



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: January 07, 2020, 6:30 P.M

Board of Commissioners Hearing Date: January 28, 2020, 6:30 P.M.

STAFF ANALYSIS

Case No.:	Z-20-1243620	Agenda #: N.12
Location/Address:	The north side of Covington Highway at 5702 and 5758 Covington Highway, Stone Mountain, GA and 5810 Covington Highway, Decatur, GA. The property also has frontage along the east side of Young Road at 2650 Young Road, Stone Mountain, GA. ne Mountain, GA.	Commission District: 5 Super District: 7
Parcel ID:	16-026-02-001, 16-026-02-002, 16-026-02-018, & 16-027-02-014	
Request:	To rezone property from R-100 (Residential Medium Lot) District, C-1 (Local Commercial) District and RSM (Small Lot Residential Mix) District to RSM (Small Lot Residential Mix) District to develop 324 fee simple townhomes at a density of 7.81 units per acre within the Greater Hidden Hills Overlay District.	
Property Owner/Applicant:	The Pierre Louisius Group, LLC; EPL Enterprises, Inc; Christ Fellowship of Stone Mountain, Inc./DR Horton, Inc.	
Applicant's Agent:	Battle Law, P.C.	
Acreage:	42.1 Acres	
Existing Land Use:	Our Shepherds Baptist Church on Young Road. The rest of the site is undeveloped with mature shrubbery, trees and vegetation.	
Surrounding Properties Adjacent Zoning:	North of the site on Young Road are single-family detached residences and Decatur Adventist Church on R-100 zoned property. Further east are residential uses along Covington Highway are Covington Glen Apartments and Scarbrough Square subdivision on property zoned RSM. West of the site is Park Stonehaven Apartments zoned Medium Density Residential-1 (MR-1). South of the site along Covington Highway is primarily zoned commercial and industrial. CITGO Gas Station and convenience plaza is zoned C-1. Across from the site is auto sales, auto towing and major auto repair. Southwest on Covington Highway is Parker and Son Screen & Glass Inc. These properties are zoned C-2 (General Commercial) District.	

Comprehensive Plan:

Suburban (SUB) &
Commercial Redevelopment
Corridor (CRC)



Consistent

Inconsistent

Proposed # of Residences: 324 Fee-Simple Attached Townhomes	Existing Residences: None
Proposed Lot Coverage: Max 70% per lot	Existing Lot Coverage: None

SUBJECT SITE & ZONING HISTORY

The subject property consists of approximately 42 acres at the northeast intersection of Covington Highway (a four-lane major arterial) and Young Road (a two-lane collector) within the Greater Hidden Hills Overlay District. It combines four contiguous parcels. The site has frontage on Young Road and Covington Highway. Our Shepherds Baptist Church is developed along the Young Road frontage. The majority of the site fronts along Covington Highway. It is heavily wooded with tall mature dense vegetation. A stream runs diagonally through the site. Property zoned R-100 (Residential Medium Lot) District was placed on the site with the adoption of the DeKalb County Zoning Ordinance in 1956. One parcel is zoned C-1 (Local Commercial) without conditions pursuant to Z-86-166. Another parcel is zoned C-1 pursuant to CZ-07-3918 with the following conditions: to prohibit barber shops, nail salons, wing-type restaurants, liquor stores, pawn shops or check cashing establishments. A portion of the site is zoned RSM pursuant to Z-7205.

ZONING ANALYSIS

The request is to rezone property from R-100 (Residential Medium Lot) District, C-1 (Local Commercial) District and RSM (Small Lot Residential Mix) District to RSM (Small Lot Residential Mix) District to develop 324 fee simple townhomes at a density of 7.81 units per acre within the Greater Hidden Hills Overlay District.

Per the DeKalb Zoning Ordinance, the purpose of the R-100 District is to provide for the protection of neighborhoods within the county where lots have a minimum area of 15,000 square feet and to provide for compatible infill developments in neighborhoods. The intent of the C-1 district is to provide local retail shopping and service areas for all County residents. The intent of the RSM district is to provide for the creation of residential neighborhoods that allow a mix of single-family attached and detached housing options.

Per the attached zoning map, the subject site abuts RSM zoned properties adjacent along the east and west property lines consistent with the proposed rezoning request. The proposed RSM district would allow a residential use compatible with existing zoned and developed residential properties east along Covington Highway. Further west of the site at the northwest intersection of Covington Highway and Young Road is Park Stonehaven Apartments zoned Medium Density Residential-1 (MR-1). East on Covington Highway are residential uses (Covington Glen Apartments and Scarbrough Square subdivision) on property zoned RSM. The proposed RSM district would serve as a transitional zoning district to R-100 residential zoned properties north of the site.

Of the total 42 acres, the 2035 Comprehensive Plan designates the future land use for approximately 31 acres within the Suburban (SUB) Character Area. The intent of the Suburban Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. The proposed RSM district is a permitted zoning for the Suburban Character Area.

The 2035 Comprehensive Plan designates the future land use for the remaining 10+ acres in the Commercial Redevelopment Corridor (CRC) Character Area. The intent of the Commercial Redevelopment Corridor is to promote the redevelopment of declining commercial corridors. While the proposed rezoning from C-1 (Local Commercial) District to RSM (Small Lot Residential) would eliminate the opportunity for commercial development on this property, it would create density by adding housing units and provide more options for available housing to County residents.

Currently, the Greater Hidden Hills Overlay Map splits the subject site within two Tiers (Tier 1 -Commercial & Multi-Family for property fronting on Covington Highway) and (Residential Tier for property fronting on Young Road). To ensure that the Greater Hidden Hills Overlay District map reflect consistency with existing and proposed residential development in the area, Planning Staff has initiated a map change in the Tier designation for the subject site. Pursuant to Z-20-1243713, a request is being made to change Tier 1 on the subject site to the Residential Tier. This request will change all of the parcels on the north side of Covington Highway within land lots 16-026 and 16-027 from Tier 1 – Commercial & Multi-Family to the Residential Tier .

Impact Analysis

Section 27-7.3.5 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.

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

The proposed rezoning to RSM (Residential Small Lot) District and the development of townhomes is compatible with the policy and intent of the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area in the 2035 Comprehensive Plan. The intent of the Commercial Redevelopment Corridor (CRC) Character Area is to promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors. This request will improve the aesthetic appeal along Covington Highway. The intent of the Suburban (SUB) Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. The proposed site plan for townhouse development depicts connectivity and accessibility for area residents along Covington Highway and Young Road.

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

The proposed rezoning to the RSM (Small Lot Residential Mix) District for the development of 324 single family attached townhomes at a proposed density of 7.81 units per acres is suitable given the adjacent residential land uses. East of the site is Covington Glen apartments and single-family detached residences.R-100

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

Per the submitted documentation, the site has marginal value as currently zoned R-100 and C-1. The creek in the middle of the site would result in less area for development for single-family residences. Development of the C-1 (Local Commercial) District zoned property is challenging due to the site distance issues and limitations with curb cuts along Covington Highway.

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

The rezoning request to the RSM (Small Lot Residential Mix) District should not adversely affect the use or usability of adjacent and/or nearby residential properties along Covington Highway and /or Young Road.

E. 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 primarily undeveloped site provides no economic use. The proposed rezoning to RSM to develop townhomes would provide economic value for to the site while providing another housing option in the area.

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

The proposed rezoning will not adversely affect historic buildings, sites, districts or archaeological resources.

G. 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 zoning proposal to the RSM District to develop 324 residences would increase traffic along Covington Highway and Young Road. However, compliance to required road improvements from Georgia Department of Transportation (GDOT) and DeKalb County Department of Public Works, will mitigate traffic issues. Transportation requires pedestrian scale street lights, three-foot landscape strip and six-foot sidewalk. A review by the Georgia Department of Transportation will be needed long Covington Highway along with five-foot landscape strip, six-foot sidewalks, pedestrian scale street lights and a minimum of dedication of 50 feet from centerline. The increase in residential units will have an impact on area schools.

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

The rezoning proposal to the RSM district will not adversely impact the environment or surrounding natural resources.

Project Analysis

Per the revised site plan submitted December 17, 2019, the applicant proposes to build 324 fee simple attached single-family townhomes. The number of attached units in a row range from 8 units down to 3 attached units. All of the proposed units are front loaded (garages in the front) with a building footprint of 1,000 square feet. The applicant proposes a 3-story or 45 feet building height with a minimum heated floor area of 1,200 square feet per residence. Several pockets of enhanced open space are throughout the development as well as a master amenity active recreation area. Three stormwater detention facilities are proposed for the site. The revised site plan depicts a pedestrian foot bridge crossing that connects development over the creek for residents to have access to Covington Highway. The site plan depicts two points of access from Covington Highway and one access point from Young Road.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the proposed RSM single-family attached townhomes can comply with minimum development standards of the RSM (Residential Small Lot) District per Table 2.2 of the DeKalb County Zoning Ordinance.

RSM STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
MIN. LOT WIDTH	25 ft	Not labeled on submitted site plan	To be determined. (TBD)
MIN. LOT AREA	1,000 sq. ft.	1,000 sq. ft.	YES
FRONT SETBACK	Min 20 ft.	20 ft	YES
INTERIOR LOT - SIDE	N/A	N/A	N/A
REAR	15 ft	15 ft	YES
DWELLING UNITS PER ACRE	4 – 8	7.81	YES
HEIGHT	3 stories or 45 ft	3 stories	YES
MIN. PARKING Article 6	Minimum 1.75 parking spaces per dwelling unit	2 spaces per dwelling unit plus guest parking. Total 1,047 spaces	YES
OPEN SPACE	Minimum 20% if site is > 5 acres. Site is 942.1 acres	35.7 %	YES
Linear Feet of Sidewalk	5-feet wide	5-feet wide along Covington Highway. Sidewalks exists on Young Road.	YES

Staff Recommendation: Deferral For 30 Days

The proposed rezoning request to the RSM (Residential Small Lot) District to allow for the development of 324 single family attached townhomes at a density of 7.81 units per acre is compatible with the surrounding and adjacent properties and complies with the RSM district standards. The request is compatible with the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area in the 2035 Comprehensive Land Use Plan and the following plan policies: to promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors and encouraging new development to have increased connectivity and accessibility. The proposed development should be approved with the following recommended conditions. However, the applicant has requested a Deferral for 30 days.

1. The development shall have a maximum of 324 attached fee-simple townhouse units. Conceptual layout of site plan and building design shall be subject to approval of the Director of Planning & Sustainability Department.
2. No more than one (1) curb cut on Young Road. Vehicular ingress and egress shall be subject to approval by the DeKalb County Department of Public Works, Transportation Division. The number and location of vehicular ingress and road improvements along Covington Highway shall be determined and subject to approval by Georgia Department of Transportation (GDOT).
3. Dedicate a minimum 40 feet of right of way from centerline of Young Road (or all public infrastructure on right of way – including street lights, whichever greater).
4. Professional engineer to verify that driveway on Young Road has required AASHTO sight distance prior to permitting.
5. Dedicate a minimum 50 feet of right of way from centerline of Covington Highway (or all public infrastructure on right of way – including street lights, whichever greater).
6. Provide a direct pedestrian connection from public right of ways to interior of the subject property to support transit.
7. No more than 20% of the housing units can be used as rental units. There shall be no concentration of rental units within one area of the development. Rental units shall be spread out over the entire development.
8. A mandatory homeowners' association shall be created and shall be governed by a declaration of covenants, conditions, and restrictions. The homeowner association shall be responsible for the maintenance of required transitional buffer, open space within the property, street lighting, amenity areas, pedestrian paths, private alleys and private drives.
9. Provide open space in compliance to Chapter 27-Article 5 of the DeKalb Code of Ordinances per conceptual site plan.
10. Building facades shall be constructed with at least three sides brick, stacked stone, or masonry stucco excluding architectural decorative features.
11. Townhouse units directly facing along Young Road and Covington Highway shall be rear loaded with garage entry.
12. All exterior lighting shall be screened from adjacent properties or shielded to minimize glare and keep light inside the development.
13. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.
14. Private drives and alleys subject to the requirements of the DeKalb County Fire Marshall.
15. Final lot layout is subject to sketch plat approval in accordance with DeKalb County Ordinances, Chapter 27 (Zoning Code) & Chapter 14 (Land Development Code) before applying for a Land Disturbance Permit (LDP).

Attachments

1. Department Comments
2. Division Comments

3. Application
4. Site Plan
5. Zoning Map
6. Land Use Map

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- ✓ **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- ✓ **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- ✓ **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- ✓ **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*

Historic Preservation *(Certificate of Appropriateness required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*

- ✓ **Variance or Special Exception** *(Required seeking relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- ✓ **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- ✓ **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed changes to zoning conditions approved by the Board of Commissioner on a prior rezoning.)*

Business License *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*

Alcohol License *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above require submittal of application, fees and supporting documents. Please consult with the appropriate department/division.

CZ-20-1243620 5702 & 5758 Covington Highway /2650 Young Road

The entrance for the development on Covington Highway requires a permit from the state of Georgia to work in the right of way. The 3 parcels shall be combined into 1, before LDP is issued. There is a creek traversing the project, the 75 feet stream buffer shall be maintained on both sides of the creek. No detention ponds shall be placed into the creek or the 75 feet buffer. All impervious water from the development shall be treated before it can be sent to the creek or stream.

TRANSPORTATION COMMENTS
January 2020 Zoning Cases

N1. No Comment

N2. Provide pedestrian connections from the apartments to the sidewalks on public right of way for each access point. Ensure that all access points have the required AASHTO sight distance. Landscaping may need to be modified to obtain. If middle driveway on Rockbridge does not have existing sight distance, eliminate access point. Submit sight distance calculation by a professional engineer at time of permitting. Add streetlighting at access points. Make sure driveway aprons meet current ADA requirements. See GDOT driveway detail.

N3. No comment.

N4. GDOT review and approval required prior to permitting. Provide a direct pedestrian path from the right of way to the subject building.

N5. Windy Hill Road is classified as a local residential road. Please see Section 14-190 for requirements to bring your side up to current standards. Widen 12 feet from centerline of road, dedicate 27.5 feet of right of way from centerline. 5-foot sidewalks, 6-foot landscape strip and pedestrian scale street lighting required. Fill in any gaps in sidewalk from subject property down to Tilson Road. Verify by a professional engineer that sight distance at the new road meets all applicable AASHTO standards.

N6. GDOT review and approval needed prior to permitting. Wilkinson Dr and Warren St are both local roads. Please see Section 14-190 for requirements to bring your side up to current standards. 24-foot wide road, header curb, dedicate 27.5 feet of right of way from centerline, 5-foot sidewalks, 6-foot landscape strip and pedestrian scale street lighting required. Provide direct pedestrian paths to destinations within the subject property. GDOT approval needed for driveway throat length off Memorial Drive.

N7. GDOT review and approval required for Candler Road (SR 155). Candler Road is classified as a major arterial. Falls within the I-20 Overlay District Tier 2. Follow infrastructure requirements of the overlay district. At a minimum- ROW dedication 50 feet from centerline (or all public infrastructure on right of way- including street lights, whichever ever greater), 6-foot sidewalk, 10 foot landscape strip, Street trees, 4 foot bike lane, pedestrian scale street lights required. Glenwood is classified as a minor arterial. At a minimum-ROW dedication 40 feet from centerline (or all public infrastructure on right of way- including street lights, whichever ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4-foot bike lane, street trees, street lights required. Glenhill is classified as a local residential. At a minimum- ROW dedication 27.5 feet from centerline (or all public infrastructure on right of way- including street lights, whichever ever greater), 5-foot sidewalk, 6-foot landscape strip, Street trees, pedestrian scale street lights required. If using Glenhill for access, the developer needs to add a left turn lane on Glenwood. Develop must extend the left turn lane on Glenwood at Candler to provide LT storage into the development. Traffic study required. Provide a direct pedestrian path from the public sidewalks on right of way to the destinations within the subject property to support transit. Professional engineer to verify sight distance at all access points per AASHTO guidelines- to be submitted with permitting.

N8. Only one access point on Houston Mill Road. Provide sidewalks to Lavista Road. Professional engineer to verify sight distance per AASHTO prior to permitting due to curves. Houston Mill is classified as a collector road. At a minimum- ROW dedication 17.5 feet from centerline (or all public infrastructure on right of way- including street lights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, Street trees, 4 foot bike lane, pedestrian scale street lights required. Provide a direct pedestrian connection from public right of ways to interior of the subject property to support walkability.

N9 & N10. Follow the infrastructure requirements in the overlay district. Redan Road is classified at a minor arterial. At a minimum-ROW dedication 40 feet from centerline (or all public infrastructure on right of way- including street lights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, street lights required. Access point right in/right out only due to location. Only one access point. Professional engineer to verify sight distance per AASHTO prior to permitting. Provide a direct pedestrian connection from public right of ways to interior of the subject property to support transit.

N11. Requires GDOT approval and permits prior to DeKalb permit submittal. Verify that you have the required number of driveways per # of units- Section 14-200(5). If not, Board variance required. Young Road is classified at a collector street. See overlay infrastructure standards. At a minimum-ROW dedication 40 feet from centerline (or all public infrastructure on right of way- including street lights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, street lights required. Covington Hwy is classified as a major arterial. See overlay infrastructure standards. At a minimum- ROW dedication 50 feet from centerline (or all public infrastructure on right of way- including street lights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, Street trees, 4 foot bike lane, pedestrian scale street lights required. Traffic study to determine need to for left turn/right turn lanes on Young Road. Professional engineer to verify that driveway on Young Road has required AASHTO sight distance prior to permitting. Provide a direct pedestrian connection from public right of ways to interior of the subject property to support transit.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-20-1243620

Parcel I.D. #: 16-026-02-001, 16-026-02-002, 16-026-02-018, 16-027-02-014

Address: 5702, 5758, & 5810 Covington Highway and 2650 Young Road

Stone Mountain, Georgia & Decatur, Georgia

WATER:

Size of existing water main: 6" CI, 16" CS, & 36" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

UPGRADE OF 6" WL TO 8" WL WILL BE REQUIRED. *ML*

SEWER:

Outfall Servicing Project: Lower Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Snapfinger Creek WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

THIS AREA IS AFFECTED BY DOWNSTREAM ISSUES;
SEWER ACTION PLAN WILL MOST LIKELY BE REQ'D. *ML*

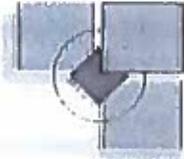
Signature: *[Signature]*



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP
OF DEKALB COUNTY, GEORGIA

Z/CZ No. 1243620
Filing Fee:

Date Received: Application No.:

Applicant: DR Horton, Inc. E-Mail: mlb@battlslawpc.com

Applicant Mailing Address: c/o Battle Law, P.C., One West Court Sq., Suite 760, Decatur, GA 30030

Applicant Phone: 404-601-7616 Fax: 404-745-0045

Owner(s): See Exhibit "A" attached hereto E-Mail:
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address:

Owner(s) Phone: Fax:

Address/Location of Subject Property: See Exhibit "A" attached hereto

District(s): Land Lot(s): Block: Parcel(s):

Acreage: 42.1 Commission District(s): 5 & 7

Present Zoning Category: R-100 & C-1 & RSM Proposed Zoning Category: RSM

Present Land Use Category: SUB & CRC

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-87A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes X No

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- 1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY



D.R. Horton, Inc.
By: [Signature]
SIGNATURE OF APPLICANT / DATE

Check One: Owner Agent X



ONE WEST COURT SQUARE, SUITE 750
DECATUR, GA 30030

What is a Community Meeting?

Community meetings are designed to inform the surrounding communities of current rezoning, and special land use permit applications. It's an opportunity for the community to learn about the proposed projects, ask questions, present concerns, and make suggestions. We take this opportunity to encourage you to come out and participate. Owner? Renter? Doesn't matter. All are welcome.

For More Info Contact Janet Jennings at:

Phone: 404-601-7616 ext. 5

Fax: 404-745-0045

Email: jlj@battlelawpc.com

Rezoning to RSM for the development of a Townhome Community

**Community Meeting
Tuesday, October 29, 2019
6:30 pm until 8:00 pm
Kerwin B. Lee Family Life Center
(Next to Berean Christian Church)
2197 Young Road
Stone Mountain, GA 30088**

**SUBJECT PROPERTY:
5758, 5702, & 5810 Covington Hwy
2650 Young Road
Decatur, GA 30030**

SIGN IN SHEET
2650 Young Road
COMMUNITY MEETING
D R Horton - (Hidden Hills)

Tuesday, October 29, 2019 6:30 PM – 8:00 PM

Please print legibly

First Name	Last Name	Address	City, State	Zip Code	Phone Number	Email Address
PHYLLIS	FRIERSON	#1508 HIDDEN HILLS PKWY	STONE MOUNTAIN	30088	678-357-5879	pfrierson928@att.net
Dawn	Foster	2013 Redwater Dr.	Decatur	30033	615-763-405	dawfoste90@yahoo.com
Dawn	Brewer	1426 Crooked Tree Cir	Stone Mountain	30098	404-394-6494	dawnbrewer131@gmail.com
Denise	Lewis	2413 Cove Lake Way	Lithonia	30058	—	lewisdg@msn.com
Renee	Thompson	4943 Forrest Run	Lithonia	30038		thompsonseannitead
ERICK	Louisiana	5042 Rock Springs	Lithonia	30078		Louisiana@brillsooth .net

STATEMENT OF INTENT AND
IMPACT ANALYSIS

and

Other Material Required by
DeKalb County Zoning Ordinance
for the
Application for Land Use Amendment

of

D.R. Horton, Inc.
c/o Battle Law, P.C.

for

42.1± acres of land located at
2650 Young Road
5702, 5758 & 5810 Covington Highway

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, Georgia 30030
Phone: (404) 601-7616
Fax: (404) 745-0045
Email: mlb@battlelawpc.com

I. STATEMENT OF INTENT

The Applicant, D.R. Horton, Inc., is seeking to acquire the following four parcels of land (collectively, the "Subject Property") for the development of 323 fee simple townhomes at a density of 7.67 units per acre:

Address	Tax Parcel No.	Land Use Designation	Zoning District	Hidden Hills Overlay District
2650 Young Rd	16 027 02 014	Suburban	R-100	Tier I/Residential
5702 Covington Hwy	16 026 02 001	Suburban	C-1	Tier I
5758 Covington Hwy	16 026 02 018	CRC*	C-1	Tier I
5810 Covington Hwy	16 026 02 002	CRC*	RSM	Tier I

*Commercial Redevelopment Corridor

The Subject Property is located within the Greater Hidden Hills Overlay District, within both Tiers 1 and the Residential District. The underlying zoning is R-100, C-1 and RSM. In order to development the proposed townhome community the Applicant is seeking to rezone the Subject Property from R-100, C-1, and RSM to RSM. Additionally, the Applicant will be seeking to change the portion of the Subject Property in Tier I to the Residential Tier.

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant's constitutional rights, and the Impact Analysis of this Application as required by the DeKalb County Zoning Ordinance. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

- (a) Suitability of use: The proposed land use amendment and rezoning will permit uses that are suitable in view of the uses and developments adjacent and nearby the Subject

Property. The Subject Property is abutted to the North by property owned by Berean Christin Church, and by the South Atlantic Conference Association for Decatur Seventh Day Adventist. Immediately East of the Subject Property is the Covington Glen Apartment complex which was built in 1989. Industrial zoned properties abut the South side of Covington Highway across from the Subject Property. Finally, West of the Subject Property are undeveloped parcels at the intersection of Covington Highway and Young Road, The Parks at Stonehaven Apartments built in 1985 and the Hidden Point Apartments built in 1989. The proposed townhome development will provide for a suitable use adjacent to higher density residential uses East and West of the Subject Property and non-residential uses North and South of the Subject Property.

Covington Highway is a commercial node which will benefit greatly from the development of the Subject Property for townhome units. The viability of a commercial area is determined in large part by the number of roof tops in the area. The influx of new residential owners into the area shows the continued desirability of the area and will support new retailers and commercial business locating in the area to cater to the needs of this growing community.

- (b) Effect on adjacent property: The proposed development will have a positive impact on the surrounding community, as it will support the continued recovery of the area from the 2007 economic downturn which devastated South DeKalb. The significant increase in the current value of the Subject Property will only benefit the surrounding properties which were built over 18 years ago and suffered significantly during the economic downturn. Additionally, the proposed development will allow for the continued development and resurgence of the Covington Highway corridor.

- (c) Effect on public facilities: The Subject Property is in an area with public utility availability. The proposed rezoning will not cause excessive use of streets, transportation facilities, or utilities in the area. The Applicant will be installing sidewalks along Young Road and Covington Highway, which will support the continued improvement of the County's public right of ways. A traffic study is being submitted in connection with this Application, and the Applicant will seek to implement the traffic improvements recommended by the traffic study.
- (d) Economic use of current zoning: Due to the topographic and environmental challenges of the Subject Property, it has marginal value as currently zoned R-100 and C-1. The creek traversing through the site along with the topo requires significant site work which would result in pushing the price points for any single-family product well beyond the market rate for single family homes in the area. Additionally, due to the lack of interest in the development of the Subject Property for single-family detached homes and commercial development, it is the Applicant's contention that the Subject Property is not viable or marketable for use as currently zoned R-100 and C-1. This is particularly the case with respect to the C-1 portion of the Subject Property, due to the site distance issues and limitations with curb cuts along Covington Highway, the C-1 portion of the Subject Property has not been attractive to the type of non-residential development desired by the surrounding community as set forth in the Tier I Overlay District. It is the Applicant's contention that this is due to the corner of Young Road and Covington Highway not being a natural commercial node, unlike the corner of Covington Highway and South Hairston, and the Corner of Covington Highway and Panola Road, between which the Subject Property lies. The naturally occurring commercial nodes at the intersections of major and

minor arterial roads are the locations where most retailers and commercial businesses naturally gravitate, due to the amount of traffic generated in these areas, as well as ease of access. Therefore, it is not surprising that there has been little to no interest in the development of retail and commercial uses on the Subject Property.

- (e) Effect on historic building, sites, etc. The approval of this Application will not have any adverse impact on any historic buildings, sites, districts or archaeological resources in the area.
- (f) Compatibility with Comprehensive Land Use Plan. The Subject Property has a land use designation of Commercial Redevelopment Corridor and Suburban both of which support the RSM zoning district. Furthermore, the Subject Property will support the following specific CRC policies as set forth in the DeKalb County 2035 Comprehensive Plan:

Streetscape—Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscape improvements and people.

Density—Cluster high density development at nodes & along major corridors outside of established residential areas.

Aesthetics—Create and implement performance and aesthetic

TOD—Promote transit-oriented development. standards to improve visual appearance.

Tree Preservation—Establish tree preservation and landscaping standards.

Development—Focus development on parcels that abut or have access to the designated Commercial Redevelopment Corridor.

IV. CONCLUSION

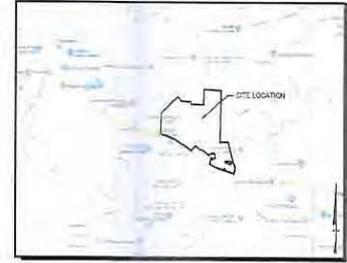
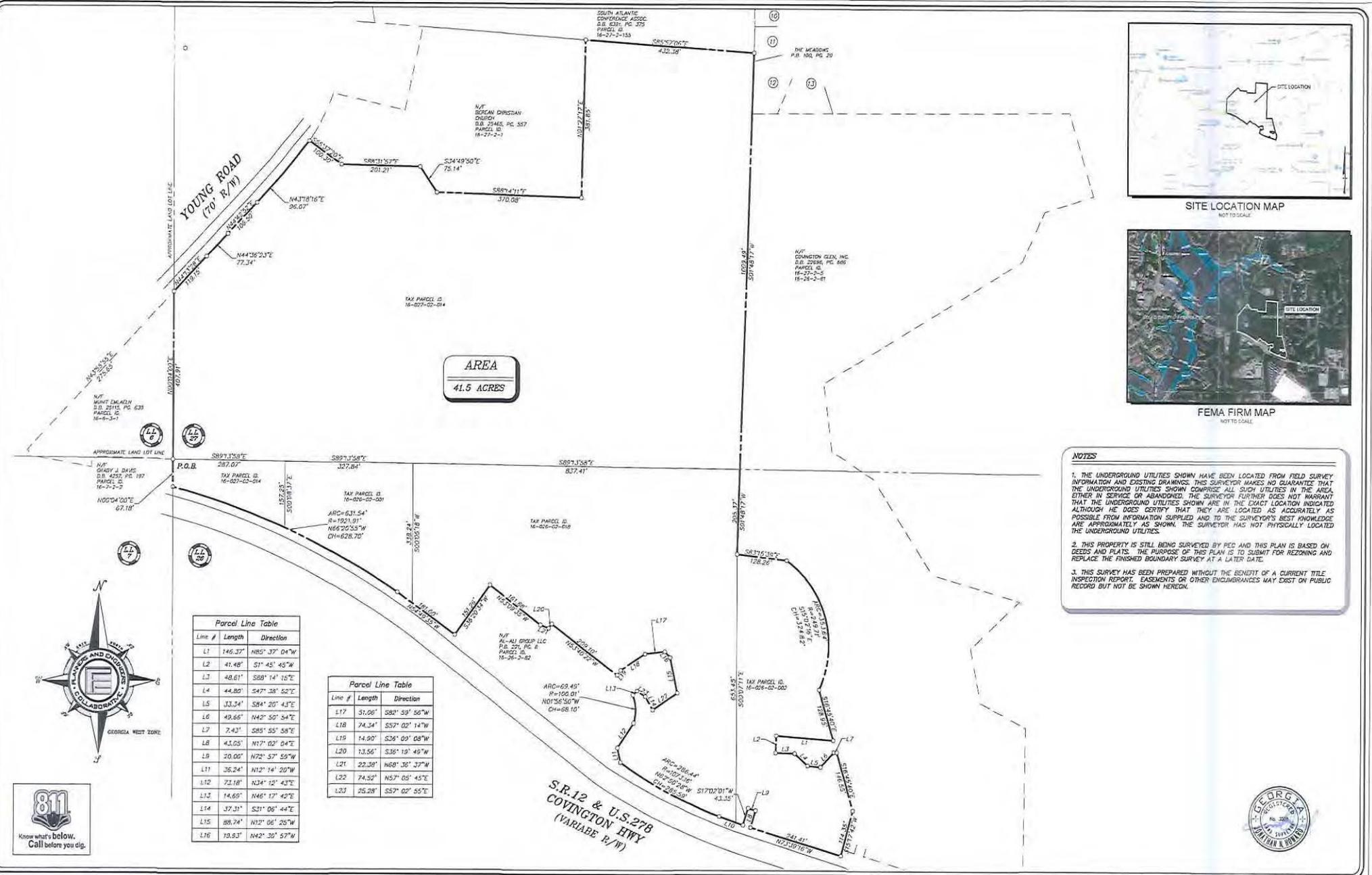
For the foregoing reasons, the Applicant respectfully requests that the Land use Amendment Application at issue be approved. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights have been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 30th October, 2019.

Respectfully submitted,



Michèle L. Battle, Esq.
Attorney For Applicant



NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE AND APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. THIS PROPERTY IS STILL BEING SURVEYED BY PEC AND THIS PLAN IS BASED ON DEEDS AND PLATS. THE PURPOSE OF THIS PLAN IS TO SUBMIT FOR REZONING AND REPLACE THE PREVIOUS BOUNDARY SURVEY AT A LATER DATE.
3. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE INSPECTION REPORT. EASEMENTS OR OTHER ENCUMBRANCES MAY EXIST ON PUBLIC RECORD BUT NOT BE SHOWN HEREON.

Parcel Line Table

Line #	Length	Direction
L1	146.37'	N85° 37' 04"W
L2	41.48'	S1° 45' 45"W
L3	48.81'	S89° 14' 15"E
L4	44.80'	S47° 38' 52"E
L5	33.34'	S84° 20' 43"E
L6	48.86'	N42° 50' 54"E
L7	7.43'	S89° 55' 58"E
L8	43.05'	N17° 02' 04"E
L9	20.00'	N72° 57' 59"W
L11	36.24'	N12° 14' 20"W
L12	71.18'	S24° 12' 43"E
L13	14.69'	N46° 17' 42"E
L14	37.31'	S31° 06' 44"E
L15	88.74'	N12° 06' 25"W
L16	78.93'	N42° 36' 52"W

Parcel Line Table

Line #	Length	Direction
L17	51.06'	S81° 59' 56"W
L18	74.34'	S57° 02' 14"W
L19	14.90'	S36° 09' 08"W
L20	13.56'	S36° 19' 49"W
L21	22.38'	N68° 36' 37"W
L22	74.52'	N57° 05' 45"E
L23	35.28'	S57° 02' 55"E



PLANNERS AND ENGINEERS COLLABORATIVE
 "WE PROVIDE SOLUTIONS"
 MORE PLANNING # LANDSCAPE ARCHITECTURE
 # CIVIL ENGINEERING # LAND SURVEYING
 330 BISHOP COURT # FACHREI CORNER, GEORGIA 30099
 770.643.2744 # WWW.PEC-COLLAB.COM
 C.O.A. 43500004

REV	DATE	DESCRIPTION	BY

BOUNDARY SURVEY
FOR
D.R. HORTON, INC.

LAND LOTS: 26 & 27
DISTRICT 161A

DEKALB COUNTY
GEORGIA

DRAWN BY:
CHECKED BY:
FILE NO.: 10946.09
DATE: OCTOBER 20, 2019
SCALE: 1" = 100'
DATE OF FIELD WORK: OCTOBER 2019

DISCLAIMER
DESIGN IS CONCEPTUAL AT THIS
STAGE, AND SUBJECT TO CHANGE
DURING DESIGN DEVELOPMENT.



WATER FEATURES AMENITY ELEMENTS

DISCLAIMER: DESIGN IS CONCEPTUAL AT THIS STAGE, AND SUBJECT TO CHANGE DURING DESIGN DEVELOPMENT.



SPLASH PAD



SPLASH PAD



WATER FOUNTAIN

OPEN SPACE AMENITY ELEMENTS



SMALL PLAZA



BENCH AND TRAIL



PICNIC TABLE

COMMUNITY GATHERING SPACE AMENITY ELEMENTS

DISCLAIMER: DESIGN IS CONCEPTUAL AT THIS STAGE, AND SUBJECT TO CHANGE DURING DESIGN DEVELOPMENT.



GRAND LAWN



OUTDOOR CHARCOAL GRILL



PAVILION



PLAYGROUND



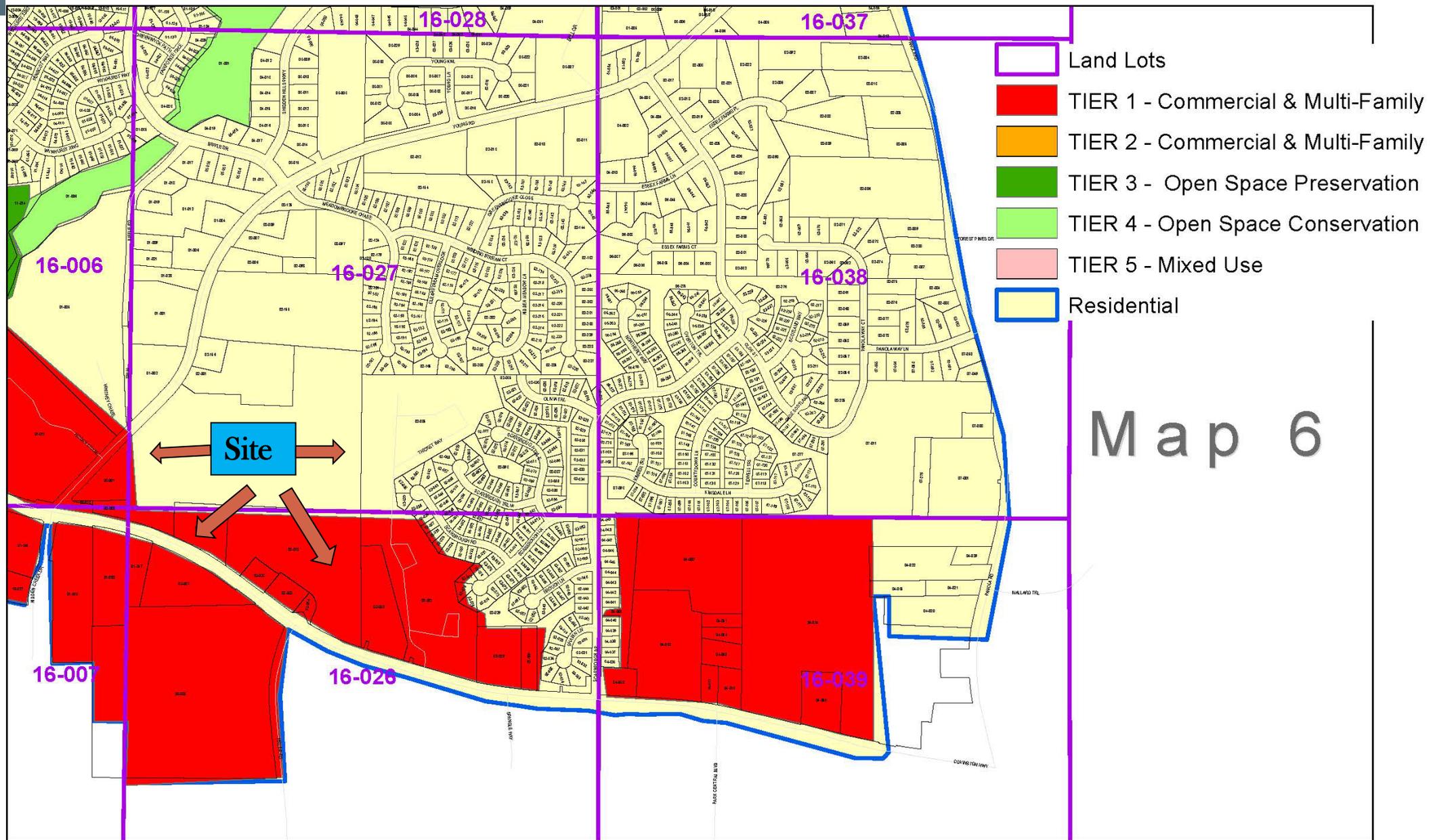
OVERALL VIEW OF COMMON SPACE

DISCLAIMER: DESIGN IS CONCEPTUAL AT THIS STAGE, AND SUBJECT TO CHANGE DURING DESIGN DEVELOPMENT.



DISCLAIMER: DESIGN IS CONCEPTUAL AT THIS STAGE, AND SUBJECT TO CHANGE DURING DESIGN DEVELOPMENT.





Map 6

