



# City of Tucker

**Land Use Petition:** RZ-24-0004

**Planning Commission:** October 17, 2024

**Mayor and City Council, 1<sup>st</sup> Read:** November 12, 2024

**Mayor and City Council, 2<sup>nd</sup> Read:** December 9, 2024

---

<b>PROJECT LOCATION:</b>	4850 Hammermill Road
<b>APPLICATION NUMBER</b>	RZ-24-0004
<b>DISTRICT/LAND LOT(S):</b>	Land District 18, Land Lot 184
<b>ACREAGE:</b>	1.093 acres
<b>EXISTING ZONING</b>	RE (Residential Estate); CZ-96042
<b>CHARACTER AREA</b>	Light Industrial
<b>PROPOSED ZONING</b>	M (Light Industrial)
<b>OVERLAY DISTRICT:</b>	Mountain Industrial Boulevard Overlay District
<b>APPLICANT:</b>	Wayne Evans
<b>OWNER:</b>	Wayne Evans
<b>PROPOSED DEVELOPMENT:</b>	Outdoor storage, commercial
<b>STAFF RECOMMENDATION:</b>	<b>Approval with conditions of RZ-24-0004</b>

**Project Data and Background**

The applicant is requesting a rezoning of the property located at 4850 Hammermill Road from RE (Residential Estate) to M (Light Industrial). In 1996, the property was rezoned from OI and OD to residential as part of the development of Smoke Rise Country Club. The subject parcel was later subdivided into a separate parcel from the country club, but it maintained residential zoning.

The subject property is zoned RE and is in the Mountain Industrial Boulevard Overlay District. It is located within an active industrial area in the Light Industrial character area in the city’s comprehensive plan, however, the RE zoning district is not a permitted zoning district within this character area. Surrounding properties to the north, south, and west are all zoned M and are developed with industrial uses.

The applicant is proposing the use of commercial outdoor storage of vehicles and equipment for a plumbing company on the property, which is a permitted use in the M zoning district. There is no building proposed for the property, only a driveway and a proposed 3,000 square foot parking pad. No other changes are proposed for the site. There is a small sliver of cart path from the adjacent golf course that encroaches onto the subject parcel; based on the proposed site plan, it would not be altered.

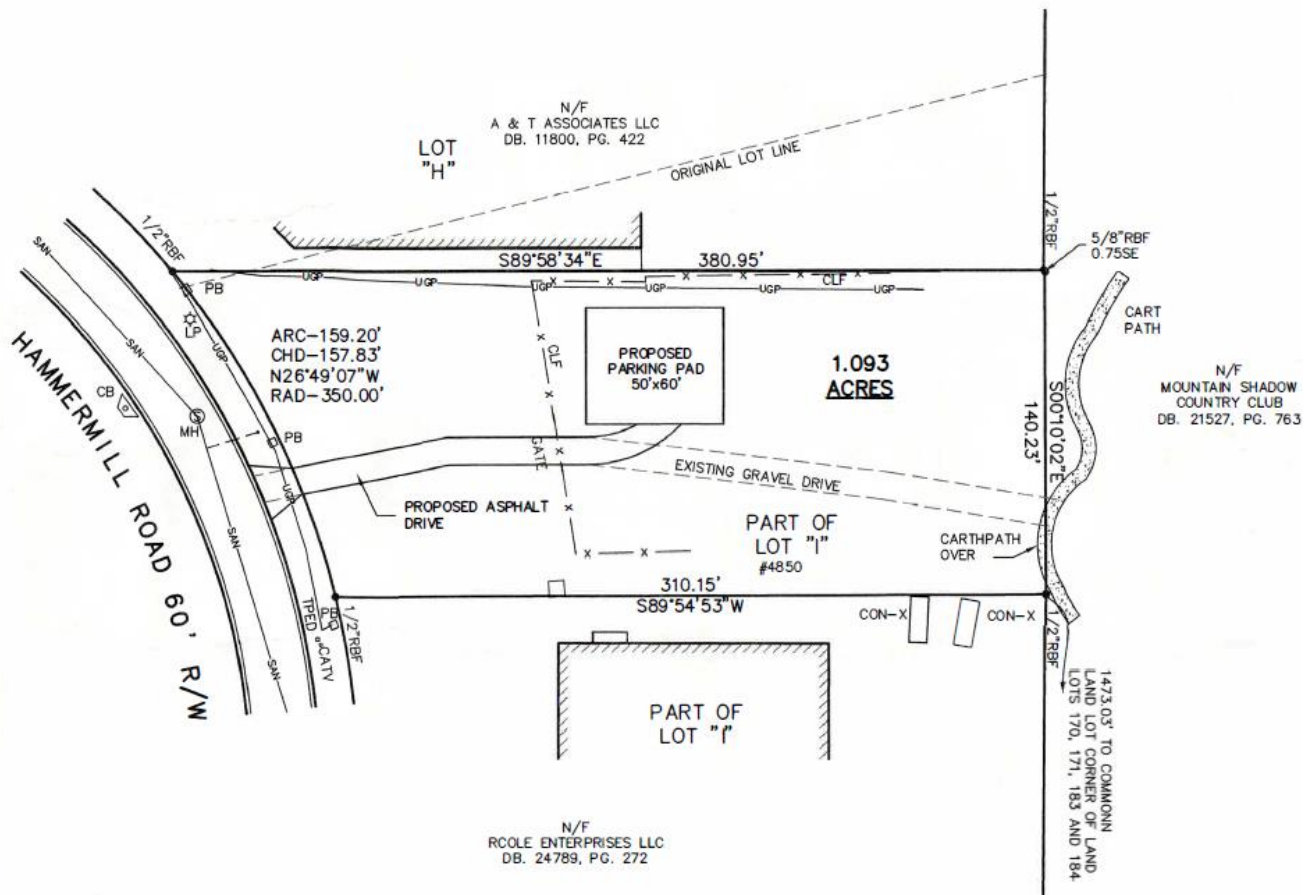


Figure 1. Proposed site plan.

**CHARACTER AREA (Future Land Use)**

The subject parcel is in the Light Industrial (LIND) character area on the Future Land Use Map. Primary Land Uses in the Light Industrial character area include light industrial uses, including manufacturing, warehousing/distribution, wholesale/trade, automotive uses and accessory commercial uses.

Development strategies for the Light Industrial character area are intended to support the area as a local and regional generator of jobs, as well as to soften or shield views of buildings, parking lots and loading decks with landscaping or other design measures.

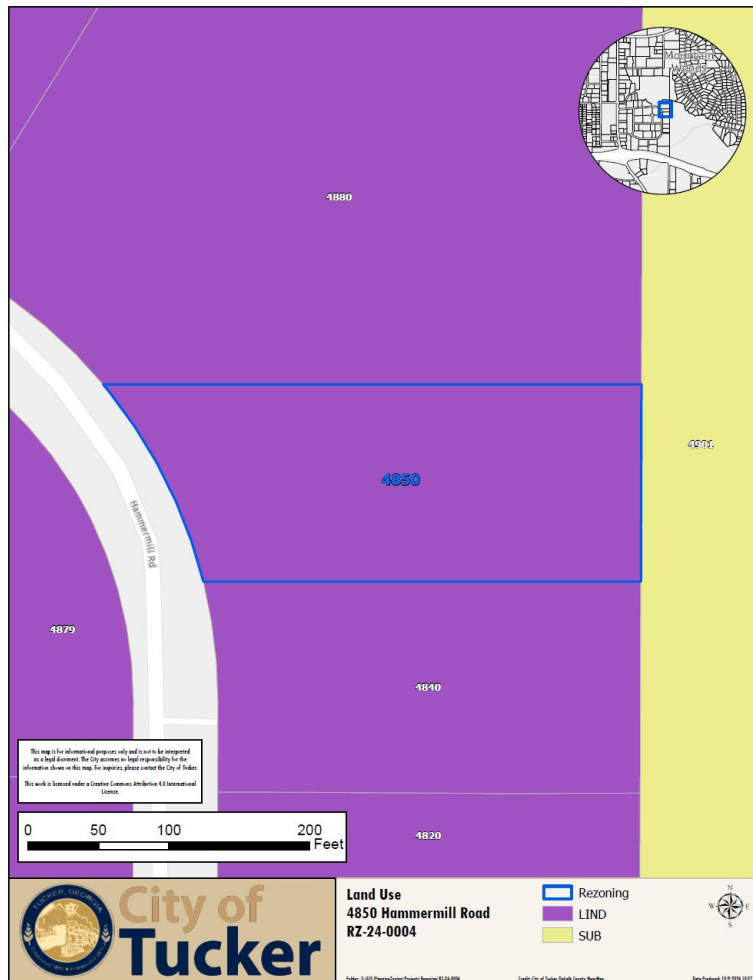


Figure 2. Future Land Use map.

**PUBLIC PARTICIPATION PLAN REPORT**

The applicant held a neighborhood meeting at the property on July 8, 2024. No members of the public attended the meeting. The applicant was on-site from 4:30 p.m. to 6:00 p.m.

**NEARBY/SURROUNDING LAND ANALYSIS**

Adjacent & Surrounding Properties	Zoning	Existing Land Use
Adjacent: North	M	Industrial (Southern Mechanical Contractors, Inc.)
Adjacent: East	RE	Smoke Rise Country Club
Adjacent: South	M	Industrial (Above All Cleaning & Restoration, LLC)
Adjacent: West	M	Industrial (Centerless Grinding Service)



Figures 3 and 4. Aerial image map and Zoning map.

**Rezoning (RZ-24-0004)**

Criteria (standards and factors) for rezoning decisions are provided in Section 46-1560 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff’s findings, which are independent of the applicant’s responses to these criteria.

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

The proposed rezoning meets the policy and intent of the city’s comprehensive plan. Additionally, the current zoning of the property is in contradiction to the comprehensive plan. The property is in the Light Industrial (LIND) character area; supported districts in this character area include M (Light Industrial), M-2 (Heavy Industrial), C-2 (General Commercial), OD (Office-Distribution), OI (Office-Institutional), and LH-4 (Lawrenceville Highway Industry). The current zoning of RE is not supported in the LIND character area, therefore the proposed rezoning would bring the property into alignment with the comprehensive plan.

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

The proposed use of outdoor storage of vehicles on the property would be suitable in relation to adjacent properties and the surrounding area as the properties to the North, South and West are zoned, developed and used for industrial purposes. Smoke Rise Country Club to the East would not be impacted, as the proposed parking pad would be located over 100' from the eastern (rear) property line. A 75' transitional buffer from the property line abutting the golf course is required to be maintained, per Sec. 46-1338, as the course is zoned RE.

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

The subject property does not have a reasonable economic use as currently zoned. While it is zoned RE, which would allow for a residential dwelling to be constructed on the property, the property is surrounded on three sides by industrial properties and is positioned within a larger industrial park. Additionally, the only road frontage to the property is off Hammermill Road. No frontage or road access is provided within the residential area to the east.

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

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby properties. The adjacent industrial uses will not be affected by rezoning the parcel to an industrial district, nor will the adjacent golf course and country club be adversely affected.

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

The Hammermill Road area was developed in the 1970s, but the golf course and country club were not developed until the 1990s. 4850 Hammermill Road was previously a part of the 163 acres of land that was entitled for the use of Smoke Rise County Club in 1996. It was the original access point for the land, and it was used as the construction entrance for the development of the county club. The lot was later subdivided from the larger track, but never developed.

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

There are no known historic buildings, sites, districts or archaeological resources on the subject property.

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

The proposed rezoning will not result in excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The site and surrounding roads can sustain the

anticipated flow of traffic to and from the site as the completed trip generation report estimates a total of only four (4) daily trips. The applicant is the sole employee of the proposed business.

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

The proposed rezoning would not adversely impact the environment or surrounding natural resources. Under the current zoning, the lot could be cleared and developed with a residential dwelling. While the maximum allowable lot coverage in the M zoning district is 80 percent, compared to 25 percent in the RE zoning district, the development proposed as part of the rezoning would be 4,956 square feet, or approximately 10.41 percent of the lot. As stated previously, a 75' undisturbed transitional buffer is required to be maintained from the eastern property line.

**CONCLUSION**

Staff finds that the proposed rezoning from RE (Residential Estate) to M (Light Industrial) complies with the policy and intent of the Comprehensive Plan and is compatible with the surrounding land uses. The rezoning also resolves the discrepancy between the zoning and land use designations of the property.

Therefore, Staff recommends **APPROVAL WITH CONDITIONS**.

## Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **RZ-24-0004**.

1. The use of the subject property shall be limited to those uses authorized by right for the M (Light Industrial) zoning district in Sec. 46-1125 of the Tucker Zoning Ordinance.
2. A 75' undisturbed transitional buffer is required to be maintain from the eastern (rear) property line, in conformance with Sec. 46-1338 of the Tucker Zoning Ordinance.
3. Land disturbance over 5,000 square feet shall require a Land Disturbance Permit.