot**

(3) Minimum front yard: 25 feet **Complies**

(4) Minimum side yard: 12 feet **Complies**

(5) Minimum rear yard: 25 feet **Complies**

(6) Minimum floor area per dwelling unit: **1,600 square feet (heated)**

(7) Maximum building height: Two stories and 35 feet **Complies**

(8) Maximum lot coverage: 35 percent **Complies**

Per the applicant, the heated sq ft for the Maple (216 King Street) is 1593 and the heated sq ft for the Aspen (214 King

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

**04/01/24
REQUIRED**

**City Council PUBLIC HEARING
Next: 04/08/24**

Signature

City Clerk's Office

Street) is 1365. Therefore, variances for minimum dwelling sizes are required.

Despite the need for variances, the Aspen would still be as large as the two largest houses on King Street, and significantly larger than the average house size on the street – 1077 square feet. These houses can serve as a catalyst for quality infill on the rest of King Street and other areas in the City.

The exterior design and materials of the proposed houses will need to be further reviewed and approved by the City after the variance hearing. All houses on the street are one-story and mostly wood or vinyl siding. A few of them have brick.

Should the Mayor and Council approve the use, the following minimum conditions should apply:

1. The exterior design is subject to Design Review Commission and Historic Preservation Commission review and approval, since the properties lie within the Historic Residential Overlay.
2. No parking is allowed on the street.

Update for 12.12.22 Meeting:

- Council requested elevations of the houses that will be built (see enclosed).
- A tour of similar houses was also requested. The two houses will be the same floor plans used in Lovejoy.

Update for April Council Meetings

- **The variance for house size was approved in December of 2022. Per Sec. 86-344, approved variances shall expire 12 months following the date of the hearing at which such approval was granted unless a building permit is obtained and development or construction initiated. No permit has been obtained or any construction work done; therefore, the variance expired and must be renewed before construction can start.**
- **The house designs have not changed from the first variance approval.**
- **Closing on the King Street properties for Southern Crescent Habitat for Humanity is occurring very soon.**
- **As approved a little over a year ago, the Maple house design is 7 square feet shy of the code minimum, and the Aspen house design is 235 square feet shy of the code minimum. The size and width of the pre-existing lots necessitates the need for the variance. Despite the need for variances, the Aspen would still be as large as the two largest houses on King Street, and significantly larger than the average house size on the street – 1077 square feet.**

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Habitat for Humanity

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Zoning Info
- Property Pictures
- Property Info
- Site Plan
- House Designs

- House Pictures
- Approval Letter
- Variance - House Size - Legal Notice April 2024
- Zoning Sign - 2024 Renewal
- Meeting Notice Letter April 2024

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval with Conditions

Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86- 111; Article VII; Sec. 86- 117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86- 117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Sec. 86-98. - R-4 single family residential district regulations.

- (a) *Purpose.* The R-4 single family residential district is established to provide for single family detached dwellings on individual lots having a minimum area of one-quarter acre. The district is intended to create and preserve a neighborhood setting in which smaller lots are desired. While the R-4 district is primarily free of non-residential uses as well as higher density residential uses, the district may adjoin such districts and may be located near the downtown. Public and institutional uses traditionally found in relatively low density neighborhoods are compatible with the R-4 district. Such development is also typically served by a network of local streets to minimize traffic impacts on the neighborhood.
- (b) *Development standards.* Unless otherwise provided in this chapter, uses permitted in the R-4 district shall conform to the following development standards:
- (1) Minimum lot area: 10,480 square feet (¼-acre)
 - (2) Minimum lot width: 75 feet ¹
 - (3) Minimum front yard: 25 feet ²
 - (4) Minimum side yard: 12 feet ³
 - (5) Minimum rear yard: 25 feet
 - (6) Minimum floor area per dwelling unit: 1,600 square feet
 - (7) Maximum building height: Two stories and 35 feet
 - (8) Maximum lot coverage: 35 percent
- ¹ Measured at the building line.
- ² The required front yard on any street classified as a collector or above shall be 30 feet.
- ³ The minimum side yard on the street side of a corner lot shall be 20 feet.
- (c) *Design standards.* Unless otherwise provided in this chapter, uses permitted in an R-4 district shall conform to the following design standards:
- (1) Off-street parking shall be provided as specified in article XIII of this chapter.
 - (2) Buffers shall be provided as specified in article XV of this chapter.

Floor area. For residential uses, the total of all floors of a building as measured to the outside surfaces of exterior walls, or from the centerline of walls or partitions separating dwelling units, including halls, stairwells, elevator shafts, and excluding unfinished basements, cellars, storage areas, garages, uncovered porches, terraces, decks and balconies. For non-residential uses, floor area shall include all floors, lofts, balconies, mezzanines, cellars, basements, halls, stairwells, elevator shafts and all other interior spaces.

Google Maps 204 King St



Image capture: Jan 2022 © 2022 Google

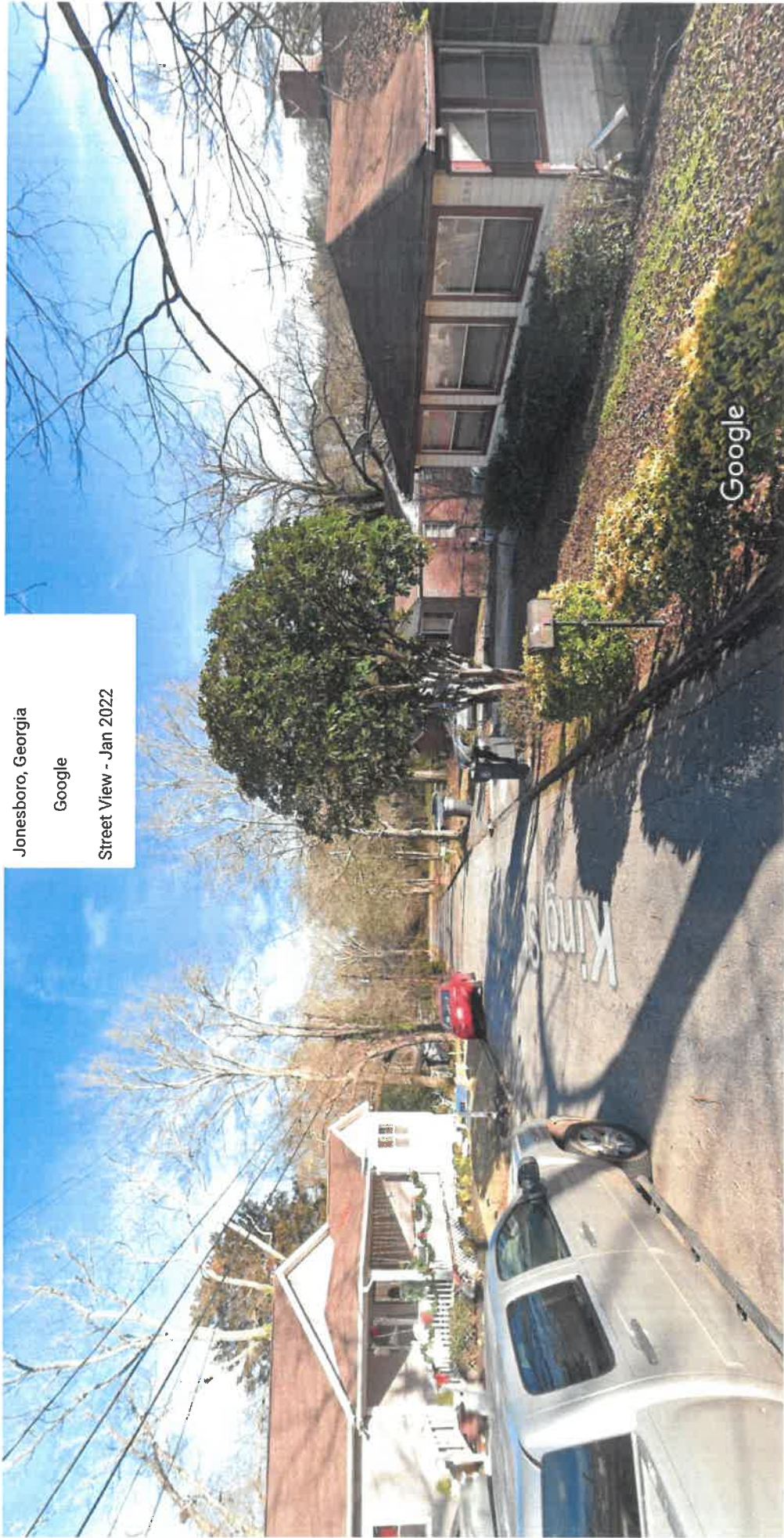


204 King St

All

Street View & 360°

Google Maps 208 King St



Jonesboro, Georgia
Google
Street View - Jan 2022

Image capture: Jan 2022 © 2022 Google



204 King St

All

Street View & 360°

Google Maps 210 King St



Jonesboro, Georgia
Google
Street View - Jan 2022

Image capture: Jan 2022 © 2022 Google



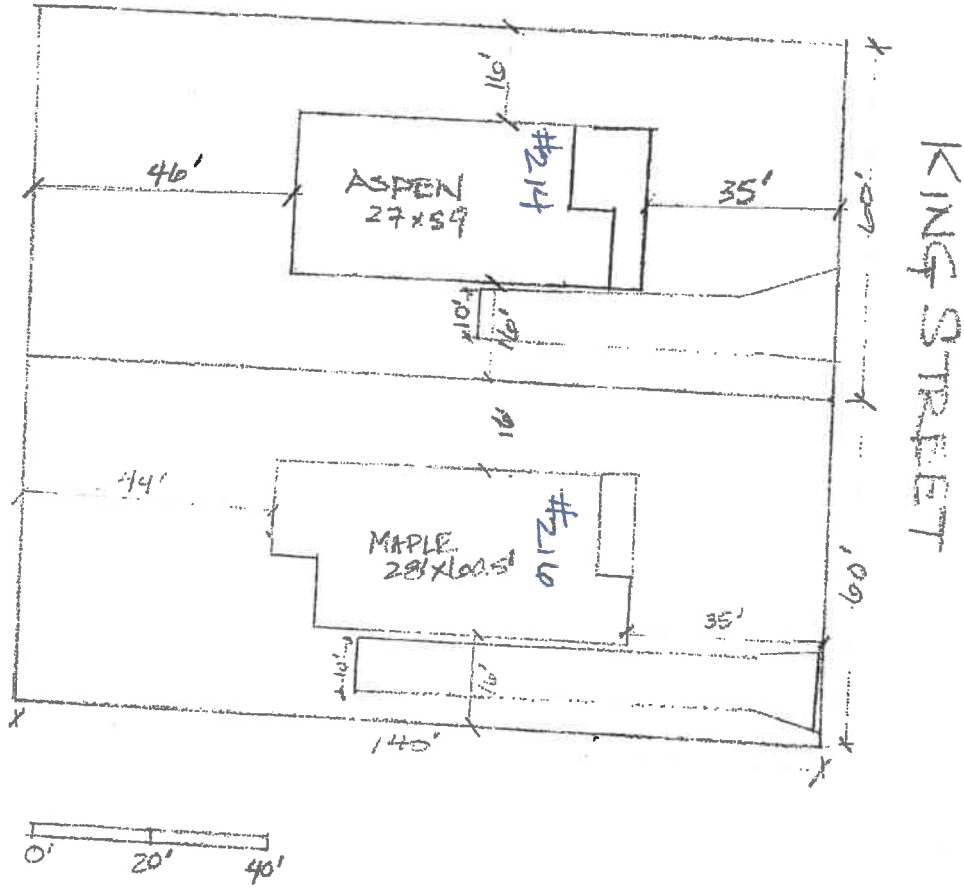
204 King St

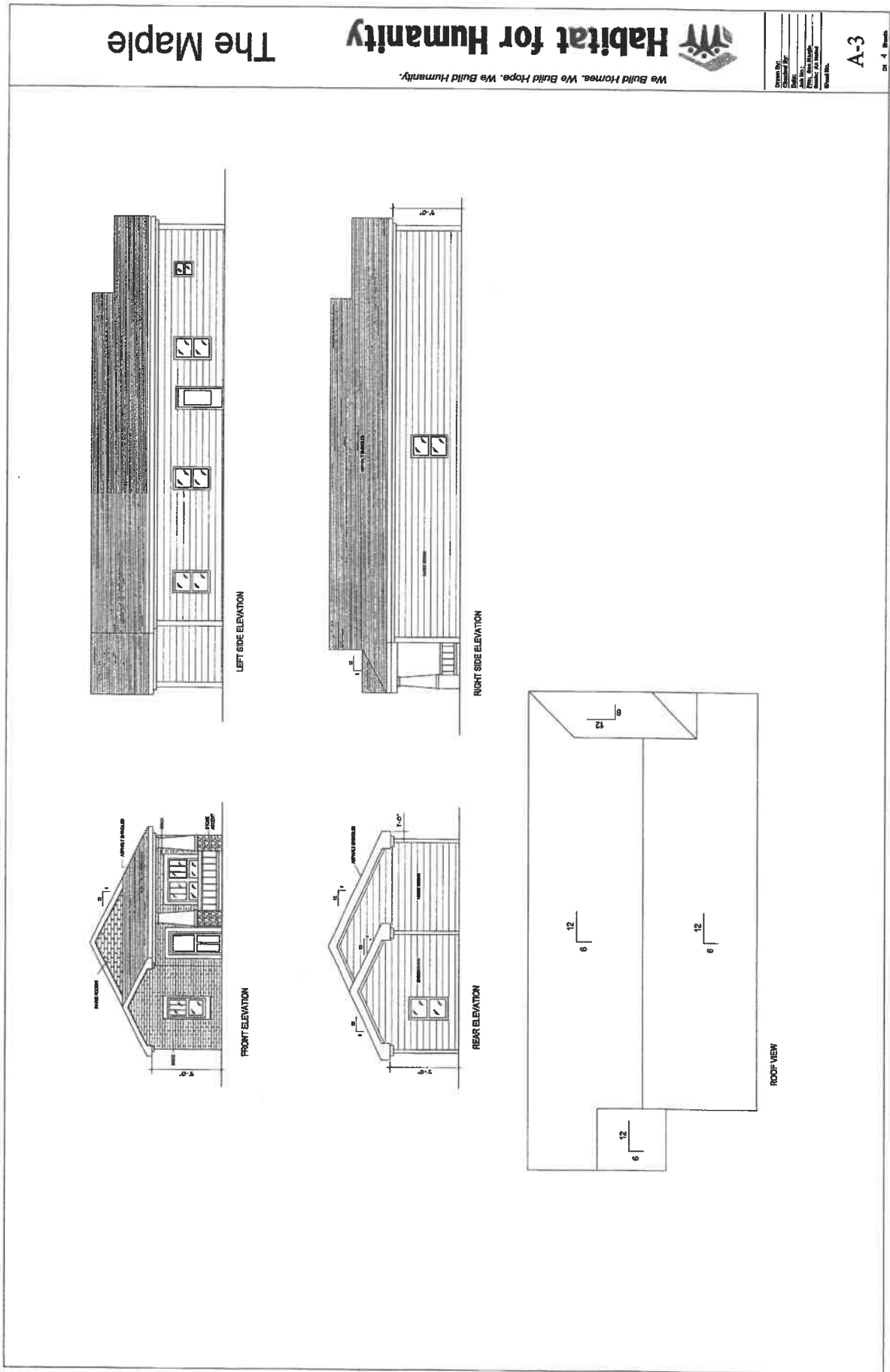
All

Street View & 360°









The Aspen

The Maple

The Cypress





The Maple 4 bedroom, 2 bath

Next page is the Aspen 3
bedroom, 2 bath





MEMORANDUM

To: Cynthia Jenkins
Southern Crescent Habitat for Humanity
9570 Tara Blvd
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: December 13, 2022

Re: Notification of Request for Variances – House Size, 214 and 216 King Street; Tax Map Parcel Nos. 12016A D011 and 12016A D012

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro Mayor and Council, at a Public Hearing on December 12, 2022 at 6:00 pm, approved your request for the following requested variances for the above referenced property:

- Minimum house sizes

The following approval conditions were established - 1. The exterior design is subject to Design Review Commission and Historic Preservation Commission review and approval, since the properties lie within the Historic Residential Overlay. 2. No parking is allowed on the street. Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Approval Letter (3731 : King Street House Variances)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on April 8, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider renewal of a previously approved Variance application for minimum dwelling size by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236. Mayor and Council will first discuss this item during their Work Session at 6:00 P.M. on April 1, 2024, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA.

David Allen
Community Development Director

Publish 3/20/24



Attachment: Zoning Sign - 2024 Renewal (3731 : King Street House Variances)

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

VARIANCE

at this location

214 AND 216 KING STREET

A PUBLIC HEARING on this application will be held on **APRIL 8** 20**24**, at **6** p.m.

1859 CITY CENTER WAY

Any questions, call City Hall at 770-478-3800

Date of Posting. **MARCH 22** 20**24**

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Cynthia Jenkins
Southern Crescent Habitat for Humanity
9570 Tara Blvd
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: March 25, 2024

Re: Notification of Request for Variances – House Size, 214 and 216 King Street; Tax Map Parcel Nos. 12016A D011 and 12016A D012

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested variances (renewal) for the above referenced properties:

- Minimum house sizes

A Public Hearing has been scheduled for Monday, April 8, 2024 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The Jonesboro Mayor and City Council will hold their Work Session on this item on Monday, April 1, 2024 at 6:00 p.m. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.3

PUBLIC HEARING – 3

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Alcohol Beverage Pouring license, 24-ALC-002, to dispense beer, wine & distilled spirits at 8274 Tara Boulevard, Jonesboro, Georgia 30236. The legal business name is Villa Sports Lounge, LLC. Stacey Ann Ritchie has requested to be the License Representative.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Chapter 6, Alcoholic Beverages

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The applicant is applying to transfer a consumption on premises of distilled spirits, beer, and wine for the “Jamrock Jerk South” restaurant being relocated to 8274 Tara Blvd from its previous location at 8562 Tara Blvd. The restaurant’s new location should be finished in late spring. It will also have a new name – “Villa Sports Lounge, LLC.”

Background:

1. This location currently does not have an Alcohol Beverage License to pour distilled spirits, beer and wine. Applicant has been approved to operate a restaurant at this location, which is in the final stages of construction.
2. The subject restaurant is being relocated to the commercial strip center at 8274 Tara Blvd. Surrounding zoning, general plan land use designations and existing uses are denoted as primarily C-2 (Highway Commercial), with some residential across the street to the east.
3. Purpose. The C-2 highway commercial district is established to accommodate intense retail and service commercial uses along Jonesboro's arterial highways. A broad range of such uses anticipates traffic from surrounding areas traveling through the city and affords a broad segment of the business community access to the large customer volumes associated with such locations. The automobile is the principal means of transit for shoppers in this district, and convenient on-premises parking is a primary concern. Given the value of arterial locations intended to capture heavy retail traffic, such industrial uses as manufacturing, distribution and processing are prohibited in order to reserve high visibility and enhanced access locations for highway commercial uses.
4. Factual. This address has not had alcohol service in the past several years. In moving here, the applicant hopes to take advantage of heavy traffic flow on Tara Boulevard with more visibility than he had at the previous location.

Facts & Issues:

1. David Allen, Community Development Director, has reviewed the application packet. All requirements, per Chapter 6- Alcoholic Beverages, were met.
2. The Jonesboro Chief of Police has conducted a computerized criminal history records check (annually) for the applicant and recommended approval based upon the background information received.
3. As required by Section 6-47, the applicant is required to submit a land survey, demonstrating compliance with the setbacks of that Code Section. The applicant has provided a survey (attached). Per Section 6-47, for those

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

REQUIRED

City Council

PUBLIC HEARING

Signature

City Clerk's Office

establishments selling beer, wine and distilled spirits, the licensee's premises cannot be located within 100 yards of a church building or within 200 yards of any school or education building, school ground, or college campus as defined in O.C.G.A. § 3-3-21. The survey presented shows that the nearest church (Faith Tabernacle) is 1056 yards away, nearest school (Lee Street Elementary) 1232 yards away, and there are no Alcohol Treatment Centers remotely close by (within 100 yards).

Fiscal Impact*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

\$4500

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Fingerprinting
- Survey
- Jamrock Tara Blvd - Legal Notice April 2024
- Zoning Sign
- Meeting Notice Letter

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

APPLICANT
* See Privacy Act Notice on Back *

FD-258 (Rev. 5-15-17) 1110-0046

SIGNATURE OF PERSON FINGERPRINTED

[Signature]

RESIDENCE OF PERSON FINGERPRINTED

3385 AUGUSTINE PL
REX

DATE

3-22-24

EMPLOYER AND ADDRESS

GA 30273

SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

[Signature]

REASON FINGERPRINTED

013

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK
LAST NAME FIRST NAME MIDDLE NAME
RITCHIE, STACEY ANN

FBI

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ALIASES AKA

O R I

GA0310400

CITIZENSHIP CTZ

JM

YOUR NO. OCA

UNIVERSAL CONTROL NO. UCN

ARMED FORCES NO. MNU

SOCIAL SECURITY NO. SOC

876528643

MISCELLANEOUS NO. MNU

DATE OF BIRTH
Month Day Year
12-10-1995

DOB

PLACE OF BIRTH
JM

POB

HAIR

BLK

EYES

BRO

WGT.

154

HGT.

503

RACE

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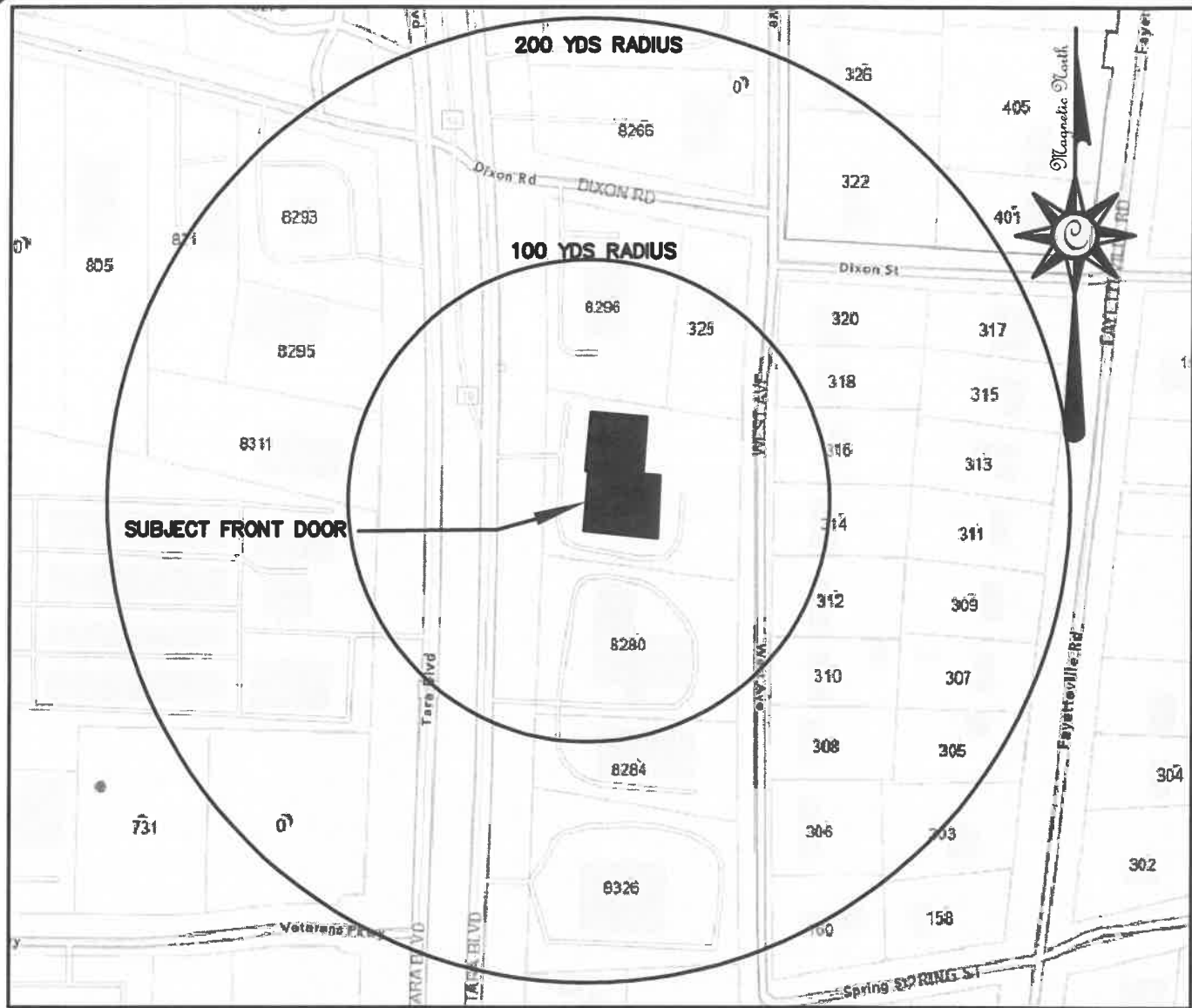
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CLASS

REF

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE
6. L. THUMB	7. L. INDEX	8. L. MIDDLE	9. L. RING	10. L. LITTLE



I BRIAN CALDWELL CERTIFY THAT THE DISTANCES BELOW WERE MEASURED
ACCORDING TO CLAYTON COUNTY CODE
THE NEAREST:

CHURCH 1056 YDS FAITH TABERNACLE OF THE HOLY SPIRIT, 210 FAYETTEVILLE RD
SCHOOL 1232 YDS LEE ST ELEMENTARY, 178 LEE ST

NONE OF THE FOLLOWING WERE FOUND WITHIN 100 YDS OF THE SUBJECT.
A CHURCH BUILDING, SCHOOL, SCHOOL GROUNDS, COLLEGE CAMPUS, PUBLIC
HOUSING OR AN ALCOHOL OR DRUG TREATMENT CENTER.

NO RESTRICTED LOCATIONS WITHIN MAPPING AREA

TIME SENSITIVE DOCUMENT DISTANCE SURVEYS WILL ONLY BE ACCEPTED
FOR A LIMITED TIME BY YOUR LOCAL AUTHORITY



GRAPHIC SCALE 1"=200'



SHEET OF
1 1

DATE OF LAST VISIT
2-24-2024

JOB# TARA8274EF
DRAWN BY BC

DISTANCE SURVEY FOR **Villa Sports Lounge**

ADDRESS

**8274 Tara Blvd, Ste E&F
Jonesboro, GA 30236**

CLAYTON COUNTY, GEORGIA

**COMPASS
SURVEYING**

9337 Meadow Gate Lane
Jonesboro, Georgia 30236
Tel 404-550-9512
Fax 1-866-476-4318

THIS DISTANCE SURVEY IS TO ACCOMPANY AN APPLICATION FOR AN ALCOHOL PERMIT ONLY
NOT TRANSFER OF TITLE OR OWNERSHIP

Attachment: Survey (3732 : Villa Sports Lounge Alcohol License - 8274 Tara Boulevard)

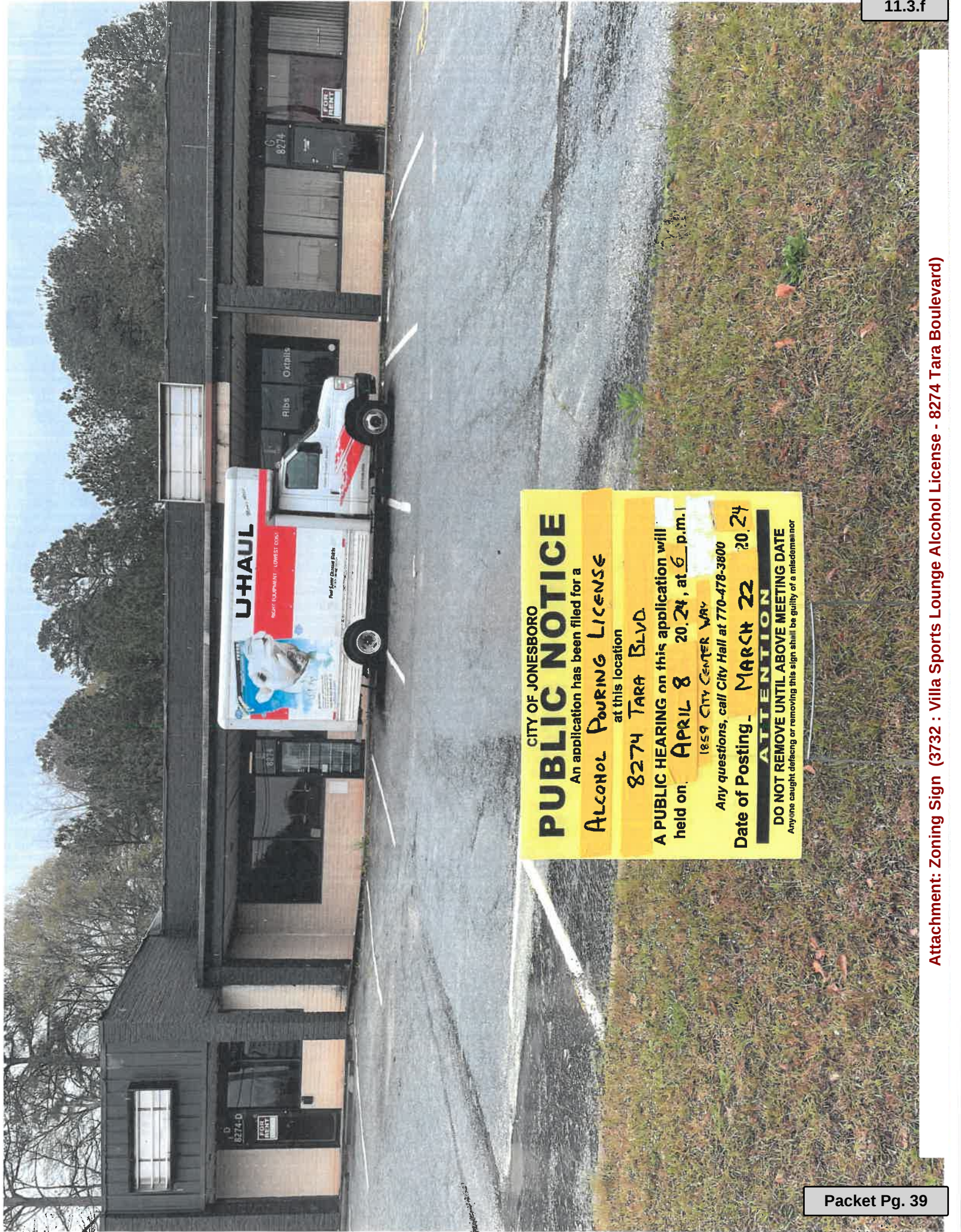
Legal Notice

An application has been submitted to the City of Jonesboro Mayor and City Council for an Alcohol Beverage Pouring license to dispense beer, wine & distilled spirits at 8274 Tara Boulevard, Jonesboro, Georgia 30236. The legal business name is Villa Sports Lounge LLC (formerly Jamrock South LLC). Demar Bromfield has requested to be the License Representative. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on April 8, 2024. The required Public Hearing will also be held at that time. The meeting will be held at the Jonesboro City Center located at 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 3/20/2024

Attachment: Jamrock Tara Blvd - Legal Notice April 2024 (3732 : Villa Sports Lounge Alcohol License - 8274 Tara Boulevard)



CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

ALCOHOL POURING LICENSE

at this location

8274 TARA BLVD.

A PUBLIC HEARING on this application will
held on

APRIL 8 20.24, at 6 p.m. |

1859 CITY CENTER WAY

Any questions, call City Hall at 770-478-3800

Date of Posting - MARCH 22 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Demar Bromfield / Stacey Ann Ritchie
8274 Tara Boulevard
Jonesboro, Georgia 30236

From: David D. Allen, Community Development Director
1859 City Center Way
Jonesboro, GA 30236

Date: March 25, 2024

Re: Notification of Request for an Alcohol Beverage License – Pouring of Beer, Wine, and Distilled Spirits, 8274 Tara Blvd.

To Whom It May Concern:

This letter is to serve as notification that the City of Jonesboro will consider your request for the pouring of beer, wine, and distilled spirits at the property located at 8274 Tara Boulevard, Jonesboro, Georgia.

A Public Hearing has been scheduled for Monday, April 8, 2024 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The Jonesboro Mayor and City Council will hold their Work Session on this item on Monday, April 1, 2024 at 6:00 p.m. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.4

OLD BUSINESS – 4

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM).

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Article XII, Amendments

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Staff recommendation: Approval of re-zoning; This rezoning proposal by the applicant is on a small, vacant parcel on Tara Boulevard, in the northern portion of the city between Tara Hill Apartments and the Bank of America at the intersection of Tara Boulevard and Hwy. 138 Spur. The subject property only has to Tara Boulevard. Currently zoned C-2, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the east for a proposed housing development. The property is too small to be viable as a commercial property, with steep slopes and a stream running through it. Its only realistic use is as greenspace or a buffer area.

Re-zoning Assessment per Sec. 86-374. - Standards of review for Map Amendments:

- **Relationship to the established land use pattern.** Surrounding properties are as follows: RM Multifamily (south and east), C-2 Highway Commercial (north), and MX Mixed Use (east).
- **Compatibility with comprehensive plan; timing of development.** According to the City's most current Future Land Development Map the immediate area is a mix of "Residential" and "Tara Blvd Corridor" commercial properties.
- **Suitability of the zoning proposal.** Properties in the immediate vicinity are a mix of commercial and multi-family residential uses. Staff does not project any issues for the request, in terms of nuisance to nearby property owners, as the vacant parcel will not be developed.
- **Impact on public facilities and services; referrals to other agencies.** No further impact to public services is expected, as the vacant parcel will not be developed.
- **Impact on public financial resources.** No further impact to public financial resources is expected, as the vacant parcel will not be developed.
- **Availability of other land suitable for the proposed use.** The subject property will remain vacant.
- **Impact on neighborhood character.** Rezoning the property should have no detriment to the neighborhood character, as the vacant parcel will not be developed.
- **Opportunity for economic use of property.** The property is too small to be economically viable.
- **Effect on adjacent property.** Staff believes that the adjacent area would not be harmed from the change in zoning.
- **Impact on surrounding property values.** Staff does not foresee any negative impacts to the surrounding properties.
- **Circumstances peculiar to the context.** None known.
- **Impact on the public interest.** None – vacant property.
- **Environmental impact.** The property has a stream running through it, but no development will occur on the parcel.

In summary, approval of this rezoning does not constitute approval of any specific, future use. However, this property's size and the presence of steep slopes and a stream on it, render it unviable for commercial use.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

City Council

OLD BUSINESS

Next: 04/08/24

Signature

City Clerk's Office

This item was tabled at the March 11, 2024 meeting.

Update for April Council meetings:

- As stated before, and per the attached photographs, the property's size and the presence of steep slopes and a stream render it unviable for any use, commercial or residential. Regardless of the Future Land Use Map designation for this property and the other parcels along Tara Boulevard, and regardless of the intent of any future development on this property or adjacent properties (whether residential or commercial), the Mayor and Council need to look at the realities of this property on its own and "clean it up" for planning purposes by approving it to be combined with an adjacent parcel. To do that, it must have the same zoning as the adjacent parcel. Approval is still recommended with the following conditions:
 1. Approval of this rezoning does not constitute approval of any proposed future use. Subject parcel must be combined with adjacent parcel of same ownership and zoning classification.
 2. No access to Tara Boulevard, regardless of use, is allowed.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Zoning Map
- Property Maps
- Future Land Use Map
- Zoning Sign
- Map Amendment - Parcel 13210D B007 Tara Boulevard - Legal Notice
- Meeting Notice Letter
- Stream Pictures
- Meeting Notice Letter 2

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

**Templar Development Group, LLC
c/o Battle Law, P.C.**

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3726 : Tara Boulevard Rezoning)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units. The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75. This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights. .

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



Battle Law

To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



Battle Law

List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



Battle Law

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



Battle Law

situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

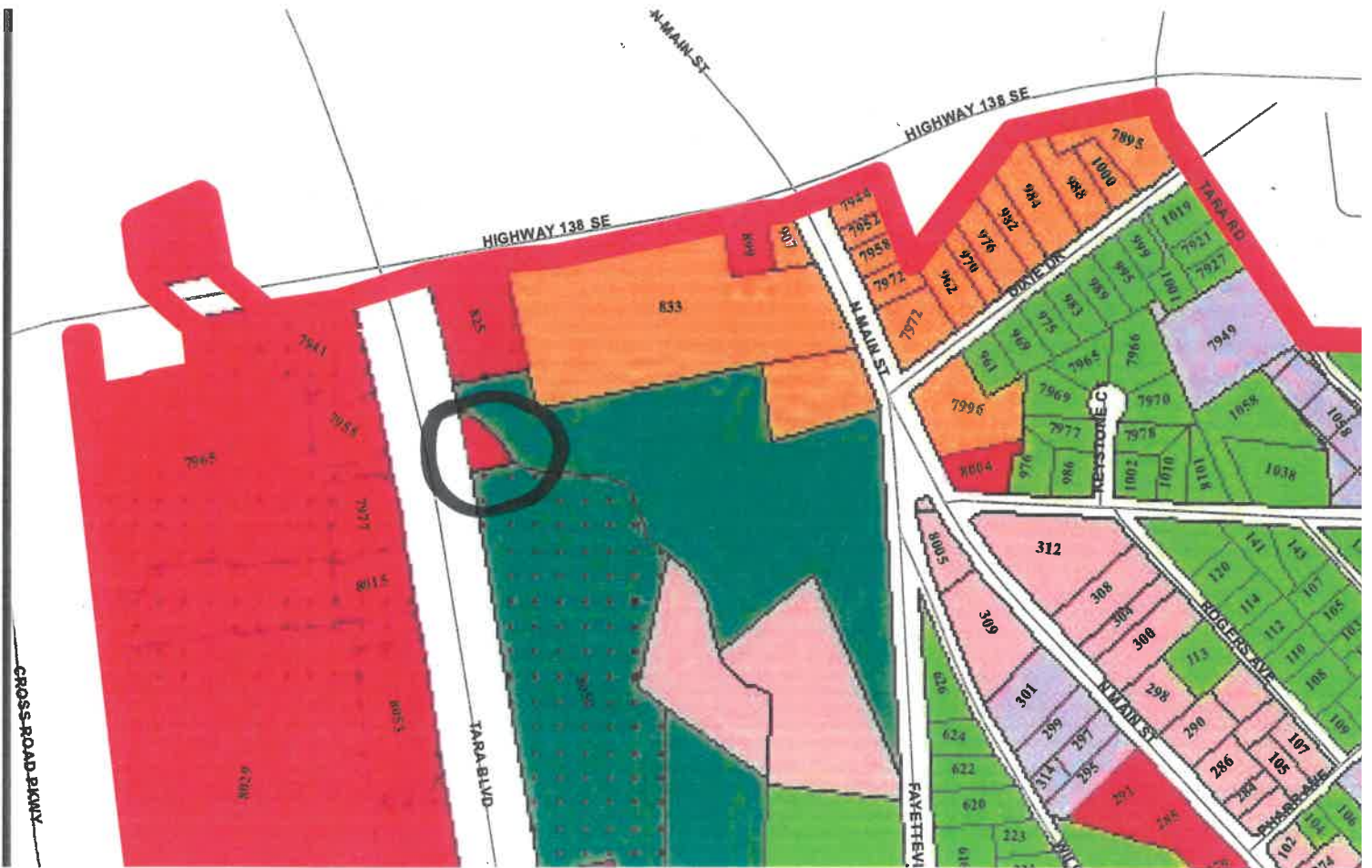
A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

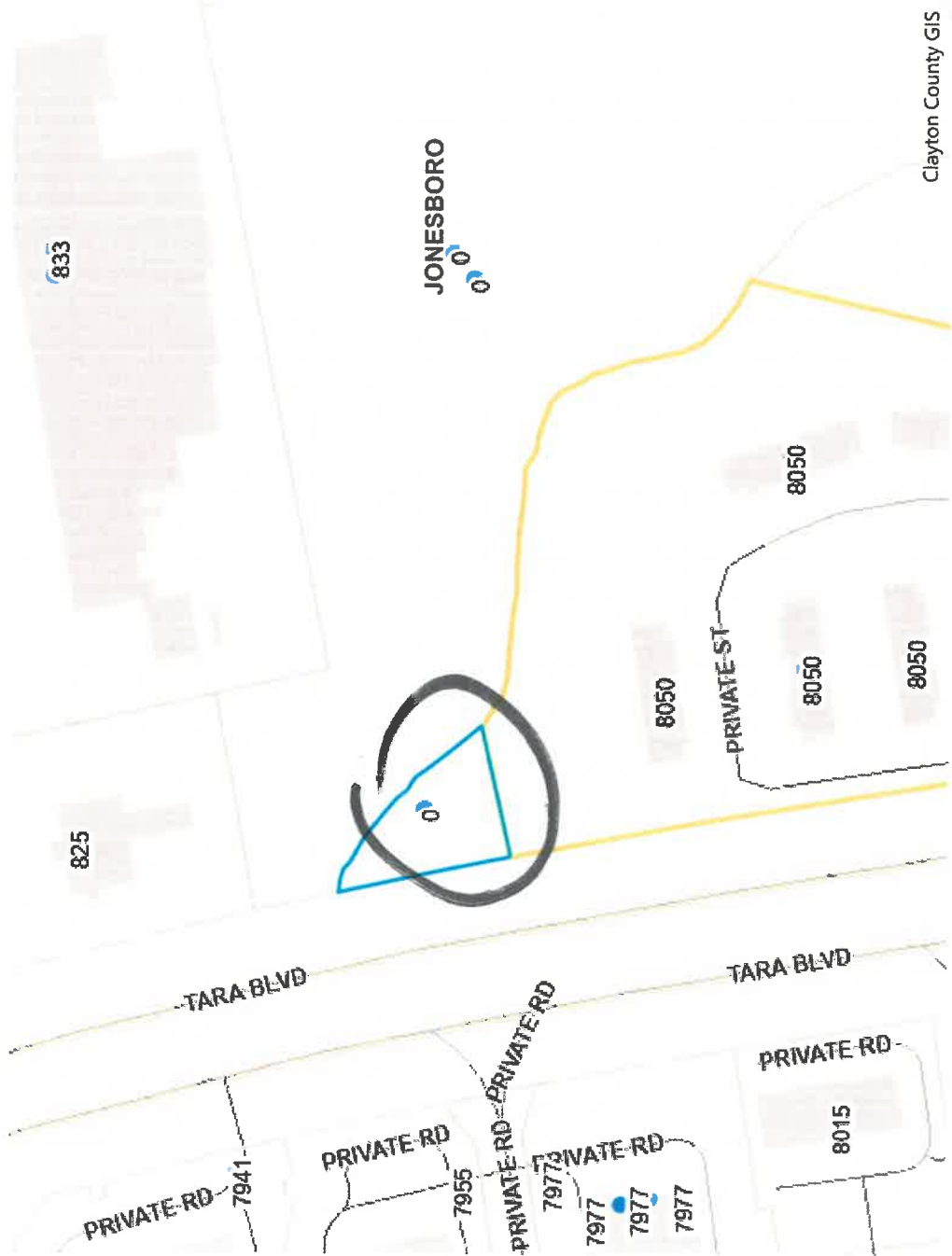
The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3726 : Tara Boulevard Rezoning)



Attachment: Zoning Map (3726 : Tara Boulevard Rezoning)



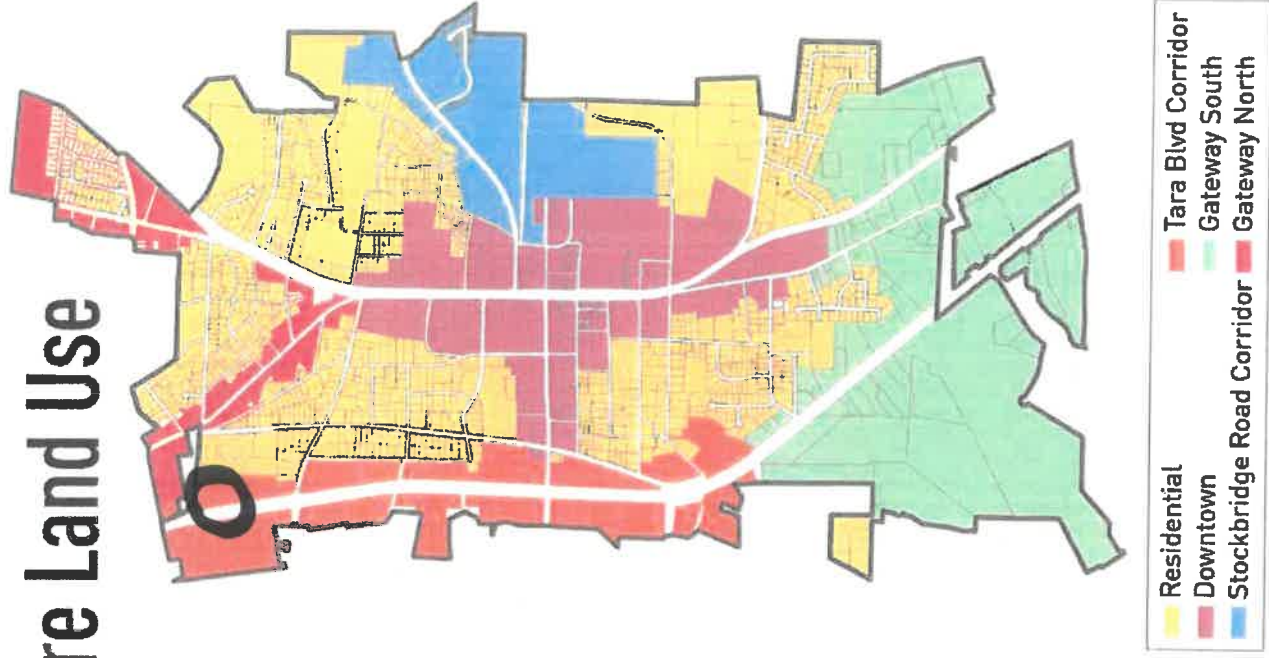


Future Land Use

As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.

Future Land Use



Future Land Use



Attachment: Future Land Use Map (3726 : Tara Boulevard Rezoning)



Attachment: Zoning Sign (3726 : Tara Boulevard Rezoning)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

REZONING: C2 → RM

at this location

O TARA BLVD - PARCEL 13210D B007

A PUBLIC HEARING on this application will be held on **MARCH 11** 20 **24**, at **6** p.m.

1859 CITY CENTER WAY

Any questions, call City Hall at 770-478-3800

Date of Posting. **FEBRUARY 26** - 20 **24**

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a map amendment to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM). Mayor and Council will first discuss this item at their Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 27, 2024

Re: Notification of Request for Rezoning (Map Amendment) – 0 Tara Blvd, Parcel No. 13209 B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a rezoning (map amendment) for the above referenced property concerning the following:

- Highway Commercial (C2) to Multifamily (RM)

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator







Attachment: Stream Pictures (3726 : Tara Boulevard Rezoning)



Attachment: Stream Pictures (3726 : Tara Boulevard Rezoning)



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: March 20, 2024

Re: Notification of Request for Rezoning (Map Amendment) – 0 Tara Blvd, Parcel No. 13209 B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a rezoning (map amendment) for the above referenced property concerning the following:

- Highway Commercial (C2) to Multifamily (RM)

A Regular Meeting / Vote has been scheduled for Monday, April 8, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. Another Work Session has been scheduled on the same item for Monday, April 1, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.5

OLD BUSINESS – 5

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed-Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Article XII, Amendments

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Staff recommendation: Approval of re-zoning; This rezoning proposal by the applicant is on a relatively small, vacant parcel west of the junction of North Main Street and Fayetteville Road, in the northern portion of the city across the road from Crane Hardware and the Tara Florist shopping center, and behind the Village Square shopping center. The subject property only has access to North Main Street. Currently zoned M-X, the owner has expressed a desire to rezone the property to RM in order to combine the parcel with larger parcels to the south for a proposed housing development. The property is currently wooded and vacant. **At 1.3 acres, with its current mixed use zoning, this property does not have the size to be properly developed as a standalone mixed use development. Also, if developed as a standalone piece, the driveway access to this property would have to be placed in a dangerous location relative to the East Dixie Drive / North Main Street intersection across from the parcel. It is best to combine this parcel with a larger adjacent parcel.**

Re-zoning Assessment per Sec. 86-374. - Standards of review for Map Amendments:

- **Relationship to the established land use pattern.** Surrounding properties are as follows: RM Multifamily (south and west across road), and MX Mixed Use (north).
- **Compatibility with comprehensive plan; timing of development.** According to the City's most current Future Land Development Map the immediate area is "Residential."
- **Suitability of the zoning proposal.** Properties in the immediate vicinity are a mix of commercial and multi-family residential uses. Staff does not project any issues for the request, in terms of nuisance to nearby property owners, which are already commercial.
- **Impact on public facilities and services; referrals to other agencies.** Further impact to public services, if rezoned and combined with the adjacent parcel, include more water, sewer, and interior streets.
- **Impact on public financial resources.** The proposed development would be privately funded.
- **Availability of other land suitable for the proposed use.** The subject property is not suitable for a standalone development.
- **Impact on neighborhood character.** Rezoning the property should have no detriment to the neighborhood character, which is almost totally commercial.
- **Opportunity for economic use of property.** The property is too small to be economically viable as a mixed use development.
- **Effect on adjacent property.** Staff believes that the adjacent area would not be harmed from the change in zoning.
- **Impact on surrounding property values.** Staff does not foresee any negative impacts to the surrounding properties, which are almost totally commercial.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

City Council

OLD BUSINESS

Next: 04/08/24

Signature

City Clerk's Office

- **Circumstances peculiar to the context.** None known.
- **Impact on the public interest.** None – vacant property.
- **Environmental impact.** None known. A nearby stream runs on an adjacent property, not the subject property.

In summary, approval of this rezoning does not necessarily constitute approval of any specific, future use. However, this property's size renders it unviable for a proper mixed use development, thus, it needs to be combined with an adjacent, similarly zoned property. The only way to achieve this is through rezoning.

This item was tabled at the March 11, 2024 meeting.

Update for April Council meetings:

- **As stated before, the property's small size and narrow width render it unviable for any mixed use project. The property is only 60 feet wide at its widest point. At 1.3 acres, it does not meet the minimum tract size of 2 acres specified in Sec. 86-104 (b). Regardless of the Future Land Use Map designation for this property and the other parcels along this portion of North Main Street, and regardless of the intent of any future development on this property or adjacent properties (whether residential or commercial), the Mayor and Council need to look at the realities of this property on its own and "clean it up" for planning purposes by approving it to be combined with an adjacent parcel. To do that, it must have the same zoning as the adjacent parcel. Approval is still recommended with the following conditions:**
 - 1. Approval of this rezoning does not constitute approval of any proposed future use. Subject parcel must be combined with adjacent parcel of same ownership and zoning classification.**
 - 2. No new curb cut or general access to North Main Street from this property, regardless of future use, is allowed.**

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private developer

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Statement of Intent
- Zoning Map
- Property Map
- Future Land Use Map
- Site Plan
- Map Amendment - Parcel 13209C E003 North Main Street - Legal Notice
- Zoning Sign
- Meeting Notice Letter
- Meeting Notice Letter 2

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3727 : Rezoning - North Main Street)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units. The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75. This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights. .

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



Battle Law

To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



Battle Law

List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



Battle Law

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



Battle Law

situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

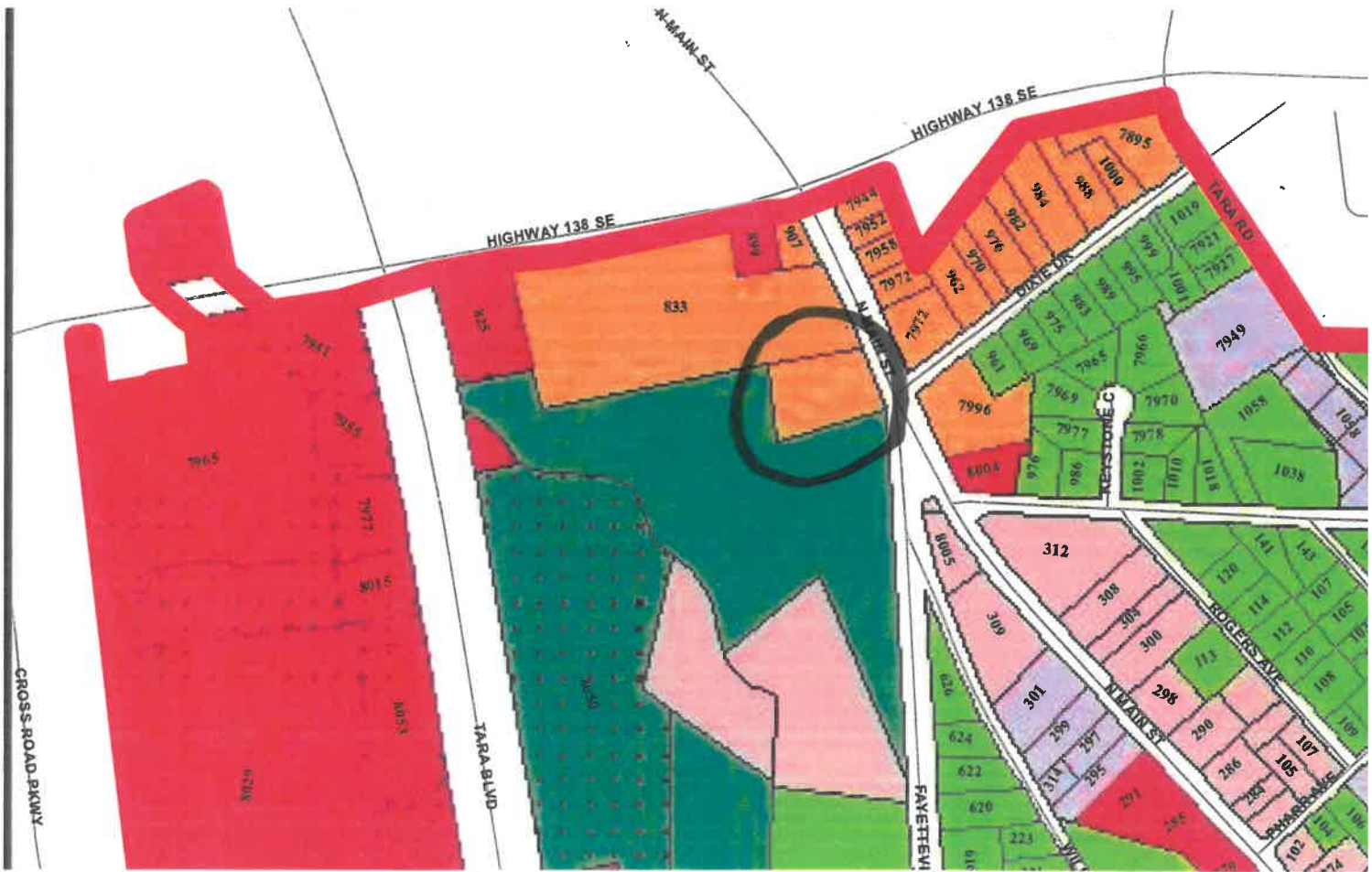
A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

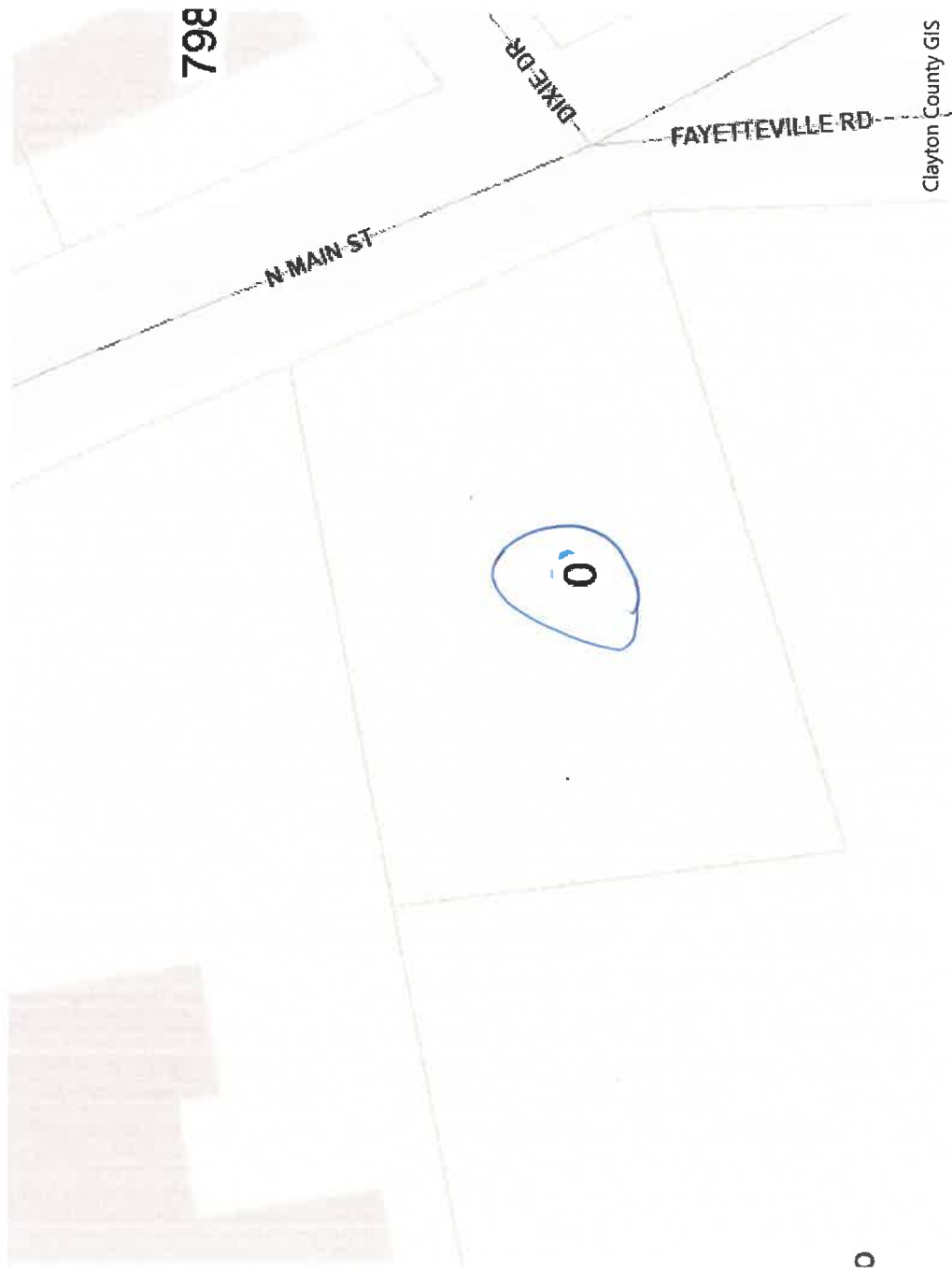
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Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3727 : Rezoning - North Main Street)



Attachment: Zoning Map (3727 : Rezoning - North Main Street)



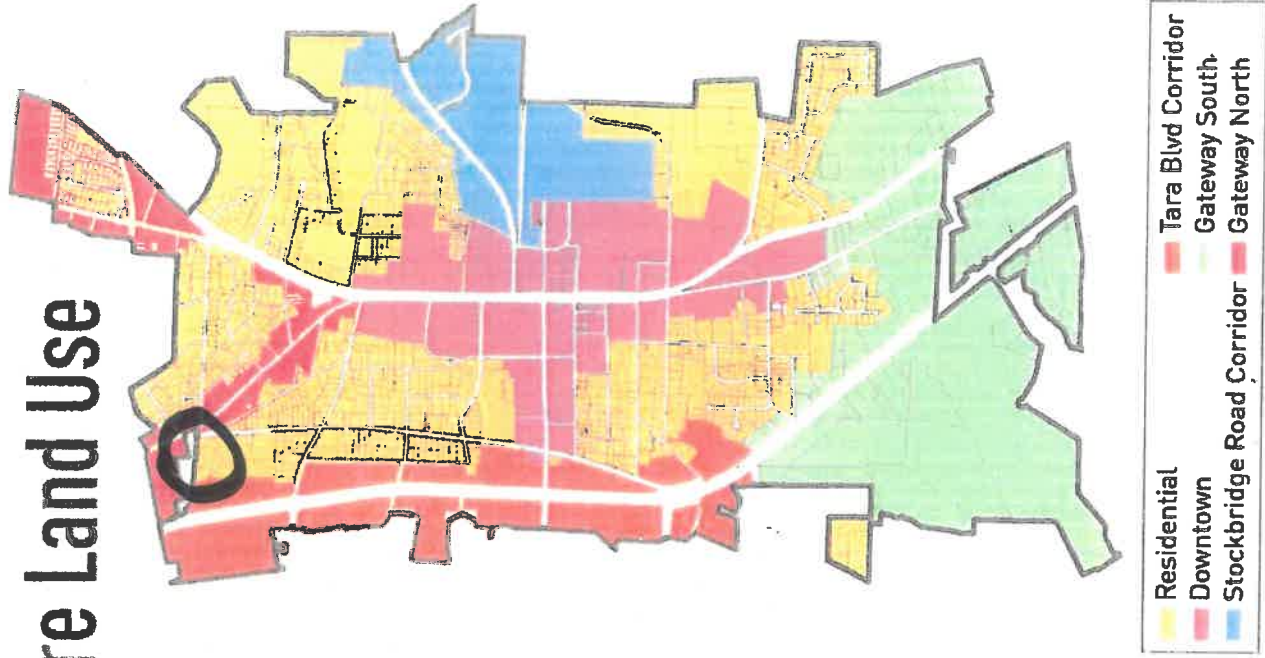


Future Land Use

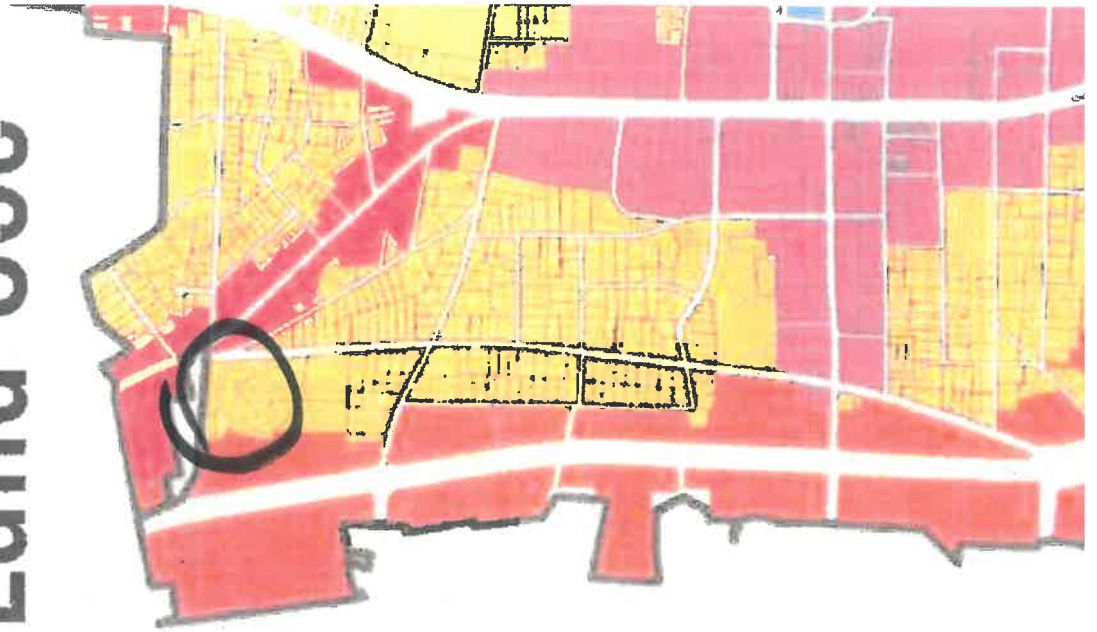
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As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.

Future Land Use



Future Land Use



Attachment: Future Land Use Map (3727 : Rezoning - North Main Street)



Legal Notice

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David Allen
Community Development Director

Publish 2/21/24



Attachment: Zoning Sign (3727 : Rezoning - North Main Street)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

**REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B002 13209C**

A PUBLIC HEARING on this application will ^{AND} E003
held on. **MARCH 11** 20.24, at **6** p.m.

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting - **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 27, 2024

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Parcel No. 13209C E003

Dear Applicant,

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- Mixed Use (MX) to Multifamily (RM)

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Meeting Notice Letter (3727 : Rezoning - North Main Street)



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: March 20, 2024

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A Regular Meeting / Vote has been scheduled for Monday, April 8, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. Another Work Session has been scheduled on the same item for Monday, April 1, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.6

OLD BUSINESS – 6

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Conditional Use Permit Application 24-CU-004, for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-101 – RM Zoning Purpose and Standards; 86-100 R-A Development Standards (Revised)

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval (with conditions) of Conditional Use application (also contingent upon approval of Variance application)**; Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. **The proposal is for 77 townhome units with a price range in the xxxxxxxxx. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting, which are explained in depth in a separate staff report. Denial of one application would necessitate the denial of the other.**

Sec. 86-101. - R-M multifamily residential district.

Purpose. The R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

The intent is achieved with this proposed development, as the site would be over two acres, and is located at the margin of a neighborhood commercial districts, and would represent a transition from the commercial uses on North Main Street and the lower density residences along Fayetteville Road.

More recently, however, the City's Comprehensive Plan was updated, with a stated goal of diversifying and updating the City's housing stock. Per the attached documents from the updated Comprehensive Plan, the subject property is now mostly in the "residential" area:

The City's residential areas are a mixture of historic residences and more modern updates to the general housing stock.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

City Council

OLD BUSINESS

Next: 04/08/24

Signature

City Clerk's Office

The City shall thoughtfully consider placement of future, more diversified housing types adjacent to areas of more traditional neighborhoods.

Possible Uses, Where Appropriate:

- *Single-family detached residential*
- *Townhomes*
- *Condominiums*
- *Duplexes and Triplexes*
- *Multi-family*

Implementation Measures:

- *Promote new developments that emulate the positive aspects of historic Jonesboro's architecture, where relevant.*
- *Promote new developments that diversify the City's housing stock with thoughtful planning and high quality architecture.*
- *Promote vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.*

Thus, the City's most current stance is looking at home models other than single-family detached, in an effort to make the most of the City's limited available space by going denser and more vertical. The subject property is one of the few remaining "larger" tracts of undeveloped land in the City. That being said, what would be the best use for this property in the future? A development with several single-family detached dwellings would not be efficient. The addition of several new driveways for single-family residences could pose a problem in a "complicated" traffic area. A new townhome community with quality architecture in the north part of the City could serve as a catalyst for change in the immediate area, providing more of an "aesthetic" entrance into the City and creating a need for more service oriented businesses, such as restaurants.

The City's townhome standards were also updated recently:

Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

- (1) The standards of the R-A district shall control development of townhouses and condominiums.
- (b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:
 - (1) Minimum parent tract size: 87,120 square feet (two acres) **Complies**
 - (2) Minimum lot area per unit: 1800 square feet **1 Complies**
 - (3) Minimum parent tract width: 150 feet **2 Complies**
 - (4) Minimum front yard: 20 feet **3 Complies**
 - (5) Minimum side yard at perimeter of tract: 25 feet **Complies**
 - (6) Minimum rear yard: 35 feet **Mostly complies (see variance application)**
 - (7) Minimum floor area per dwelling unit: 1,500 square feet **Will comply**
 - (8) Maximum building height: Three stories **Will comply**
 - (9) Maximum number of units per building: Eight **Complies**
 - (10) Maximum number of units per development: 64 **77 proposed (see variance application)**
 - (11) Maximum density: Eight units per acre **Complies**
 - (12) Minimum greenspace: 15 percent of gross acreage **Complies**
 - (13) Minimum building separation: **Complies**

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
Side to Side	25 feet

 - 1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.
 - 2 Measured at the building line.
 - 3 The required front yard on any street classified as a collector or above shall be 25 feet.
- (c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:
 - (1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway. **Complies**

- (2) Buffers shall be provided as specified in Article XV of this chapter. **Complies**
- (3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager. **Will comply**
- (4) Minimum width of each townhouse unit shall be 24 feet. **Complies**
- (5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres. **Will comply**
- (6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation. **Will comply**
- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission. **No rear alleys (see variance application)**
- (8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet. **Will comply**
- (9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping. **Will comply**

Site concerns to consider:

1. There is a stream running under Tara Blvd and through the development. (Buffering of stream is noted on site plan.
2. The intersection of east Dixie Drive and North Main Street is signalized, near an “awkward” merger of North Main Street and Fayetteville Road. Thus, the entrance to the subdivision would have to be either directly aligned with this signalized intersection or at least a few hundred feet south of the intersection.

In the summer of 2023, the Mayor and Council approved a larger townhome development on the south end of town, by the same applicant. That approval dealt with issues of a railroad, a grave, Historic District standards, and the presence of many single-family homes in quite neighborhoods in the immediate area. This application has none of those issues. It meets all zoning requirements, save for the few variance items. The two main site issues, the stream and the “awkward” intersection at Dixie Drive / North Main Street will be dealt with – the stream will be heavily buffered with greenspace around it, and the primary entrance to the townhome development will be well south of this intersection, on Fayetteville Road, where it will cost minimal traffic issues. There is not as much congestion on Fayetteville Road as South Main Street. The homes will not be seen at all from Tara Blvd. Only the fronts of 15 homes will be seen from North Main Street / Fayetteville Road, and these will have quality architecture. The homes will not be a detriment to the nearby businesses; rather, they will provide more customers for them. Most importantly, the development will honor the stated goals of the City’s updated Comprehensive Plan, providing more diversified housing stock. It also conforms to the City’s Future Land Use Map and is already mostly zoned RM.

Should the Mayor and Council choose to approve the conditional use permit for the townhomes, the following minimum approval conditions shall apply:

1. Development shall not exceed the 77 dwelling units shown.
2. Final architectural exteriors shall be subject to review and approval by the Design Review Commission.
3. A developer’s agreement shall be provided to and approved by the Mayor and Council pertaining to architectural and site design elements, including streetlights. Development shall form an HOA.
4. Final landscape plan shall be subject to review and approval by the Community Development Director.
5. The development shall be subject to the requirements of the Specimen Tree Protection Ordinance, including any necessary tree replacement and / or recompense for removed specimen trees.
6. Minimum 4-foot-wide concrete sidewalks shall occur down the entire frontage of the property.
7. The standards of Chapter 66, Article VIII Street Light Districts shall apply.
8. Townhomes directly adjacent to North Main Street and / or Fayetteville Road shall face North Main Street and / or Fayetteville Road.
9. Entrance shall not divert from the presented site plan. Entrance across from intersection of Dixie Drive and North Main Street shall remain emergency access only and shall meet the physical requirements of public safety departments.
10. Proposed street names are subject to approval by the Mayor and Council and Clayton County GIS.

11. Landscape strip along North Main Street / Fayetteville Road shall retain as many existing trees as possible
12. No access to Tara Boulevard or the shopping center to the north of the subject property is allowed.

Update for 3.11.24 Meeting:

- Townhomes for sale.
- 3 bedrooms (all).
- 2-car garages, 18-foot wide driveways.
- \$300 to \$350 price range.
- Sidewalks in interior.
- Possible sidewalk along frontage.
- Decel lane to slow traffic.
- Space for unspecified amenities in greenspace.

This item was tabled at the March 11, 2024 meeting.

Update for April Council meetings:

Several concerns were expressed by Council about the impacts of another townhome development within the City limits.

Effect on City infrastructure

- **Any new sanitary sewer, water, and storm sewer will be owned and maintained by the Clayton County Water Authority.**
- **Street light costs shall be paid annually by each property owner as part of a Street Light District created, as was done for the Grove.**
- **Sanitation service provided by the City for the 77 units will be concentrated in a one-hundredth of a square mile area, adding maybe an hour to one of the days of Public Works' trash pickup.**
- **The City currently has approximately 23 miles of roads in it. In terms of maintenance, this proposed townhome development (if approved), coupled with the Foxtrail development on the south side of the City, would only add three-quarters of a mile more to the total, or a 3.3% increase.**

Traffic

- **The traffic issues for the recently approved Foxtrail townhome development are not interrelated with this proposed development, as they are on completely different ends of town and face completely different traffic patterns.**
- **Fayetteville Road and North Main Street serve as "cut-throughs" for drivers seeking to avoid portions of Tara Blvd, but even then do not have nearly the traffic volume of South Main Street or other streets closer to downtown. The awkward traffic configuration of the merger of Fayetteville Road and North Main Street is ill equipped to handle large volumes of traffic.**
- **At some point in the future, the subject property is going to be developed, either a residential subdivision or a planned commercial center. It will not remain woods forever. Typically, a residential subdivision will have spikes in traffic flow, when the residents leave to go to their jobs in the morning and when they return in the evening. An active commercial center will have significant traffic flow most of the day, and I am not sure this Fayetteville Road / North Main Street corridor can handle a constant increased flow.**

Increased Population

- **Increases in residents populations actually benefit local governments. The results of an increased census county help determine how hundreds of billions of dollars in federal funding, including grants and support to states, counties and communities are spent every year for the next decade. It helps communities get its fair share for schools, hospitals, roads, public works, etc. Bear in mind that the**

Jonesboro census count in 2020 actually dropped from 2010. While we got some of the population numbers back in a successful appeal, we did not get all of the decrease back. Jonesboro technically has below 5000 residents. It needs to show growth for the 2030 census.

- Another way increases in residents populations benefit local governments is through allocation of LOST sales tax money, which is based on the annual or biannual populations of the cities within Clayton County. While we certainly do not want to mimic Lovejoy's exploding population growth (nearly double in 10 years), Jonesboro was fortunate that the County kept the LOST allocation rates as they were last year and did not drop Jonesboro's percentage. We cannot guarantee that rate will not change in the future. With the 90 units approved for Foxtrail, and the 77 units (if approved) for the proposed townhome development before the Council now, it would be 167 new residential units. Assuming 3 people per residence, it would be a 500 person population growth, or a roughly 10% increase in population. Jonesboro is the only city in Clayton County that lost a double digit percentage in population from 2010 to 2020.

Commercial / Residential Balance

- It was stated in the March 11th meeting that the maximum healthiest percentage for residential uses in a city was 50%. Jonesboro roughly stands at two-thirds (66%) residential parcels right now. As stated before, the subject property is going to be developed at some point, either a residential subdivision or a planned commercial center. It will not remain woods forever. What kind of commercial could we get on the subject property? Unfortunately, the latest trends have been locally-owned vape stores, convenience stores, and event centers. Do we need more of those in the City in the future? The high-end restaurants and retail that the City desires would only want to be located on Tara Boulevard or the downtown core for more direct accessibility and maximum visibility, and not a "side street" like Fayetteville Road / North Main Street. The shopping center directly across the street from the subject property has struggled to maintain quality retailers in its building for several years, as has the shopping center directly to the north of the subject property. Do we chance another half-filled commercial center with parking lot on the subject property close to existing single-family houses on Fayetteville Road?
- The current Future Land Use Map shows "residential use" for the majority of the subject property area, including single-family detached homes, townhomes, and condominiums. Also, the purposed of the RM zoning district (which the subject property is currently zoned) is - the R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

Development of future commercial on the subject property is at odds with the zoning code.

Staff recommendation for approval shall also consider several additional approval conditions from the original 12 above:

13. Fronts of all townhomes shall be full brick.
14. Maximum of 10% of units shall be rentals, enforceable by the HOA.
15. Greenspace areas shall specify certain amenities for residents, to be completed prior to Certificate of Occupancy approval.

Private developer

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Statement of Intent
- Site Plan
- Property Pictures
- Zoning Info
- Conditional Use - North Main Street - Townhomes - Legal Notice
- Zoning Sign
- Meeting Notice Letter
- Townhome Designs
- Future Land Use Map
- Meeting Notice Letter 2

Staff Recommendation (Type Name, Title, Agency and Phone)

Approval, with Conditions



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3728 : Townhomes - North Main Street and Fayetteville Road)



Battle Law

I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units. The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75. This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



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To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



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List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



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situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3728 : Townhomes - North Main Street and Fayetteville Road)



FRONTING FAYETTEVILLE ROAD

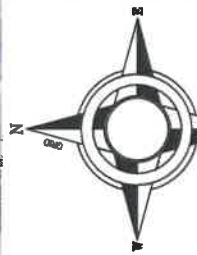
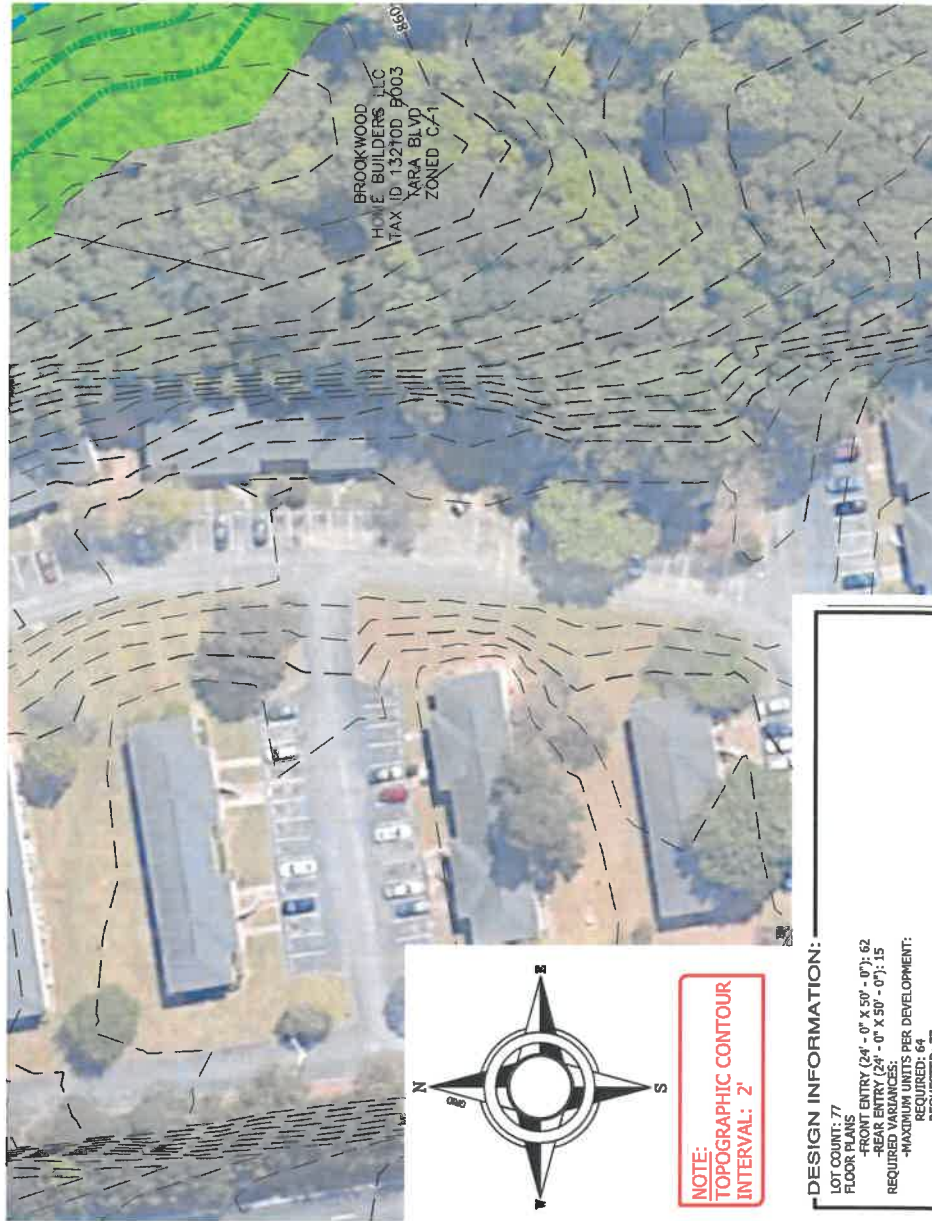
GRAPHIC SCALE



GENERAL NOTES

- CURRENT ZONING: RM & C-2
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
PARCELS: 13209C 0003, 13210D 0002 & 13210D 0007
-SETBACKS:
FRONT:
-20' (LOCAL STREET)
-35' (COLLECTOR STREET OR ABOVE)
SIDE: 0', 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
-REAR: 35'
-REAR: 35'
-BUILDING SEPARATION:
FRONT-REAR: 40'
FRONT-SIDE: 35'
REAR-REAR: 40'
REAR-SIDE: 35'
SIDE-SIDE: 25'
-TOTAL NUMBER OF UNITS: 77
-MINIMUM DWELLING SIZE REQUIRED:
900 S.F. (ONE BEDROOM)
1,200 S.F. (TWO BEDROOM)
1,400 S.F. (THREE BEDROOM)
-MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
-TWO CAR GARAGE WITH MIN. 16' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
-MINIMUM TOWNHOUSE WIDTH: 24'
-INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
-INTERNAL STREET RIGHT-OF-WAY WIDTH: 25' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
SITE AREA: 11.98 ACRES
-NUMBER OF UNITS = 77 / 11.98 ACRES
4. BOUNDARY AND RIGHT-OF-WAY LINES SHOWN ARE DERIVED FROM GIS DATA & PUBLIC RECORDS.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FROM PANEL 13063C0086F, DATED 6/7/2017.
6. TOTAL OPEN SPACE = 4.77 ACRES (20% REQUIRED / 40% PROPOSED)
7. WASTEWATER SERVICE SHALL BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICH EVER IS GREATER.
9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
- START CONSTRUCTION IN EARLY 2024
- COMPLETE DEVELOPMENT BY EARLY 2025
- FULL HOME BUILD OUT BY EARLY 2027
10. MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
11. TOWNHOUSE BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF VARIATION IN MATERIALS, COLOR, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION. BRICK OR STONE, BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE SHALL NOT BE USED FOR ANY BUILDING ELEVATION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT-LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
13. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.
14. ALL TOWNHOUSE UNITS SHALL HAVE A MINIMUM WIDTH OF 25'.

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NOTE:
TOPOGRAPHIC CONTOUR
INTERVAL: 2'

DESIGN INFORMATION:

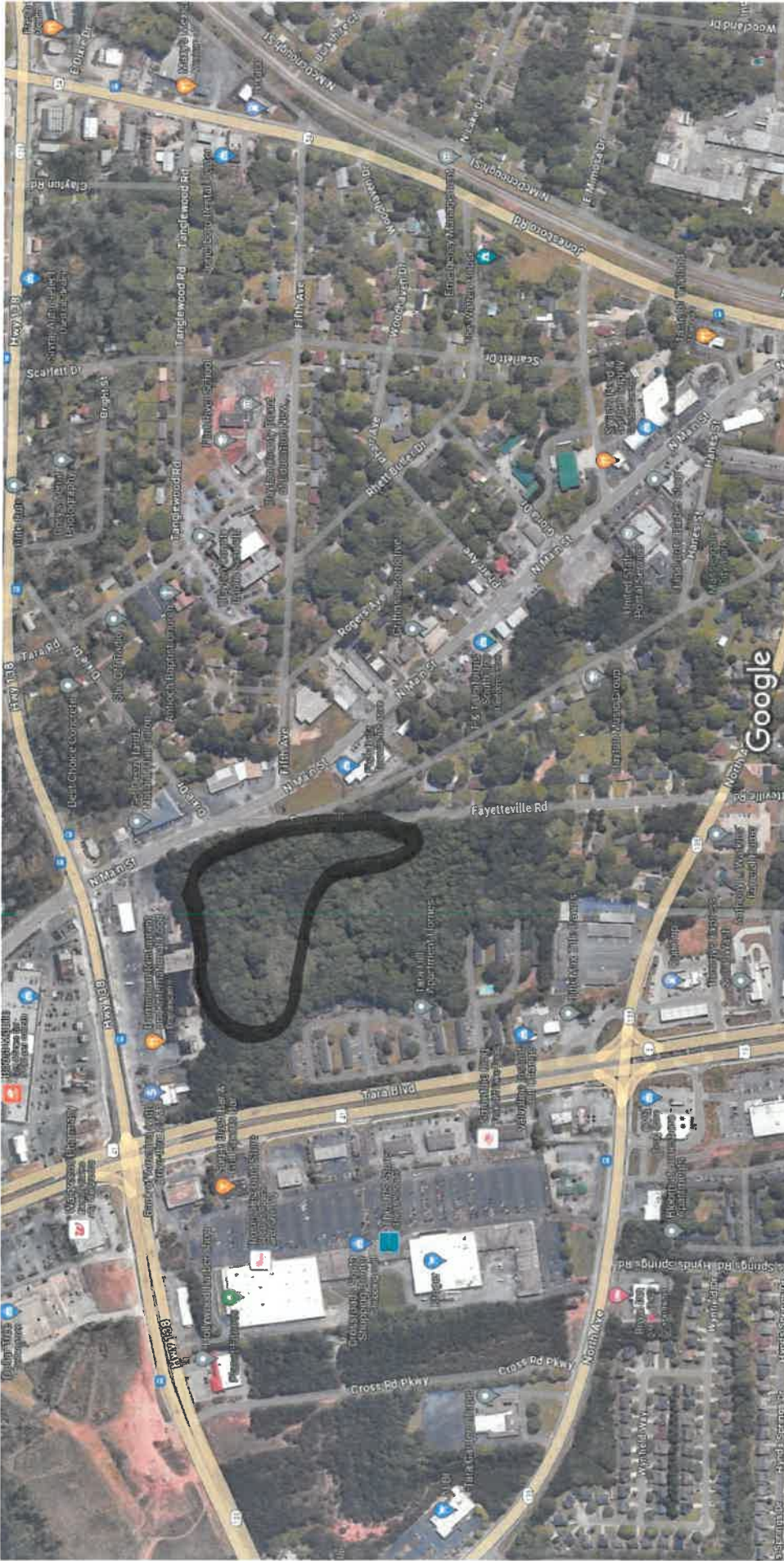
- LOT COUNT: 77
- FLOOR PLANS: 77
- FRONT ENTRY: 24' - 0" X 50' - 0"; 62
- REAR ENTRY: 24' - 0" X 50' - 0"; 15
- REQUIRED VARIANCES:
-MAXIMUM UNITS PER DEVELOPMENT:
REQUIRED: 64
REQUESTED: 77
- ENTRY ACCESS:
REQUIRED: REAR ENTRY
REQUESTED: FRONT ENTRY EXCEPT FOR UNITS ADJACENT TO FAYETTEVILLE HWY.
- SETBACKS:
REQUIRED:
-FRONT:
-20' (LOCAL STREET)
-35' (COLLECTOR STREET OR ABOVE)
-SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
REAR: 35'
REQUESTED:
-25' REAR SETBACK ALONG R/W DEDICATION ALONG FAYETTEVILLE HWY.
(LOTS 63 - 67)

ENGINEER

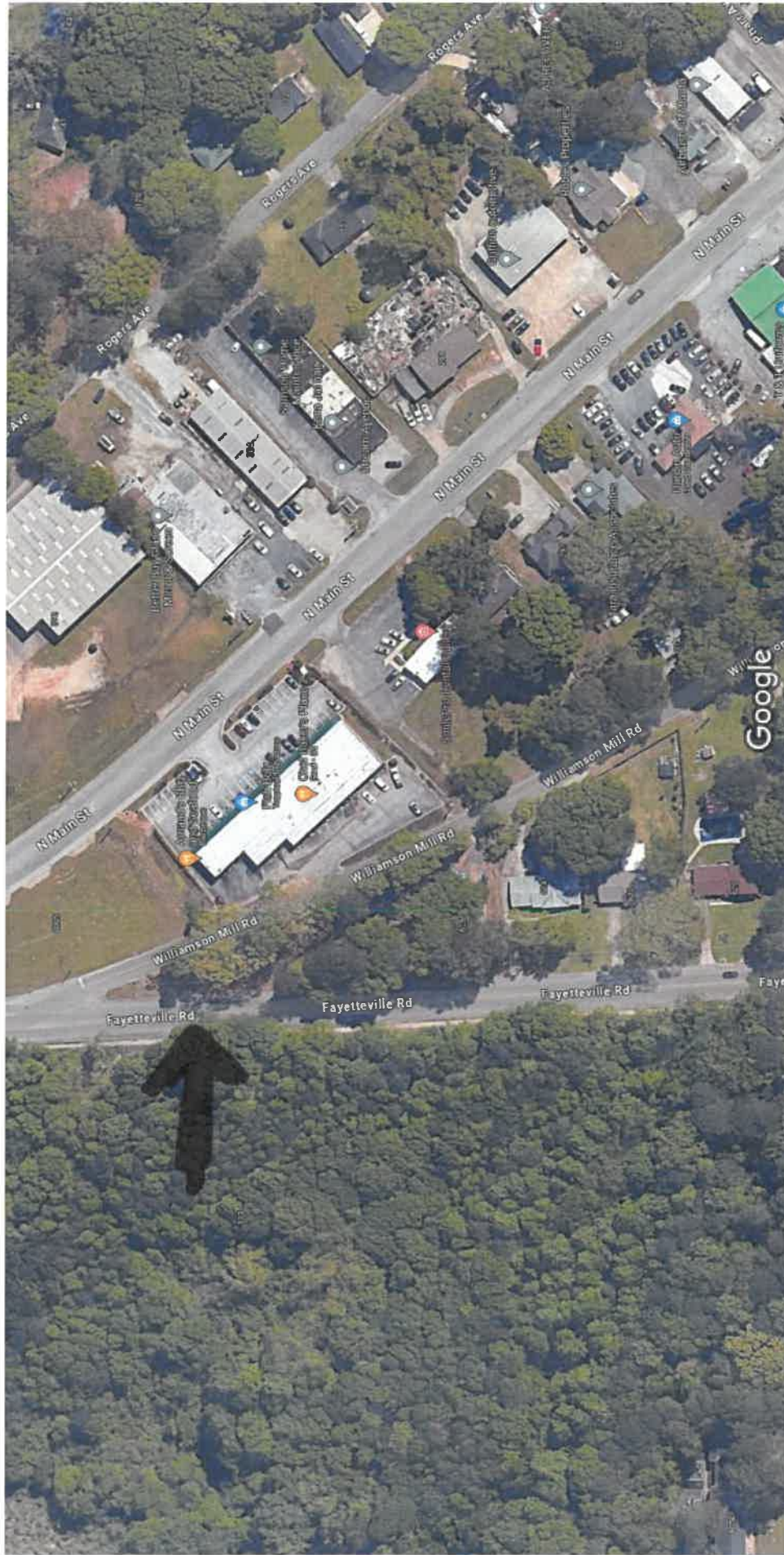
ASHFORD ENGINEERS SOUTH, LLC
350 VIRGINIA HIGHLANDS
FAYETTEVILLE, GEORGIA 30215
(678) 817 - 6956
CONTACT: DANIEL R. GREENE, P.E.
GSWCC LEVEL II CERTIFICATION#0000015975

GII
3

11.6.c

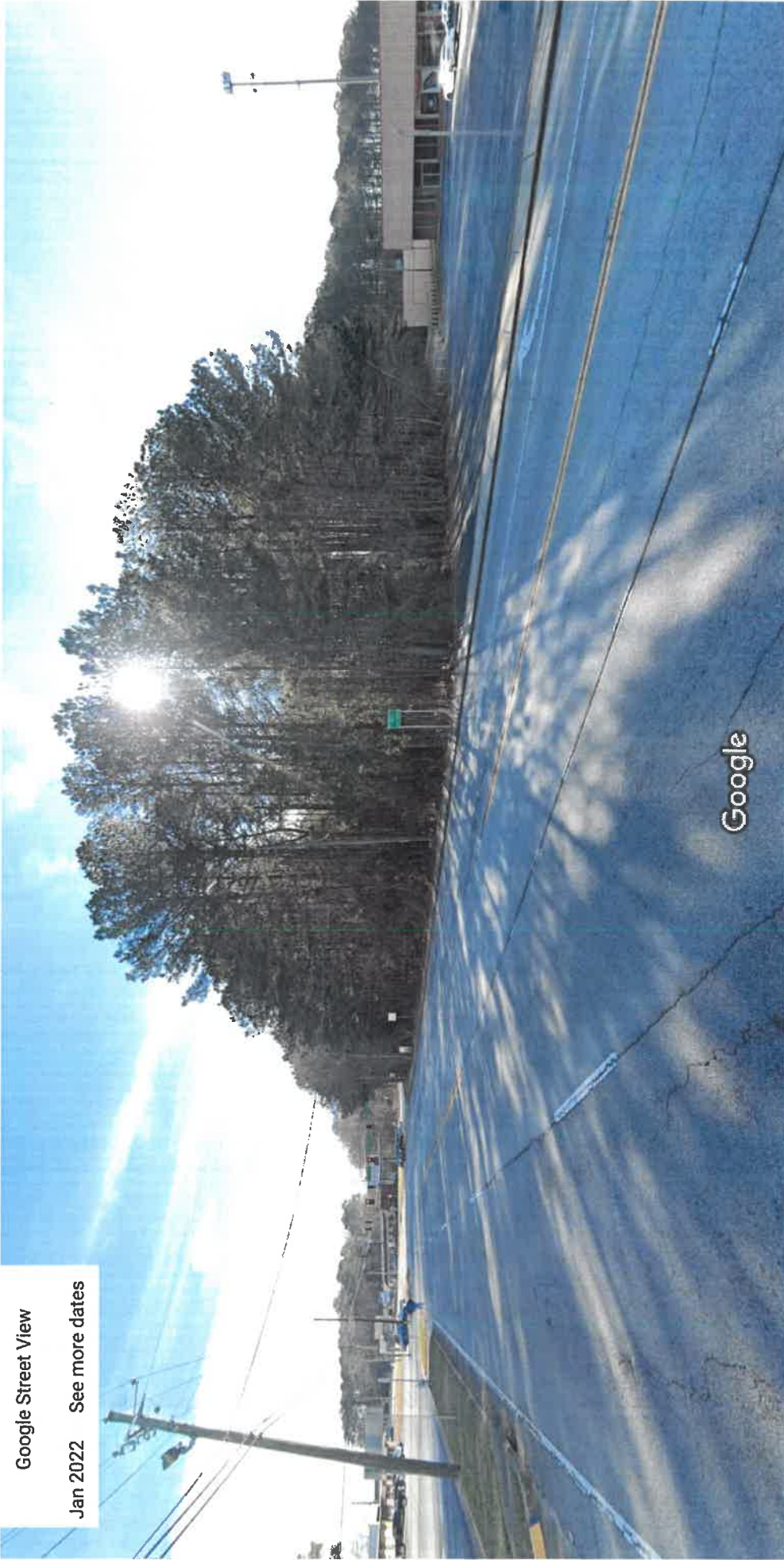


Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEQ, Map data ©2024 200 ft



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft

Google Maps Jonesboro, Georgia



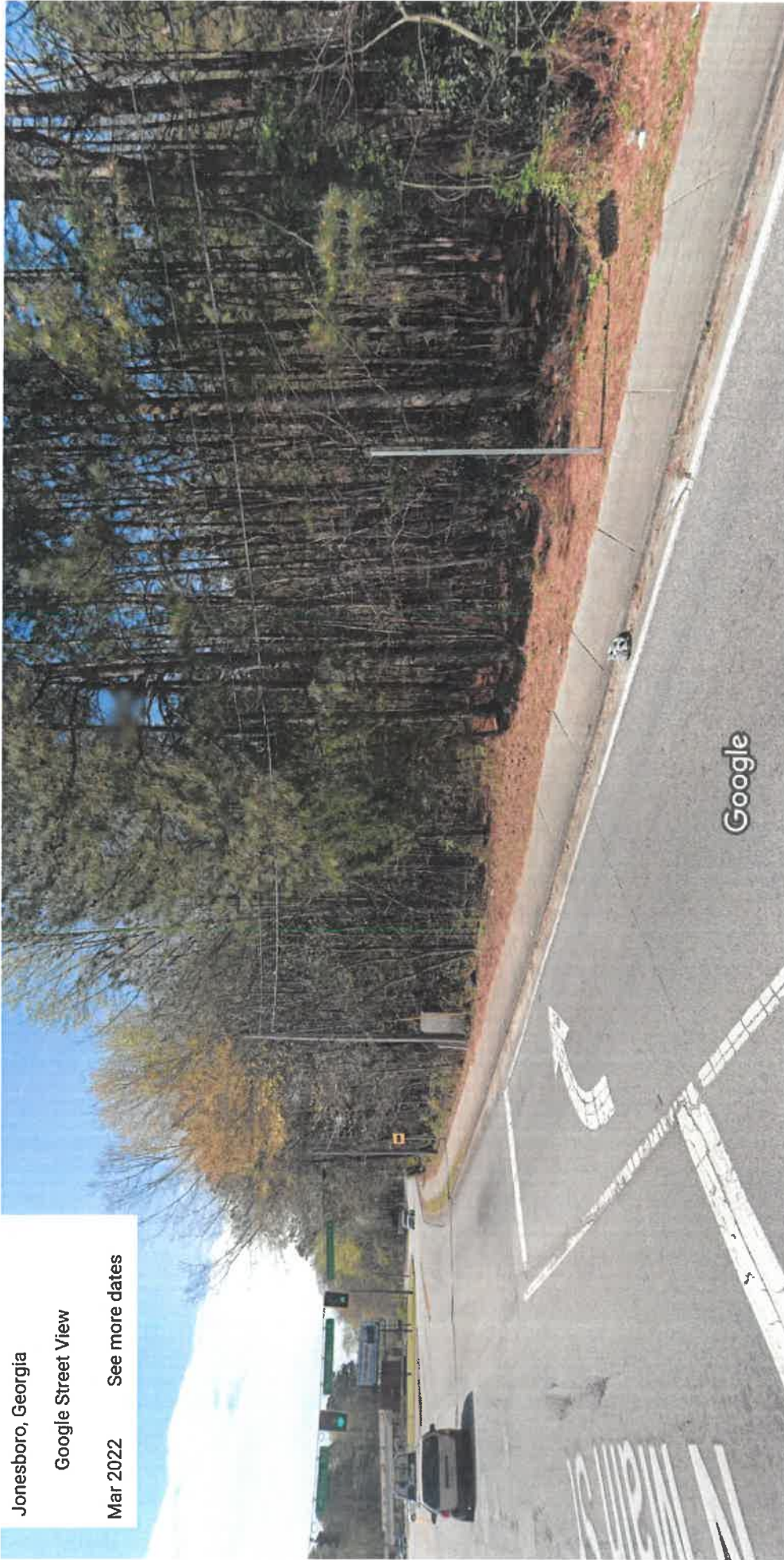
Google Street View

Jan 2022 See more dates

Image capture: Jan 2022 © 2024 Google



Google Maps 7988 N Main St



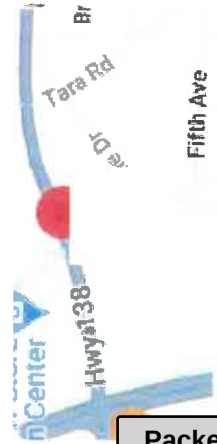
Jonesboro, Georgia

Google Street View

Mar 2022

See more dates

Image capture: Mar 2022 © 2024 Google



Google Maps 7988 N Main St

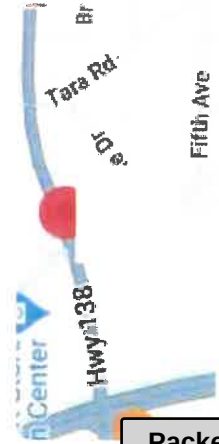
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 7996 Fifth Ave

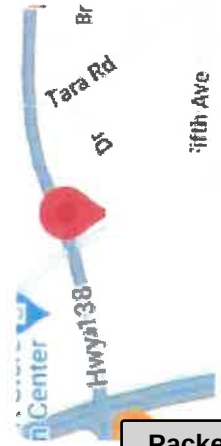
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps N Main St

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

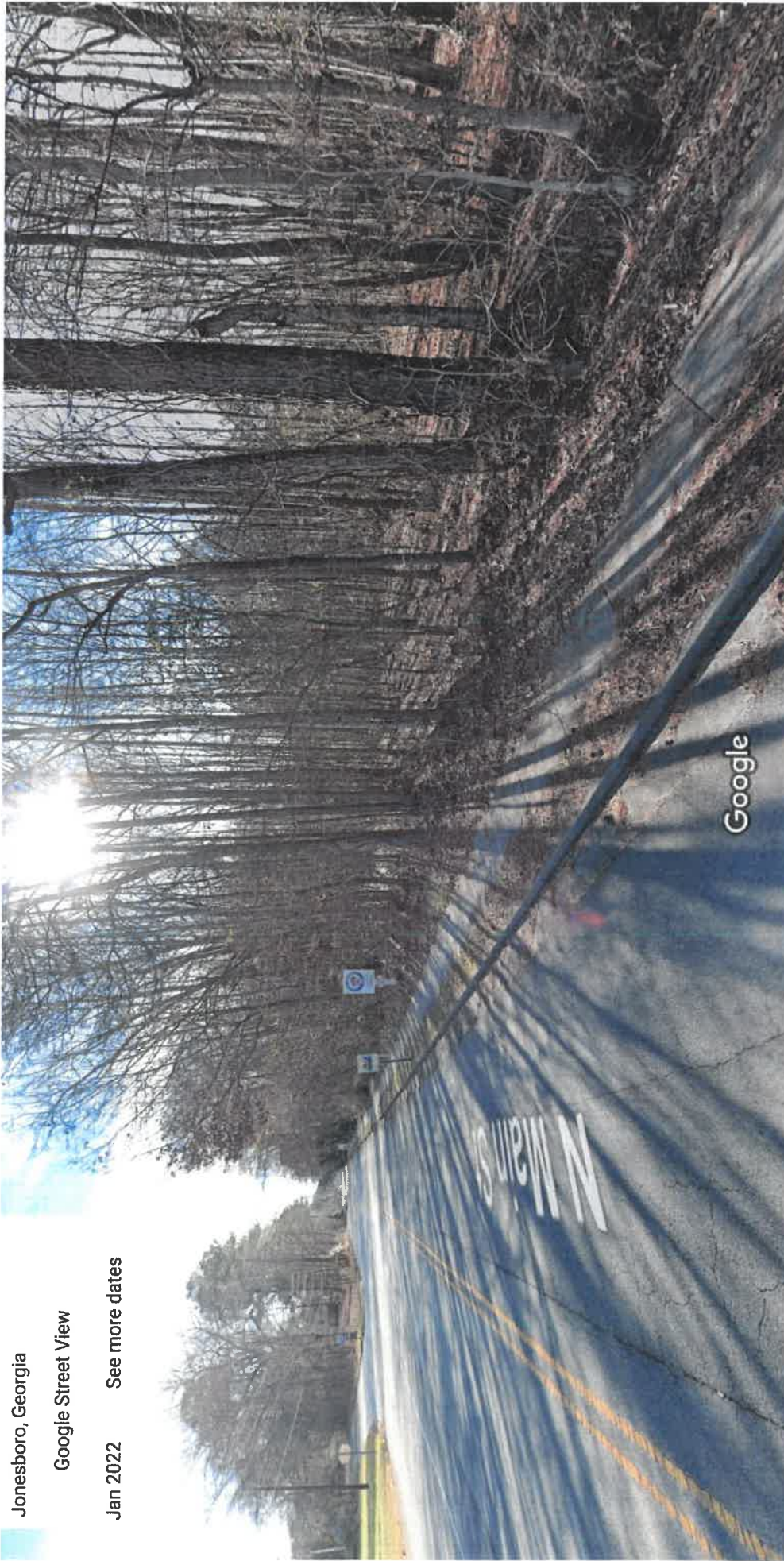
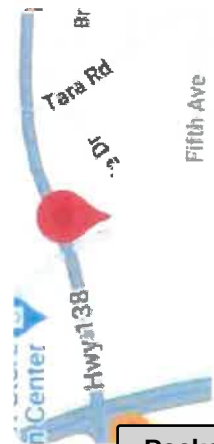


Image capture: Jan 2022 © 2024 Google



Google Maps 783 Fayetteville Rd



Jonesboro, Georgia

Google Street View

Dec 2021 See more dates

Image capture: Dec 2021 © 2024 Google



Google Maps 783 Fayetteville Rd

Jonesboro, Georgia

Google Street View

Dec 2021

See more dates

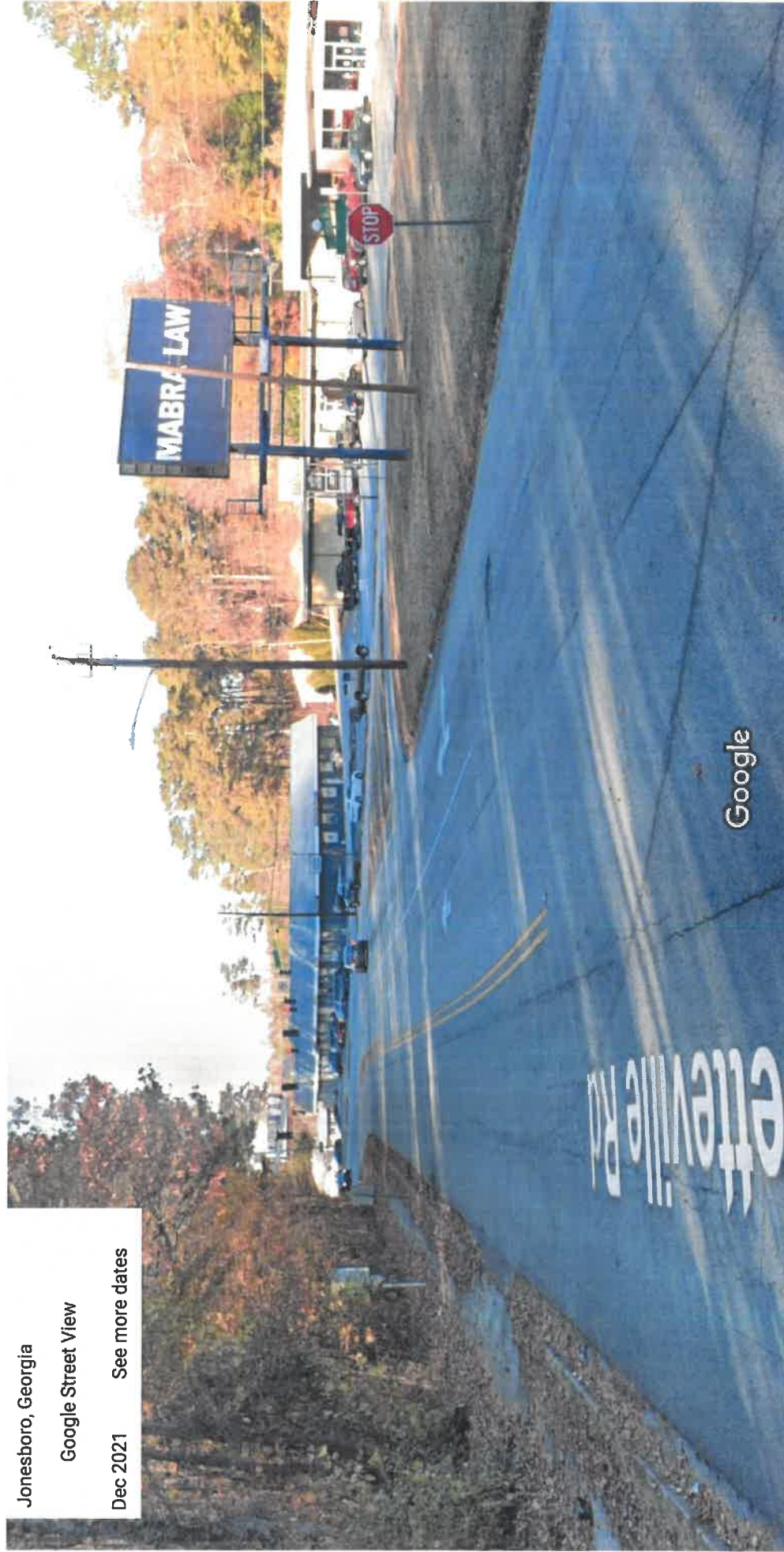


Image capture: Dec 2021 © 2024 Google



David Allen

From: David Allen
Sent: Thursday, November 16, 2023 9:14 AM
To: ashengrs
Subject: North Main Street Townhome Analysis
Attachments: SKM_C55823111609440.pdf

So, I analyzed what I have so far, without having any specs on the sizes or designs of the townhomes.

You have three different parcels with three different zonings. So, first and foremost, they will all need to be unified under one zoning, RM.

If the rezoning is approved, then you would also be required to have a conditional use permit hearing. This could be concurrent with the rezoning.

Sec. 86-202 says that the standards of RA zoning, not RM zoning, shall be used for townhomes. Looks like your notes may be using RM. There is not a lot of difference between the two.

Please note RA setbacks:

Front: 20 feet

Side: 25 feet

Rear: 35 feet

Based on the RA standards attached, you would need the following variances so far:

1. Max. number of units per development: 64 **Variance required.**
2. Rear entry alleys for townhomes. **Variance required.**

Again, this is not knowing so far if the actual dwelling units meet the size and design requirements or would need variances.

You won't need any buffers since you are not adjacent to any single-family detached housing.

The bottom line is that you would need rezoning, conditional use, and variance hearings.

From: donotreply@relay.tri-copy.com <donotreply@relay.tri-copy.com>
Sent: Thursday, November 16, 2023 8:49 AM
To: David Allen <dallen@jonesboroga.com>
Subject: Message from KM_C558

GENERAL NOTES

1. CURRENT ZONING: RM & ~~C-2~~ *REZONE*
 PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
 TAX ID #: 13209C E003, 13210D B002 & 13210D B007
 - SETBACKS:
 FRONT: 25'
 SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 REAR: 35'
 - BUILDING SEPARATION:
 FRONT-FRONT: 40'
 FRONT-REAR: 40'
 FRONT-SIDE: 35'
 REAR-REAR: 40'
 REAR-SIDE: 35'
 SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 75
 - MINIMUM DWELLING SIZE REQUIRED:
 900 S.F. (ONE BEDROOM)
 1,200 S.F. (TWO BEDROOM)
 1,400 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
 SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 75 / 11.98 ACRES *8 MAX.*
 = 6.3 UNITS / ACRE *(12 MAX.)*
4. BOUNDARY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS. TOPOGRAPHIC INFORMATION TAKEN FROM GIS DATA.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
6. TOTAL OPEN SPACE = 4.86 ACRES (20% REQUIRED / 41% PROPOSED)
7. WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICH EVER IS GREATER.
9. PROPOSED DEVELOPMENT SCHEDULE:
 - START CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2025
 - FULL HOME BUILD OUT BY EARLY 2027
10. MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
11. TOWNHOUSE BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF ARCHITECTURAL MATERIALS; A MINIMUM OF 50% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE. BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT- LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
13. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

*- CONDITION
USE*

*USE
R-A
STANDARDS
INSTEAD*





Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86- 111; Article VII; Sec. 86- 117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86- 117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Sec. 86-200. - NAICS 51913, 519130 Internet publishing, broadcasting, and web search portals.

The following conditions are assigned in the H-1, H-2, O&I MX, and C-2 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, C-1, C-2, M-1 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.



Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

- (1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (Revised August 14, 2023)

Sec. 86-205. – Multi-family (Apartments)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

HE IS USING R-A STANDARDS

Sec. 86-100. R-A single family attached residential district regulations.

- (a) Purpose. The R-A single family attached residential district is established to provide for single family attached dwellings on individual lots on development tracts having a minimum area of two acres on undeveloped land. The district is intended to foster housing options for households seeking high quality home ownership in park like setting featuring attractive architectural styles and building materials. As such, developments facilitated by establishment of the district are restricted to a maximum number of units to limit scale and encourage manageable homeowner associations. The R-A district is compatible with walkable, neighborhood commercial districts and low intensity office and commercial districts and is suited to locations along collector streets. The R-A single family attached residential district also encourages the thoughtful renovation of existing buildings and infill developments for residential purposes.
- (b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:
- ✓ (1) Minimum parent tract size: 87,120 square feet (two acres)
 - ✓ (2) Minimum lot area per unit: 1800 square feet 1 .241
 - ✓ (3) Minimum parent tract width: 150 feet 2
 - (4) Minimum front yard: 20 feet 3
 - (5) Minimum side yard at perimeter of tract: 25 feet
 - ✓ (6) Minimum rear yard: 35 feet
 - ✓ (7) Minimum floor area per dwelling unit: 1,500 square feet
 - (8) Maximum building height: Three stories
 - ✓ (9) Maximum number of units per building: Eight
 - (10) Maximum number of units per development: 64 75 VARIANCE
 - ✓ (11) Maximum density: Eight units per acre
 - ✓ (12) Minimum greenspace: 15 percent of gross acreage 1.80 REQ.
 - (13) Minimum building separation:

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
* Side to Side	25 feet ✓

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

CAN BUFFER BE INSIDE LOT?

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

(1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway.

✓(2) Buffers shall be provided as specified in Article XV of this chapter.

(3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager.

✓(4) Minimum width of each townhouse unit shall be 24 feet.

(5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres.

(6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation.

VARIANCE (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission.

(8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet.

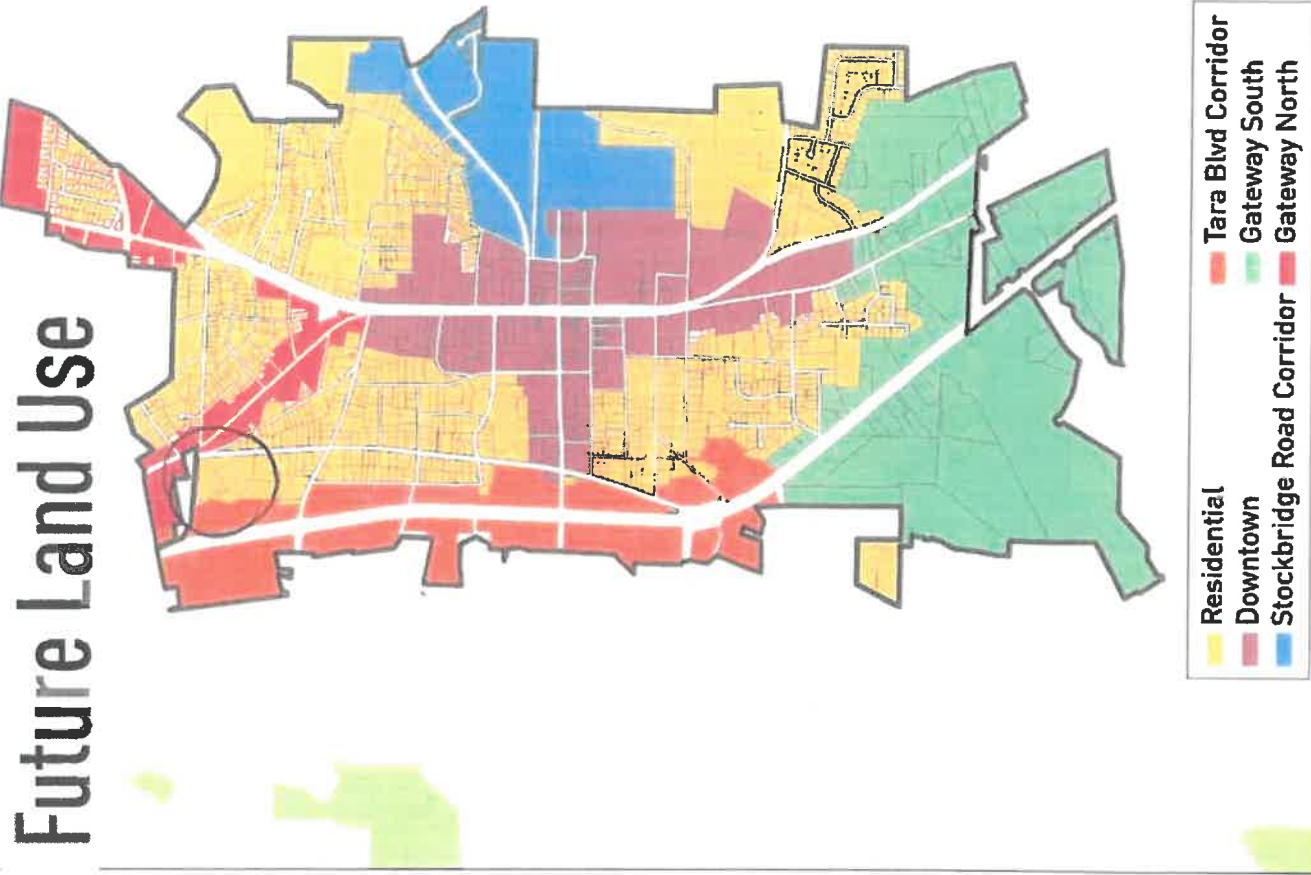
(9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping.

(d) Renovations of existing buildings. For single-family attached residential developments involving the renovation of existing buildings that cannot meet the minimum development standards of this chapter, a variance shall be required.

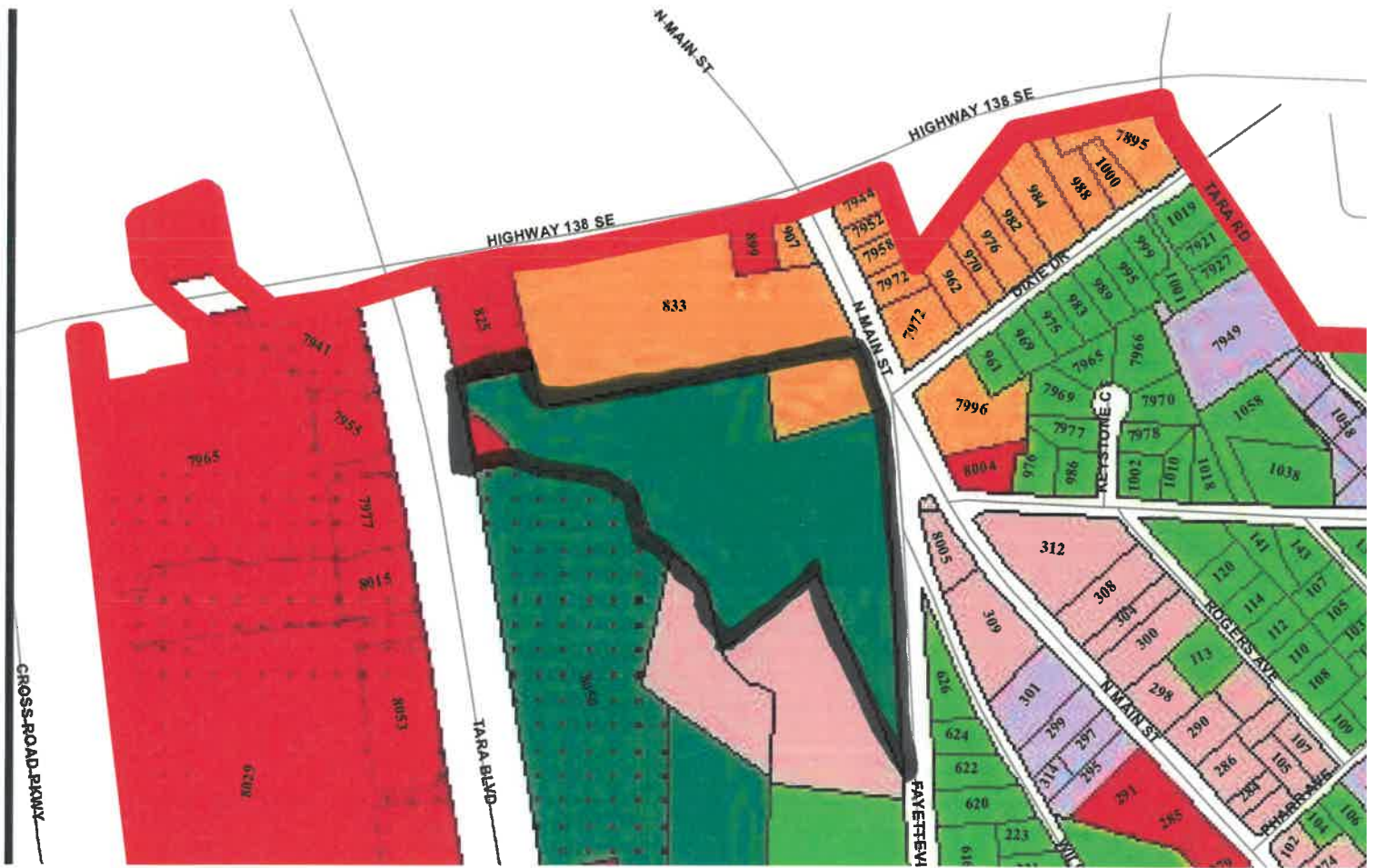
Future Land Use

As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.



Existing Use to be Buffered	Proposed Use must provide the Buffer			
	Detached Residential	Attached Residential	Commercial	Industrial
Detached Residential	No Buffer	25-foot Buffer	50-foot Buffer	75-foot Buffer
Attached Residential	No Buffer	No Buffer	25-foot Buffer	50-foot Buffer
Office Commercial	No Buffer	No Buffer	No Buffer	25-foot Buffer
Industrial	No Buffer	No Buffer	No Buffer	No Buffer



Attachment: Zoning Info (3728 : Townhomes - North Main Street and Fayetteville Road)

Future Land Use



Attachment: Zoning Info (3728 : Townhomes - North Main Street and Fayetteville Road)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for a townhome development by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24

CITY OF JONESBORO PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

**REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B002, 13209C**

A PUBLIC HEARING on this application will ^{AND} E003
held on **MARCH 11** 20.24, at **6** p.m. ↓

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 28, 2024

Re: Notification of Request for Conditional Use Permit – Townhomes; Parcel Nos. 13209D B002, 13209C E003, and 13210D B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced properties concerning the following:

- Townhomes

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



David Allen

From: Josh Mahoney <jsm@battlelawpc.com>
Sent: Friday, March 1, 2024 9:28 AM
To: David Allen; Mark Schwabacher
Subject: RE: Templar Application Submission
Attachments: FoxTrail Render #9 (Luca Front) (Large).png

Building Materials

- Hardiplank Siding - Brick Accents - Vinyl Energy Efficient V
- Architectural Shingles - Sidewalks - Aluminum Garage Doc
- Sodded yards - Driveway length & width to accomodate 2 c

Hello, David:

My client forwarded me the attached elevations and materials description. Also, he let me know they are targeting a sales price up to the mid \$300s.



Joshua S. Mahoney, Esq.

Associate Attorney

Phone: 404-601-7616, Ext. 6

Mobile: 470-757-3622

Email: jsm@battlelawpc.com

3562 Habersham at Northlake

Bldg. J, Suite 100

Tucker, GA 30084

www.battlelawpc.com



Confidentiality Notice

This message is being sent by or on behalf of a lawyer. It is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged or confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately by e-mail and delete all copies of the message.

From: David Allen <dallen@jonesboroga.com>
Sent: Wednesday, February 28, 2024 2:21 PM
To: Josh Mahoney <jsm@battlelawpc.com>; Mark Schwabacher <MAS@battlelawpc.com>
Subject: RE: Templar Application Submission

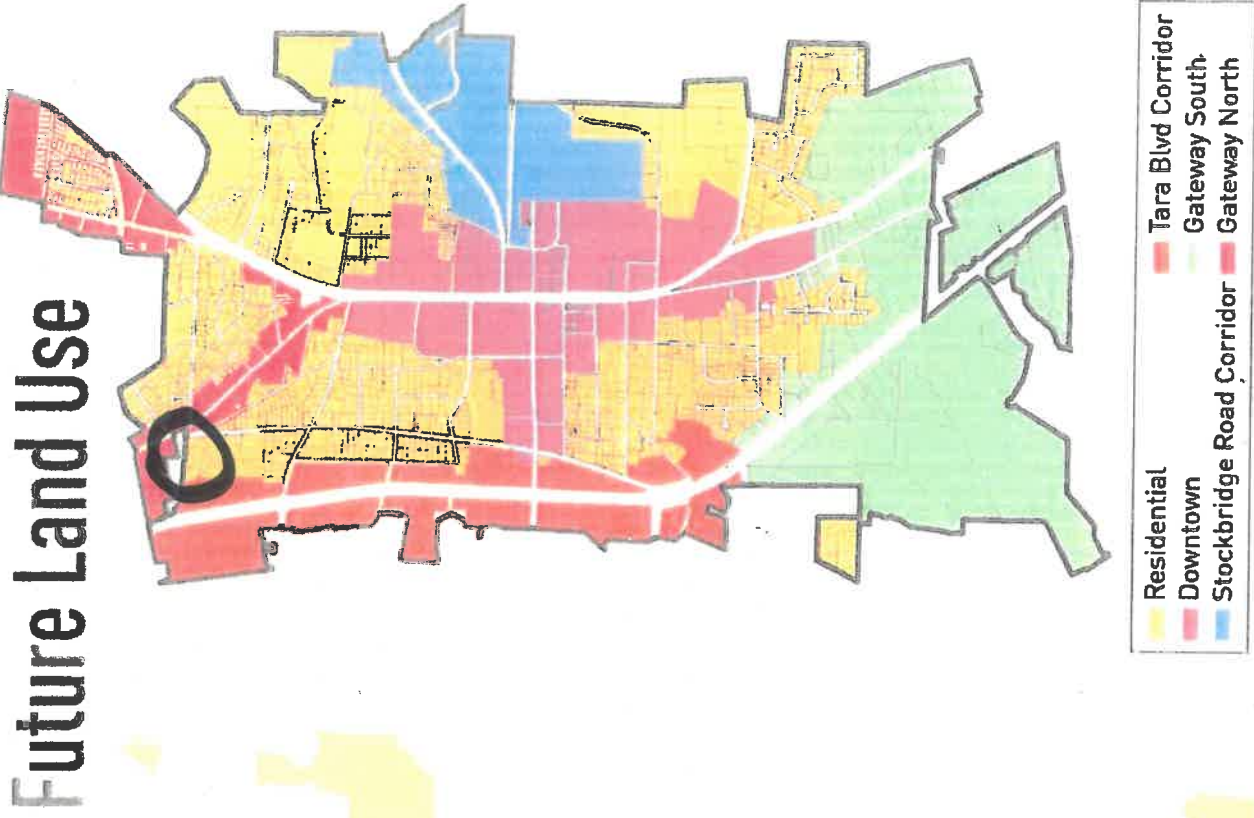
What did you find out about preliminary elevations?

Attachment: Townhome Designs (3728 : Townhomes - North Main Street and Fayetteville Road)

Future Land Use

As an important first step in creating an appropriate redevelopment atmosphere, the city has updated its Future Land Use Map, dividing the city into *Character Areas*. These updated Character Areas are intended to ensure compatible and unified development within specified areas of the city, and acknowledge the changing dynamics within the city over the last several years.

As described over the next few pages, these Character Areas guide land use characteristics and development standards. They influence development through guidelines for standards such as density and land use policies. Permissible land uses and compatible implementation measures are outlined in each section.



Future Land Use



Attachment: Future Land Use Map (3728 : Townhomes - North Main Street and Fayetteville Road)



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: March 22, 2024

Re: Notification of Request for Conditional Use Permit – Townhomes; 0 North Main Street, Parcel No. 13209C E003

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

- Townhomes

A Regular Meeting / Vote has been scheduled for Monday, April 8, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. Another Work Session has been scheduled on the same item for Monday, April 1, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

11.7

OLD BUSINESS – 7

COUNCIL MEETING DATE

April 8, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Council to consider Variance Application, 24-VAR-002, for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-101 – RM Zoning Purpose and Standards; 86-100 R-A Development Standards (Revised)

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval (with conditions) of Variance application (also contingent upon approval of Conditional use application)**; Last year, a zoning verification form for North Main Street (Parcel 13209D B002 and adjacent parcels 13209C E003 and 13210D B007) for a new townhome community was received, which requires a conditional use permit. The to-be-combined properties would have 11.98 acres total and only contain significant portions of woods and a stream. Assuming rezoning is approved for parcels 13209C E003 and 13210D B007, the property is zoned RM (Multi-family) and only has access to North Main Street and Fayetteville Road (the two roads blend into each other near the subject property). The property is in the extreme northern end of the City and is not in the Historic District or in any Overlay. There are single-family residences along Fayetteville Road to the south of the subject property, the closest on the same side of the street as the development being about one-fifth of a mile from the development and being shielded by trees. Directly across the street and to the north of the development are commercial businesses. **The proposal is for 77 townhome units with a price range in the xxxxxxxxx. Several new public streets are proposed with 45-foot-wide rights of way. The same property is also under consideration for variances to certain development standards at the same meeting. Denial of one application would necessitate the denial of the other.**

Sec. 86-101. - R-M multifamily residential district.

Purpose. The R-M multifamily residential district is established to provide for multifamily dwellings on properties having a minimum area of two acres. The district accommodates residential development at a maximum density of eight units per acre and is intended to serve a rental market in which attached units are available in a setting with common amenities and greenspace. R-M districts are expected to develop near public transit and along transportation corridors. Such developments may be established at the margin of neighborhood commercial districts, community shopping districts and employment centers, and represent a transition from office and commercial uses to lower density neighborhoods.

The City's townhome standards were also updated recently:

Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

(1) The standards of the R-A district shall control development of townhouses and condominiums.

(b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:

(1) Minimum parent tract size: 87,120 square feet (two acres) **Complies**

(2) Minimum lot area per unit: 1800 square feet **1 Complies**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

April, 8, 2024

04/01/24

City Council

OLD BUSINESS

Next: 04/08/24

Signature

City Clerk's Office

- (3) Minimum parent tract width: 150 feet 2 **Complies**
- (4) Minimum front yard: 20 feet 3 **Complies**
- (5) Minimum side yard at perimeter of tract: 25 feet **Complies**
- (6) Minimum rear yard: 35 feet **Mostly complies (see variance application)**
- (7) Minimum floor area per dwelling unit: 1,500 square feet **Will comply**
- (8) Maximum building height: Three stories **Will comply**
- (9) Maximum number of units per building: Eight **Complies**
- (10) Maximum number of units per development: 64 **77 proposed (see variance application)**
- (11) Maximum density: Eight units per acre **Complies**
- (12) Minimum greenspace: 15 percent of gross acreage **Complies**
- (13) Minimum building separation: **Complies**

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
Side to Side	25 feet

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

- (1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway. **Complies**
- (2) Buffers shall be provided as specified in Article XV of this chapter. **Complies**
- (3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager. **Will comply**
- (4) Minimum width of each townhouse unit shall be 24 feet. **Complies**
- (5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres. **Will comply**
- (6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation. **Will comply**
- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission. **No rear alleys (see variance application)**
- (8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet. **Will comply**
- (9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping. **Will comply**

In summary, the following minor variances are necessary –

- (6) Minimum rear yard: 35 feet Mostly complies (see variance application)**

The rear yard setback on the 15 homes along North Main Street / Fayetteville Road needs to be 25 feet to allow more rooms for the homes. This will be rear loading homes, so technically the front of the homes will face North Main Street anyway.

- (10) Maximum number of units per development: 64 77 proposed (see variance application)**

Since the interior of the site will not be visible to the main roads, having 13 more units will have no bearing on the adjacent businesses around the subject property.

- (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review**

Rear alleys are not feasible for this project due to the shape of the property. The development will use its own interior streets. Since the interior of the site will not be visible to the main roads, having no rear alleys will have no bearing on the adjacent businesses around the subject property.

In the summer of 2023, the Mayor and Council approved a larger townhome development on the south end of town, by the same applicant. That approval dealt with issues of a railroad, a grave, Historic District standards, and the presence of many single-family homes in quite neighborhoods in the immediate area. This application has none of those issues. It meets all zoning requirements, save for the few variance items. The two main site issues, the stream and the “awkward” intersection at Dixie Drive / North Main Street will be dealt with – the stream will be heavily buffered with greenspace around it, and the primary entrance to the townhome development will be well south of this intersection, on Fayetteville Road, where it will cost minimal traffic issues. There is not as much congestion on Fayetteville Road as South Main Street. The homes will not be seen at all from Tara Blvd. Only the fronts of 15 homes will be seen from North Main Street / Fayetteville Road, and these will have quality architecture. The homes will not be a detriment to the nearby businesses; rather, they will provide more customers for them. Most importantly, the development will honor the stated goals of the City’s updated Comprehensive Plan, providing more diversified housing stock.

Should the Mayor and Council choose to approve the conditional use permit for the townhomes, the following minimum approval conditions shall apply:

1. Final architectural exteriors shall be subject to review and approval by the Design Review Commission.
2. A developer’s agreement shall be provided to and approved by the Mayor and Council pertaining to architectural and site design elements, including streetlights. Development shall form an HOA.
3. Final landscape plan shall be subject to review and approval by the Community Development Director.
4. Townhomes directly adjacent to North Main Street and / or Fayetteville Road shall face North Main Street and / or Fayetteville Road.
5. Landscape strip along North Main Street / Fayetteville Road shall retain as many existing trees as possible.

This item was tabled at the March 11, 2024 meeting.

Update for April Council meetings:

Approval of item is contingent upon approval of the conditional use permit application for townhomes on the same property.

Staff recommendation for approval shall also consider several additional approval conditions from the original 5 above:

- 1. Fronts of all townhomes shall be full brick.**
- 2. Maximum of 10% of units shall be rentals, enforceable by the HOA.**
- 3. Greenspace areas shall specify certain amenities for residents, to be completed prior to Certificate of Occupancy approval.**

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private developer

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Statement of Intent
- Site Plan

- Property Pictures
- Zoning Info
- Variance - North Main Street - Townhomes - Legal Notice
- Zoning Sign
- Meeting Notice Letter
- Meeting Notice Letter 2

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
The Jonesboro Zoning Ordinance
For
A Conditional Use Permit, Rezoning, and Variance

of

Templar Development Group, LLC
c/o Battle Law, P.C.

for

+/- 11.98 Acres of Land
Being the intersection of Tara Boulevard & N. Main Street
Jonesboro, Georgia and
Parcel Nos. 13210D B002, 13209C E003

Submitted for Applicant by:

Joshua Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

Attachment: Statement of Intent (3730 : Townhome Variances - North Main Street and Fayetteville Road)



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I. LETTER OF INTENT

Templar Development Group, LLC (the “Applicant”) is seeking to develop on +/- 11.98 acres of land being Tax Parcel Nos. 13210D B002 and 13209C E003, having frontage on North Main Street (the “Subject Property”) with a townhome development consisting of 75 housing units.

The Applicant is filing four applications. First, the applicant is proposing a rezoning of the parcels, 13209C E003, from MX to RM, which will bring the entire subject property under RM zoning. Second, the applicant is requesting a rezoning of property with parcel number 13210D B007 from C-2 to RM. Third, the applicant is requesting a conditional use permit to allow for 75 townhomes. Fourth, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units and will allow for a deceleration lane into the proposed development. The applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways., Lastly, the applicant is requesting a variance from Sec. 86-202 to increase the maximum number of units per development from 64 to 75.

This document serves as a statement of intent, analysis of the criteria under the City of Jonesboro Standards for Map Amendment, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. CITY OF JONESBORO STANDARDS FOR MAP AMENDMENT

What is the relationship between the proposed change to the established land use pattern? Is the proposed change compatible with the City’s comprehensive plan and what is the proposed timing of development?

The Subject Property is in the Residential character area of the comprehensive plan. The proposed change to the Subject Property’s zoning aligns with Residential character, which specifically enumerates townhomes adjacent to residential areas as a form of compatible residential development.

What impacts, if any, would the proposed change have on public facilities, services, neighborhood character, environmental impact, public interest, and public financial resources?

The proposed development would increase Jonesboro’s tax base while adding a residential development that does not unduly burden public facilities or services. The development will comply with all environmental regulations to minimize environmental impact.

What economic opportunities are projected for the property?

The Applicant projects new housing opportunities for the City at this property.



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To what extent would property values be diminished by the particular zoning restrictions?

The Applicant does not expect property values to be diminished by the proposed rezoning, and expects that new, high-quality housing will increase nearby property values.

To what extent would the destruction of property values, if any, promote the health, safety, morals, or general welfare of the public?

The Applicant does not expect that the proposed applications will destroy property values.

What is the relative gain to the public, as compared to the hardship, if any, imposed on the individual property owner?

The City will gain townhome housing in a different part of the city, increasing the housing options available within Jonesboro. In so doing, the City would make home ownership for new residents easier for those looking to move to the City of Jonesboro.

What is the length of time the property, if vacant, has been vacant as zoned? Considered in the context of land development in the areas and the vicinity of the property.

The Subject Property has never been developed under its current zoning. The particular parcel to be rezoned is small and presents challenges to being developed independently.

II. CITY OF JONESBORO STANDARDS FOR VARIANCE

What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography that are not applicable to other lands or structures in the same district.

The Subject Property has a unique position with its frontage along Fayetteville Road, which limits the locations where the Applicant can safely provide access to the property. Providing general access at the northern end of the frontage risks creating a complicated intersection where North Main Street meets Fayetteville Road. The limited access for general traffic has required the Applicant to create an intersection with a deceleration lane for safe flow of general traffic. To allow for that deceleration lane, the applicant is requesting a variance from Sec. 86-101(b)(6) to reduce the minimum rear yard from 35 feet to 25 feet, which shall apply only to five units.

The Subject Property also has an irregular shape which makes it impossible to make internal front streets and rear alleys. As a result, the applicant is also requesting a variance from Sec. 86-101(c)(7) to allow for the townhomes to have front-loaded driveways.



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List one or more unique characteristics that are generally not applicable to similarly situated properties.

The Subject Property has unique frontage along Fayetteville Road and has an irregular, non-rectangular shape that is unique among RM parcels and has created challenges for laying out lots.

Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

A literal interpretation of the above referenced sections would deprive the applicant of the opportunity to fully develop the site. Combining the two parcels that form the Subject Property is important because it allows both properties to be served by a single access point, allowing for a safe traffic pattern that provides access to whole property.

Demonstrate how a variance prevents reasonable use of the property.

Not granting the requested variances would eliminate so many lots on the property that the overall project would not be feasible and the land would remain undeveloped.

Please explain the reasoning for the variance and state whether it is a result of the applicant.

The need for variances is not the result of the applicant.

Demonstrate how the variance is the only result to allow reasonable use of the property.

The variance is the only result to allow a reasonable use of the property because the property's irregular shape and frontage would persist for any intended use.

Will the granting of the requested variance be injurious to the public health, safety or welfare?

Granting the requested variance would not be injurious to the public health, safety or welfare. The proposed variance to allow for a deceleration lane is designed to increase driver safety.

Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

As explained in more detail above under the rezoning standards section, the requested variance will allow for a development that is consistent with the character and intent of the Residential character area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning, conditional use permit, and variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the Jonesboro Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the Jonesboro Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the Jonesboro City Council to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly



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situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and conditional land use permit in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and conditional land use permit in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Clayton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua Mahoney, Esq.
Attorney for the Applicant

Attachment: Statement of Intent (3730 : Townhome Variances - North Main Street and Fayetteville Road)



FRONTING FAYETTEVILLE ROAD

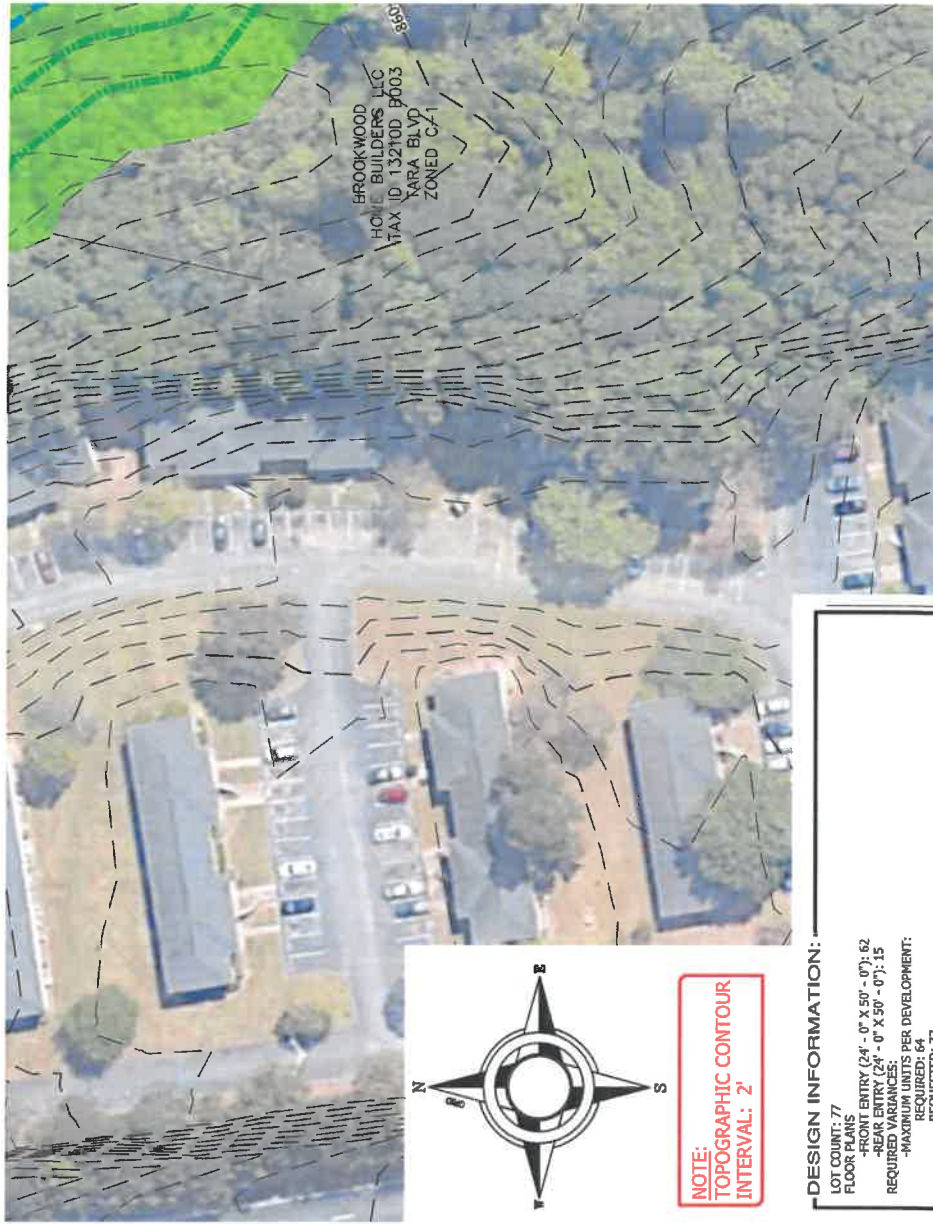
GRAPHIC SCALE



GENERAL NOTES

- CURRENT ZONING: RM & C-2
PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
TAX ID #: 132UD 0603, 132UD 0602 & 132UD 0607
- SETBACKS:
 - FRONT:
 - 20' (LOCAL STREET)
 - 35' (COLLECTOR STREET OR ABOVE)
 - SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 - REAR: 35'
 - BUILDING SEPARATION:
 - FRONT-REAR: 40'
 - FRONT-SIDE: 35'
 - REAR-REAR: 40'
 - REAR-SIDE: 35'
 - SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 77
 - MINIMUM DWELLING SIZE REQUIRED:
 - 900 S.F. (ONE BEDROOM)
 - 1,200 S.F. (TWO BEDROOM)
 - 1,500 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 5-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
- PROPERTY CONTAINS 11.98 ACRES
- DENSITY:
 - SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 77 / 11.98 ACRES = 6.4 UNITS / ACRE (13 MAX.)
- BOUNDARY AND RIGHT-OF-WAY LINES OBTAINED FROM GIS DATA & PUBLIC RECORDS.
- THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
- TOTAL OPEN SPACE = 4.77 ACRES (20% REQUIRED / 40% PROPOSED)
- WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
- EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICH EVER IS GREATER.
- PROPOSED DEVELOPMENT SCHEDULE:
 - COMMENCEMENT OF CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2027
 - FULL HOME BUILD OUT BY EARLY 2027
- MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
- MINIMUM OF BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF VARIATIONS IN MATERIALS, COLORS, AND FINISHES. THE FRONT ELEVATION SHALL CONSIST OF ONE OR MORE OF THE FOLLOWING: BRICK, STONE, CONCRETE, SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
- ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT-LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
- GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS.
- GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

© 2024 ASHFORD ENGINEERS SOUTH, LLC.



DESIGN INFORMATION:

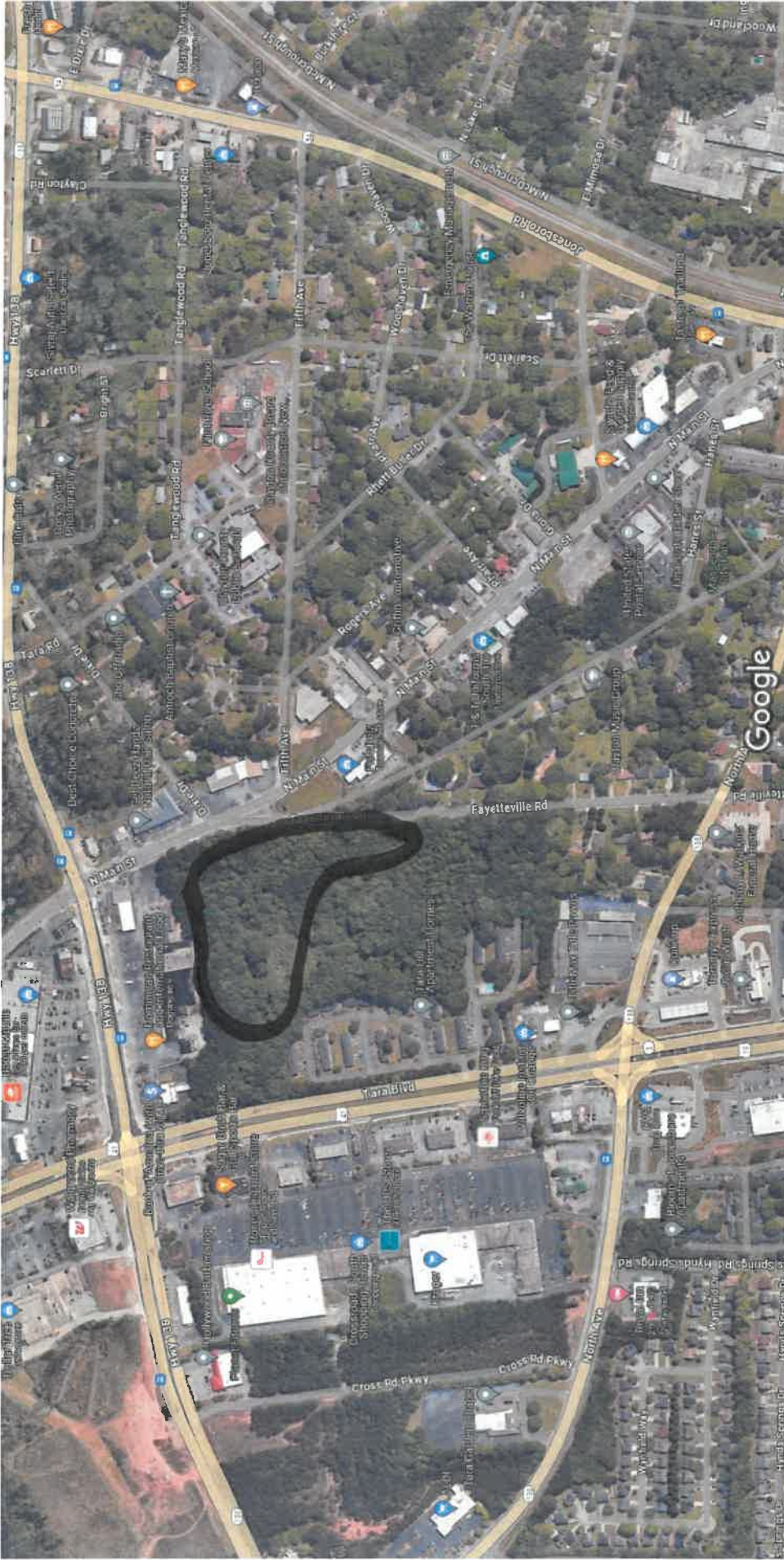
- LOT COUNT: 77
FLOOR PLANS:
 - FRONT ENTRY (24' - 0" X 50' - 0") : 62
 - REAR ENTRY (24' - 0" X 50' - 0") : 15REQUIRED VARIANCES:
 - MAXIMUM UNITS PER DEVELOPMENT: 64
 - REQUESTED: 77ENTRY ACCESS:
 - REQUIRED: REAR ENTRY EXCEPT FOR UNITS ADJACENT TO FAYETTEVILLE HWY.
 - REQUESTED: FRONT ENTRY (COLLECTOR STREET OR ABOVE)SETBACKS:
 - REQUIRED: 20' (LOCAL STREET)
 - 35' (COLLECTOR STREET OR ABOVE)
 - SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 - REAR: 35'
 - REQUESTED: 25' REAR SETBACK ALONG R/W DEDICATION ALONG FAYETTEVILLE HWY. (LOTS 63 - 67)

ENGINEER

ASHFORD ENGINEERS SOUTH, LLC
350 VIRGINIA HIGHLANDS
FAYETTEVILLE, GEORGIA 30215
(678) 817 - 6956
CONTACT: DANIEL R. GREENE, P.E.
GSWCC LEVEL II CERTIFICATION#0000015975

GI

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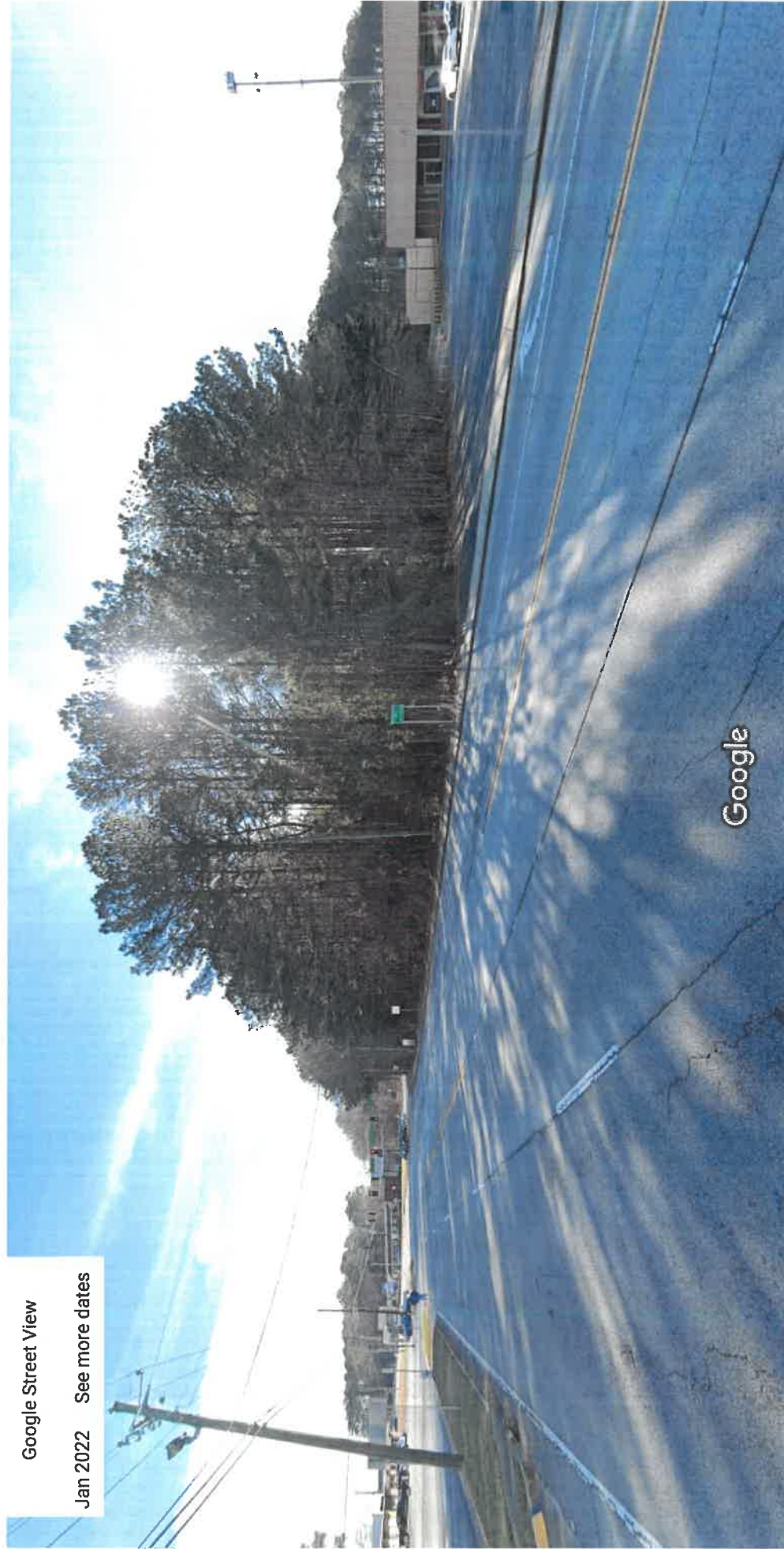


Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEQ, Map data ©2024 200 ft



Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft

Google Maps Jonesboro, Georgia



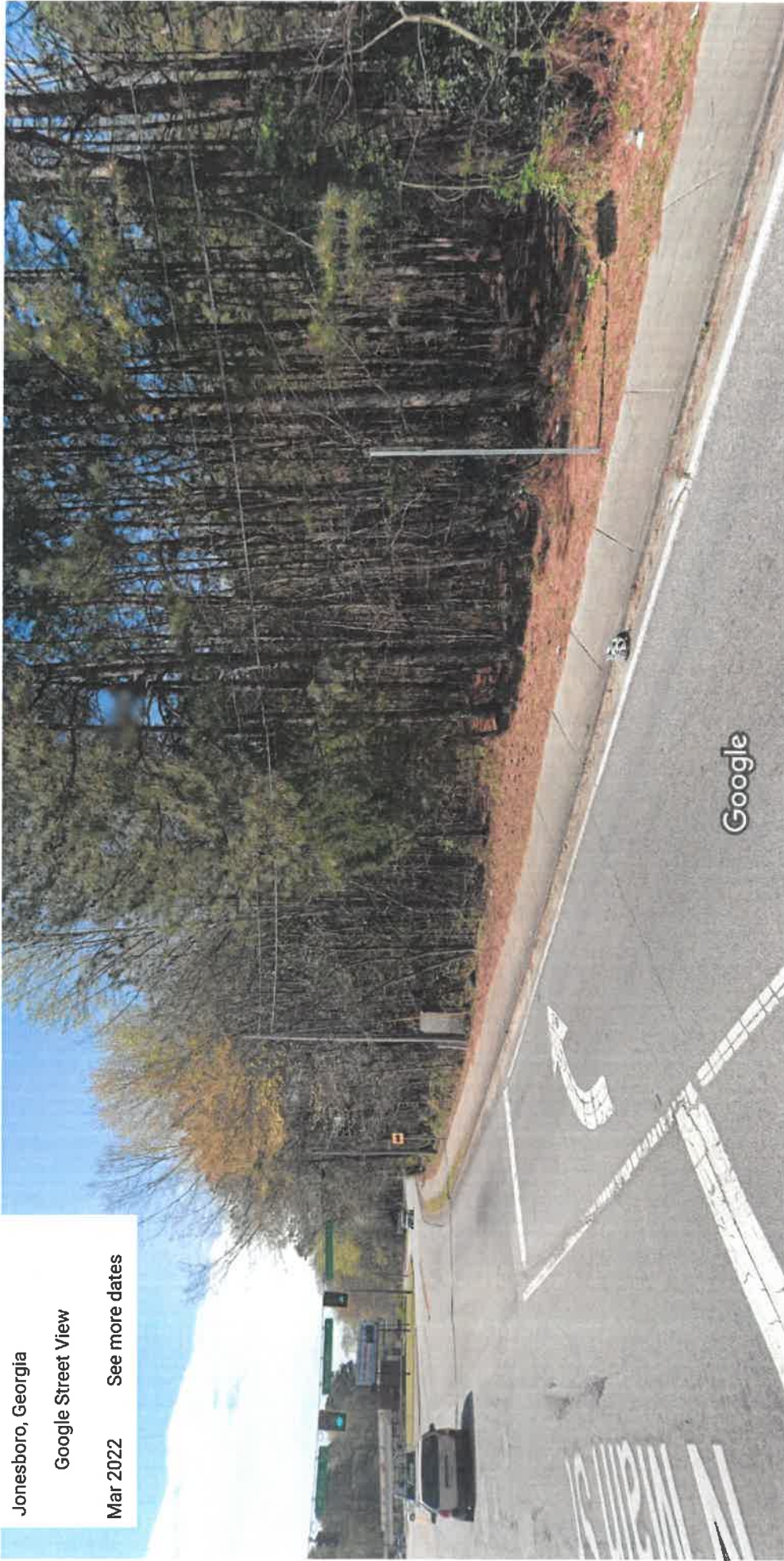
Google Street View

Jan 2022 See more dates

Image capture: Jan 2022 © 2024 Google



Google Maps 7988 N Main St



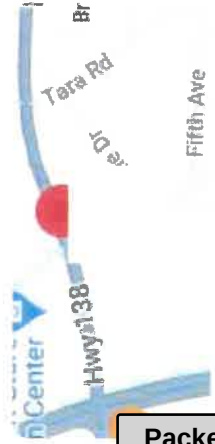
Jonesboro, Georgia

Google Street View

Mar 2022

See more dates

Image capture: Mar 2022 © 2024 Google



Google Maps 7988 N Main St

Jonesboro, Georgia

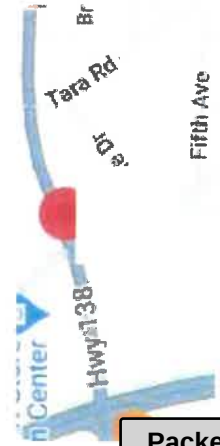
Google Street View

Mar 2022

See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 7996 Fifth Ave

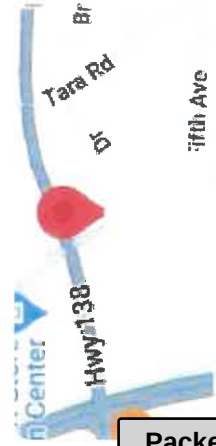
Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps N Main St

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

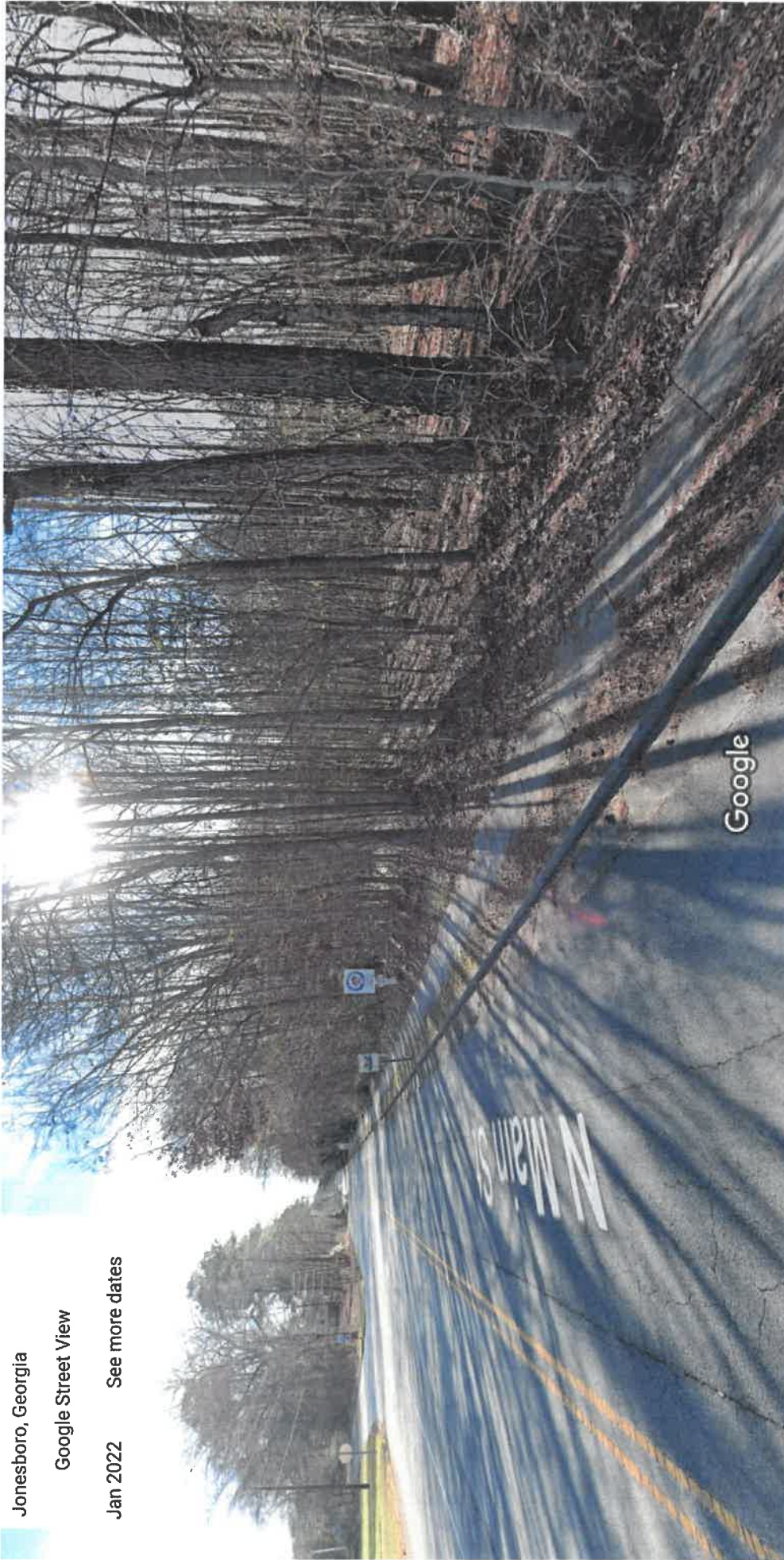
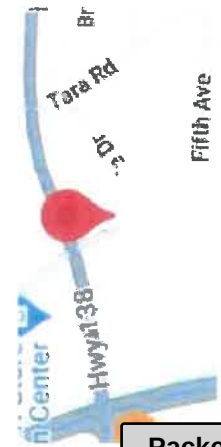


Image capture: Jan 2022 © 2024 Google



Google Maps 783 Fayetteville Rd



Jonesboro, Georgia

Google Street View

Dec 2021 See more dates

Image capture: Dec 2021 © 2024 Google



Google Maps 783 Fayetteville Rd

Jonesboro, Georgia
Google Street View
Dec 2021 See more dates

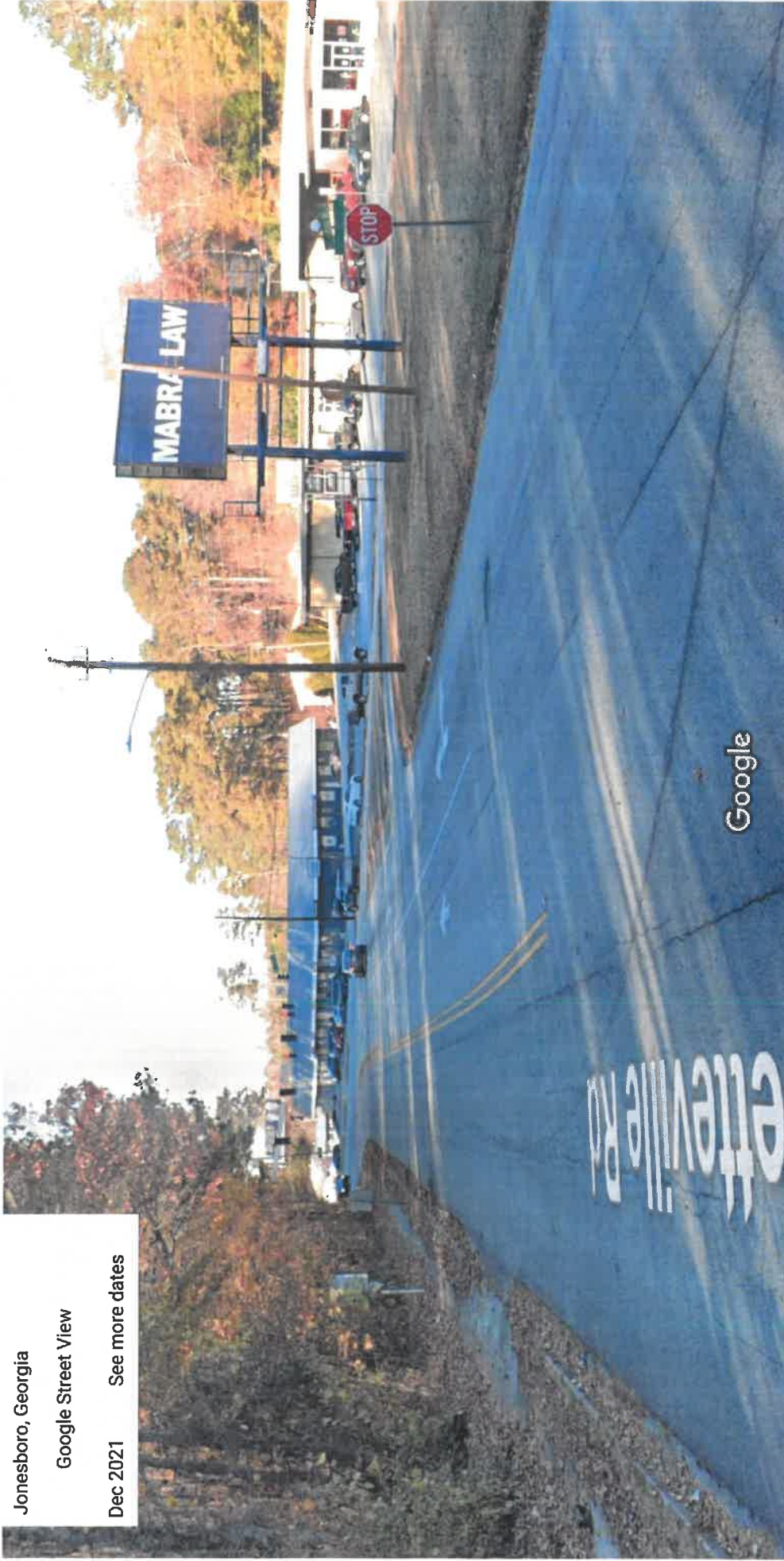


Image capture: Dec 2021 © 2024 Google



David Allen

From: David Allen
Sent: Thursday, November 16, 2023 9:14 AM
To: ashengrs
Subject: North Main Street Townhome Analysis
Attachments: SKM_C55823111609440.pdf

So, I analyzed what I have so far, without having any specs on the sizes or designs of the townhomes.

You have three different parcels with three different zonings. So, first and foremost, they will all need to be unified under one zoning, RM.

If the rezoning is approved, then you would also be required to have a conditional use permit hearing. This could be concurrent with the rezoning.

Sec. 86-202 says that the standards of RA zoning, not RM zoning, shall be used for townhomes. Looks like your notes may be using RM. There is not a lot of difference between the two.

Please note RA setbacks:

Front: 20 feet

Side: 25 feet

Rear: 35 feet

Based on the RA standards attached, you would need the following variances so far:

1. Max. number of units per development: 64 **Variance required.**
2. Rear entry alleys for townhomes. **Variance required.**

Again, this is not knowing so far if the actual dwelling units meet the size and design requirements or would need variances.

You won't need any buffers since you are not adjacent to any single-family detached housing.

The bottom line is that you would need rezoning, conditional use, and variance hearings.

From: donotreply@relay.tri-copy.com <donotreply@relay.tri-copy.com>
Sent: Thursday, November 16, 2023 8:49 AM
To: David Allen <dallen@jonesboroga.com>
Subject: Message from KM_C558

Attachment: Zoning Info (3730 : Townhome Variances - North Main Street and Fayetteville Road)

GENERAL NOTES

1. CURRENT ZONING: RM & ~~C-2~~ *REZONE*
 PROPOSED USE: SINGLE FAMILY ATTACHED TOWNHOUSES
 TAX ID #: 13209C E003, 13210D B002 & 13210D B007
 - SETBACKS:
 FRONT: 25'
 SIDE: 0'; 25' SEPARATION BETWEEN BUILDINGS; 25' ADJACENT TO R/W
 REAR: 35'
 - BUILDING SEPARATION:
 FRONT-FRONT: 40'
 FRONT-REAR: 40'
 FRONT-SIDE: 35'
 REAR-REAR: 40'
 REAR-SIDE: 35'
 SIDE-SIDE: 25'
 - TOTAL NUMBER OF UNITS: 75
 - MINIMUM DWELLING SIZE REQUIRED:
 900 S.F. (ONE BEDROOM)
 1,200 S.F. (TWO BEDROOM)
 1,400 S.F. (THREE BEDROOM)
 - MAXIMUM BUILDING HEIGHT: 3-STORIES (40')
 - TWO CAR GARAGE WITH MIN. 18' WIDE DRIVEWAY REQUIRED FOR EACH TOWNHOUSE
 - MINIMUM TOWNHOUSE WIDTH: 24'
 - INTERNAL STREET RIGHT-OF-WAY WIDTH: 45'
 - INTERNAL STREET WIDTH: 22' FROM BACK OF CURB TO BACK OF CURB
2. PROPERTY CONTAINS 11.98 ACRES
3. DENSITY:
 SITE AREA: 11.98 ACRES
 - NUMBER OF UNITS = 75 / 11.98 ACRES *8 MAX.*
 = 6.3 UNITS / ACRE *(12 MAX.)*
4. BOUNDARY AND RIGHT-OF-WAY INFORMATION OBTAINED FROM GIS DATA & PUBLIC RECORDS. TOPOGRAPHIC INFORMATION TAKEN FROM GIS DATA.
5. THIS SITE DOES NOT CONTAIN AREAS WITHIN THE 100-YEAR FLOOD HAZARD AREA PER F.E.M.A. FIRM PANEL 13063C0086F, DATED 6/7/2017.
6. TOTAL OPEN SPACE = 4.86 ACRES (20% REQUIRED / 41% PROPOSED)
7. WATER TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY. WASTEWATER SERVICE TO BE PROVIDED BY CLAYTON COUNTY WATER AUTHORITY.
8. EASEMENTS WILL BE CREATED FOR FUTURE STORMWATER MAINTENANCE FACILITIES AND BIO-RETENTION AREAS. THERE WILL BE 20' EASEMENTS FOR ANY SANITARY SEWER OUTSIDE OF STREET RIGHTS-OF-WAY AND 20' EASEMENTS OR 2 TIMES THE DEPTH OF ANY STORM DRAIN, WHICHEVER IS GREATER.
9. PROPOSED DEVELOPMENT SCHEDULE:
 - START CONSTRUCTION IN EARLY 2024
 - COMPLETE DEVELOPMENT BY EARLY 2025
 - FULL HOME BUILD OUT BY EARLY 2027
10. MINIMUM OF THREE DIFFERENT EXTERIOR ELEVATIONS
11. TOWNHOUSE BUILDING FACADES SHALL VISUALLY DIFFERENTIATE INDIVIDUAL UNITS THROUGH THE USE OF ARCHITECTURAL MATERIALS; A MINIMUM OF 50% OF THE FRONT ELEVATION SHALL CONSIST OF BRICK OR STONE. BRICK, STONE, AND/OR CEMENTITIOUS SIDING (WHICH MAY BE BOARD, SHINGLE, OR LAP SIDING). VARIATIONS MAY BE APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR AND/OR DESIGN REVIEW COMMISSION AND HISTORIC PRESERVATION COMMISSION. SPLIT FACED-CONCRETE BLOCK, STUCCO, OR GRANITE BLOCK SHALL ONLY BE USED IN AN ACCENT CAPACITY FOR ANY BUILDING ELEVATION.
12. ALL TOWNHOUSE UNITS SHALL BE DESIGNED TO HAVE REAR ENTRY VIA REAR ALLEYS. IF PERMITTED, FRONT- LOADED DRIVEWAYS SHALL BE SCORED OR FINISHED WITH DECORATIVE TREATMENT, SUBJECT TO APPROVAL BY THE DESIGN REVIEW COMMISSION, AND, IF APPLICABLE, THE HISTORIC PRESERVATION COMMISSION.
13. GREENSPACE SHALL BE IMPROVED WITH WALKING TRAILS AND AN AMENITY AREA HAVING A MINIMUM AREA OF 400 S.F. FOR EVERY 24 UNITS, WITH EQUIPMENT AND FACILITIES APPROPRIATE TO THE NEEDS OF RESIDENTS. GREENSPACE SHALL HAVE A MINIMUM WIDTH OF 75'; TRAIL CONNECTIONS BETWEEN GREENSPACE AREAS SHALL HAVE A MINIMUM WIDTH OF 25'.

*CONDITION
USE*

*USE
R-A
STANDARDS
INSTEAD*





Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86- 111; Article VII; Sec. 86- 117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86- 117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Attachment: Zoning Info (3730 : Townhome Variances - North Main Street and Fayetteville Road)

Sec. 86-200. - NAICS 51913, 519130 Internet publishing, broadcasting, and web search portals.

The following conditions are assigned in the H-1, H-2, O&I MX, and C-2 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, C-1, C-2, M-1 districts:

- (1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

 Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

- (1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (Revised August 14, 2023)

Sec. 86-205. – Multi-family (Apartments)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

HE IS USING R-H STANDARDS

Sec. 86-100. R-A single family attached residential district regulations.

- (a) Purpose. The R-A single family attached residential district is established to provide for single family attached dwellings on individual lots on development tracts having a minimum area of two acres on undeveloped land. The district is intended to foster housing options for households seeking high quality home ownership in park like setting featuring attractive architectural styles and building materials. As such, developments facilitated by establishment of the district are restricted to a maximum number of units to limit scale and encourage manageable homeowner associations. The R-A district is compatible with walkable, neighborhood commercial districts and low intensity office and commercial districts and is suited to locations along collector streets. The R-A single family attached residential district also encourages the thoughtful renovation of existing buildings and infill developments for residential purposes.
- (b) Development standards. Unless otherwise provided in this chapter, uses permitted in the R-A district shall conform to the following development standards:
- ✓ (1) Minimum parent tract size: 87,120 square feet (two acres)
 - ✓ (2) Minimum lot area per unit: 1800 square feet 1 .241
 - ✓ (3) Minimum parent tract width: 150 feet 2
 - (4) Minimum front yard: 20 feet 3
 - (5) Minimum side yard at perimeter of tract: 25 feet
 - ✓ (6) Minimum rear yard: 35 feet
 - ✓ (7) Minimum floor area per dwelling unit: 1,500 square feet
 - (8) Maximum building height: Three stories
 - ✓ (9) Maximum number of units per building: Eight
 - (10) Maximum number of units per development: 64 75 VARIANCE
 - ✓ (11) Maximum density: Eight units per acre
 - ✓ (12) Minimum greenspace: 15 percent of gross acreage 1.80 REQ.
 - (13) Minimum building separation:

Front to Front	40 feet
Front to Rear	40 feet
Front to Side	35 feet
Rear to Rear	40 feet
Rear to Side	35 feet
* Side to Side	25 feet ✓

1 This requirement may be waived for zero lot townhomes, provided the developer includes a provision in the Covenants, Conditions, and Restrictions for the project that clearly describes the maintenance and access of all common areas, streets, alleys, and driveways.

2 Measured at the building line.

3 The required front yard on any street classified as a collector or above shall be 25 feet.

CAN BUFFER BE INSIDE LOT?

(c) Design standards. Unless otherwise provided in this chapter, uses permitted in an R-A district shall conform to the following design standards:

(1) Off-street parking shall be provided as specified in article XIII of this chapter. Each dwelling shall provide for a minimum two-car garage and a minimum 18-foot-wide concrete driveway.

✓(2) Buffers shall be provided as specified in Article XV of this chapter.

(3) A homeowners association accompanied by recorded covenants shall be mandatory for all townhouse or condominium developments, subject to approval by the City Manager.

✓(4) Minimum width of each townhouse unit shall be 24 feet.

(5) A minimum of three different exterior elevations shall be provided for a townhouse development that exceeds two acres.

(6) Townhouse building facades shall visually differentiate individual units through the use of architectural materials; a minimum of 50 percent of the front elevation shall consist of brick or stone. Brick, stone, and/or cementitious siding (which may be board, shingle, or lap siding.) variations may be approved by the Community Development Director and/or Design Review Commission and Historic Preservation Commission. Split faced-concrete block, stucco, or granite block shall only be used in an accent capacity for any building elevation.

VARIANCE (7) All townhouse units shall be designed to have rear entry via rear alleys. If permitted, front-loaded driveways shall be scored or finished with decorative treatment, subject to approval by the Design Review Commission, and, if applicable, the Historic Preservation Commission.

(8) Greenspace shall be improved with walking trails and an amenity area having a minimum area of 400 square feet with equipment and facilities appropriate to the needs of residents. Greenspace shall have a minimum width of 100 feet; trail connections between greenspace areas shall have a minimum width of 50 feet.

(9) An appropriate landscape plan shall be reviewed and approved by the Community Development Director prior to installation of the landscaping.

(d) Renovations of existing buildings. For single-family attached residential developments involving the renovation of existing buildings that cannot meet the minimum development standards of this chapter, a variance shall be required.

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on March 11, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Variance Application for certain townhome development standards by Fayetteville Gingercake Road LLC, property owner, and Templar Development, applicant, for property along Fayetteville Road, North Main Street, and Tara Boulevard (Parcel Nos. 13210D B002, 13209C E003, and 13210D B007), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on March 4, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 2/21/24



CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

REZONING / CONDITIONAL USE / VARIANCE

at this location

REZONING: MX TO RM PARCEL 13209C E003
CONDITIONAL USE / VARIANCE: PARCELS 13210D B007 13209C

A PUBLIC HEARING on this application will ^{AND} E003
held on. **MARCH 11** 20.24, at **6** p.m.

1859 CITY CENTER WAY 13210D B007

Any questions, call City Hall at 770-478-3800

Date of Posting - **FEBRUARY 26** 20.24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: February 28, 2024

Re: Notification of Request for Variance – Townhome standards; Parcel Nos. 13209D B002, 13209C E003, and 13210D B007

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a variance for the above referenced properties concerning the following:

- Certain townhome development standards

A Public Hearing has been scheduled for Monday, March 11, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, March 4, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



MEMORANDUM

To: Jay Knight
Templar Development
160 Whitney Street
Fayetteville, Ga. 30214

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: March 22, 2024

Re: Notification of Request for Variance – Townhomes; 0 North Main Street, Parcel No. 13209C E003

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a variance for the above referenced property concerning the following:

- Townhome development standards

A Regular Meeting / Vote has been scheduled for Monday, April 8, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. Another Work Session has been scheduled on the same item for Monday, April 1, 2024 at 6:00 pm. The meetings will be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 11.8
			OLD BUSINESS – 8
Requesting Agency (Initiator) City Council		Sponsor(s)	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion of the Kentucky Derby.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Community Planning, Neighborhood and Business Revitalization			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Council to discuss the Kentucky Derby			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> •			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Council's Discretion			

FOLLOW-UP APPROVAL ACTION (City Clerk)			
Typed Name and Title Melissa Brooks, City Clerk	Date April, 8, 2024	04/01/24 City Council OLD BUSINESS Next: 04/08/24	
Signature	City Clerk's Office		

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 11.9
			OLD BUSINESS – 9
Requesting Agency (Initiator) City Council		Sponsor(s) Councilmember A. Dixon	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion Regarding Internship Program.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Innovative Leadership			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Discussion regarding Internship Program			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> •			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Council's Discretion			

FOLLOW-UP APPROVAL ACTION (City Clerk)			
Typed Name and Title Melissa Brooks, City Clerk	Date April, 8, 2024	04/01/24 City Council OLD BUSINESS Next: 04/08/24	
Signature	City Clerk's Office		

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 12.1 - 1
			COUNCIL MEETING DATE April 8, 2024
Requesting Agency (Initiator) City Council		Sponsor(s) Mayor Sartor	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Consideration and Action regarding fee waiver for the Clayton County Sheriff's Office to hold a 5K run (3.1 miles) on April 27, 2024, starting at 7:00AM.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Innovative Leadership			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> This event will be a 5K Run (3.1 miles) from the Clayton County Courthouse located at 12 N. McDonough Street, Jonesboro, GA 30236 to 9151 Tara Blvd., Jonesboro, GA 30236. There will be a full action plan forthcoming, to include the route coverage as we are still in the early stages of planning.			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> 5K - Clayton County			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Council's Discretion			

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date April, 8, 2024	
Signature	City Clerk's Office	

Place on next agenda



CITY OF JONESBORO

1859 City Center Way
Jonesboro, Georgia 30236
www.jonesboroga.com

APPLICATION FOR SPECIAL EVENTS

This permit application is to be submitted to the City Manager Office with a **clearly marked map** of the event and/or route along with your Certificate of Insurance. Once reviewed, your permit will be forwarded to the Chief of Police, then to the Mayor for final approval. Please be sure to submit your paperwork to allow time for this process.

Certificate of Insurance requirement: General Liability/Bodily Injury/Property Damage with a \$1,000,000 aggregate listing the City of Jonesboro as additional insured.

Administrative Fee - \$50.00

Applicant Information:

Name: Clayton County Sheriff's Office Address: 9157 Tara Blvd
Major Norrod

Town/State/Zip: Jonesboro, GA 30296 Phone: 678 898 5451

Email: john.norrod@claytoncountyga.gov

Organization Information:

Name: Clayton County Sheriff's Office Address: 9157 Tara Blvd
Major Norrod

Town/State/Zip: Jonesboro GA 30296 Phone: 678 898 5451

Describe Activity: 5K run (3.1 miles)

Date of Activity: 04/27/24 Time of Activity: 0700

Major [Signature] 03/27/24
Signature Date

MARKING THE ROAD AND/OR SIDEWALK WITH PAINT, TAPE, ETC. IS PROHIBITED. YOU ARE RESPONSIBLE FOR PICKING UP ANDY SIGNS AND/OR LITTER AFTER THE EVENT.

APPLICATION REQUIREMENTS

Applicants must include full event details and clearly marked map of the event and/or route.

APPLICATION DEADLINE

Applications must be delivered to the Jonesboro City Hall at least eighteen (18) days preceding the event.

This permit is issued to the representative/organization listed on this permit for the purpose indicated on this permit. This permit shall be valid for said representative/organization only during the time and dates indicated on this permit.

Date Received by City Manager 03-28-24


City Manager Approval

Date Received by Chief of Police 03/28/24


Chief of Police Approval

Date Received by Mayor 4-1-24


Mayor's Approval

Permit # _____

*Fee waived per Mr. Hill

Attachment: 5K - Clayton County (3743 : Fee Waiver for Clayton County Sheriff Office 5K Run)

This event will be a 5k Run (3.1 miles) from the Clayton County Courthouse located at 12 N. McDonough Street, Jonesboro Georgia 30236 to 9151 Tara Blvd., Jonesboro Georgia 30236.

There will be a full action-plan forthcoming, to include the rout coverage as we are still in the early stages of planning.



Presentation Export

Event Name Road Race

Storyboard Name story-1

Event Location 9157 Tara Blvd

Designed with OnePlan 2024

