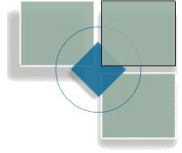




Michael Thurmond
Chief Executive Officer

DeKalb County Department of Planning & Sustainability

**178 Sams Street, Suite 3600
Decatur, GA 30030
(404) 371-2155 / plandev@dekalbcountyga.gov**



Planning Commission Hearing Date:
Board of Commissioners Hearing Date: September 26, 2023

STAFF ANALYSIS

Case No.:	Z-23-1246456	Agenda #: 2023-0585
Address:	4750 Flat Shoals Parkway in Decatur, Georgia.	Commission District: 03 Super District: 07
Parcel ID(s):	15-068-01-066	
Request:	Rezoning from NS (Neighborhood Shopping) Zoning District to MU-1 (Mixed Use-1) Zoning District to allow a mixed-use building with residential and commercial uses.	
Property Owner(s):	The Hudson Holding Company	
Applicant/Agent:	Devon Hudson	
Acreage:	1.37	
Existing Land Use:	Vacant	
Surrounding Properties:	Commercial and Restaurant uses	
Adjacent Zoning:	North: NS South: NS East: NS West: NS	
Comprehensive Plan:	Commercial Redevelopment Corridor Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>	
Proposed Density: 3 du/acre	Existing Density: NA	

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

Since the August 22, 2023, Board of Commissioner meeting, it appears that the applicant has submitted most of the information required by the MU-1 zoning district per Section 2.19.4 of the Zoning Ordinance as follows:

1. The proposed residential square footage and commercial square footage. The applicant indicates that the total building size will be 10,000 square feet, with 5,000 square feet devoted to commercial on the first floor and 5,000 square feet devoted to residential on the second floor with a maximum of four multi-family dwelling units. The minimum number of parking spaces required for the overall project would be between 16 and 39 parking spaces depending on whether the commercial component contained retail or restaurant uses. The site plan is to provide 58 parking spaces which will sufficiently accommodate the

required parking. The site plan also verifies that the project contains a minimum of 15% residential and minimum 10% commercial.

2. The square footage of each of the proposed apartment units and whether they are one bedroom, two bedroom, or three bedrooms (Zoning Ordinance requires at least 550 square feet for one bedroom, 700 square feet for two-bedroom unit, and 850 square feet for three-bedroom unit). The applicant's revised plan indicates there will be compliance with the minimum size requirements of one-, two-, and three-bedroom units.
3. The amount of open space provided (10% required by MU-1 zoning). The revised plan provides much more open space than required (5,990 square feet required, 28,057 square feet provided).
4. Master Development Architectural Standards (MDAS) including conceptual elevations/renderings (the applicant has indicated in writing that the proposed building materials will generally match the adjacent buildings in this project, but the MU-1 district requires more clarity with submission of conceptual renderings/elevations), signage standards, landscaping (including interior and perimeter parking lot landscaping as required by Article 5 of the Zoning Ordinance), and other architectural standards. Show compliance with Zoning Ordinance requirements that building façades shall not exceed forty (40) feet in length without projections, recesses or other architectural features and that building shall have windows and/or doorways that occupy at least twenty-five (25) percent of the width of the first-floor street-level front façade. The submitted conceptual elevations appear to comply with the building materials and facades standards (see attached). These details can be further clarified at the building permit stage of development.
5. Provide a summary of the anticipated maintenance and ownership of streets and open spaces need to be provided per Section 2.19.4.B3.c. While this information has not been submitted, Planning Department Staff is recommending this requirement as a condition of zoning approval.
6. Provide compliance with Sec 5.4.4 C & D which requires 1 tree for every eight parking spaces, landscaping around the perimeter of the parking lot, no parking space shall be more than forty (40) feet from a tree, and fifty percent canopy coverage will be obtained in parking lot after fifteen (15) years. The revised plan appears to comply with these requirements. Compliance will be confirmed at the Land Development Permit stage of development. Non-compliance will necessitate variances.

The subject property is part of the "Water Towers" commercial subdivision. The property's irregular shape extending approximately 600 feet from Flat Shoals Parkway is the last remaining vacant tract of land. The various commercial tracts have been created and developed in a piece-meal manner via three administrative lot splits (i.e., one lot into two lots) since 2011. Based on the submitted information, the applicant has developed a State Farm office building, a Waffle House, and an Anytime fitness center within this commercial subdivision.

Based on the submitted information, the MU-1 (Mixed-Use Low Density) rezoning proposal to allow a two-story building with a mixture of commercial (first floor) and residential uses (four multi-family apartments on second floor) at a density of three units per acre is *generally* consistent with the Commercial Redevelopment Corridor (CRC) Character Area calling for the following strategies and policies: 1) Provide for development at maximum densities of 30 units per acre and maximum three-story building heights; and 2) improve the function and aesthetic appeal of commercial corridors in the county and promote the redevelopment of commercial corridors in decline (2050 Comprehensive Land Use Plan, CRC Description, page 37). The lower development intensities

of MU-1 are appropriate on the edges of the CRC Character Area where the subject property is located, allowing future opportunities for more intense mixed-use zoning and development to be located closer to the CRC center at the Flat Shoals Parkway/Wesley Chapel Road intersection. Since the property is surrounded by commercial (NS) zoning and does not abut any residential areas, the MU-1 zoning district could allow appropriately designed development that would be compatible with surrounding properties. There has been no indication from reviewing agencies and departments that the proposed development would be excessively burdensome on the existing infrastructure.

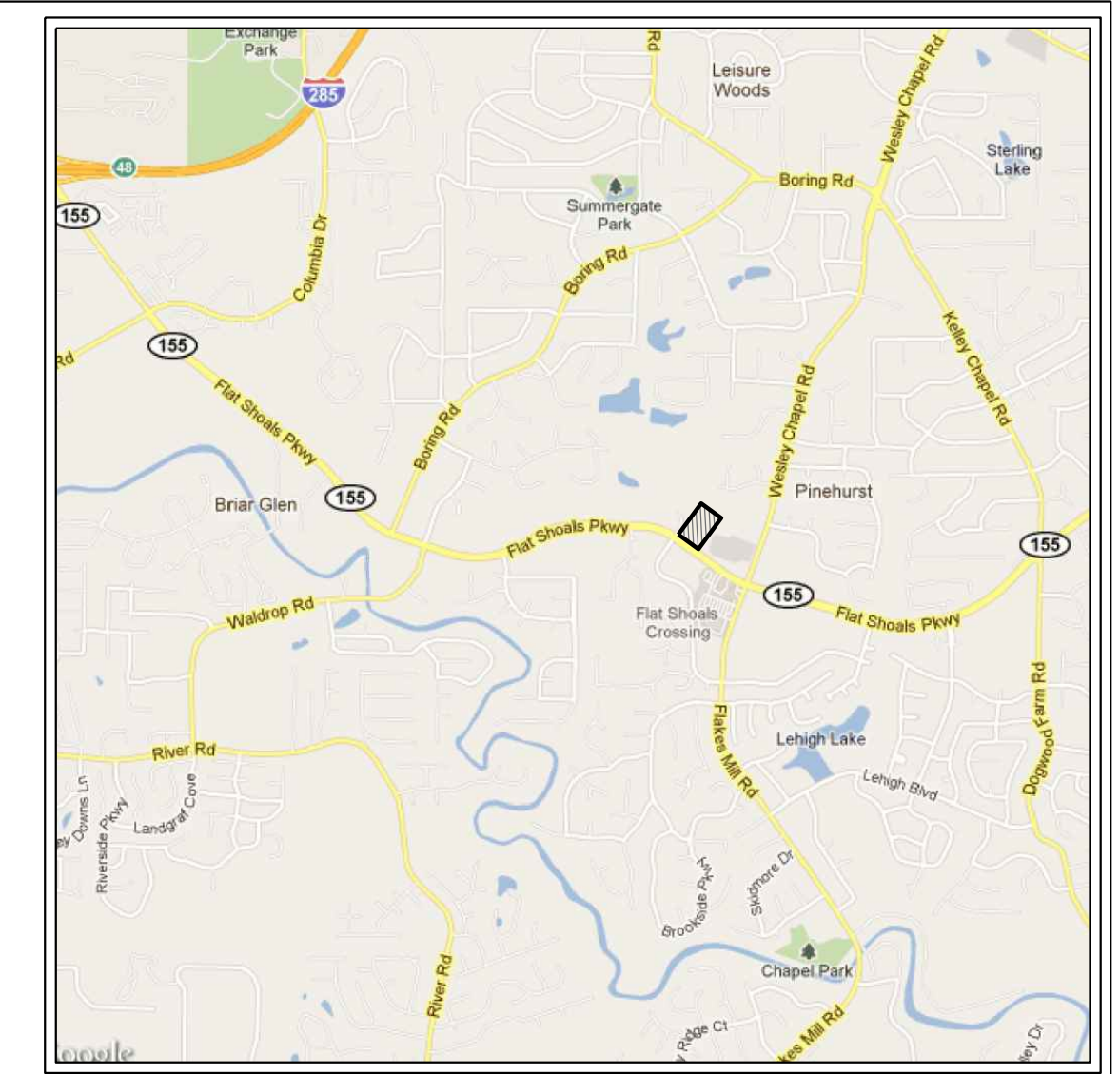
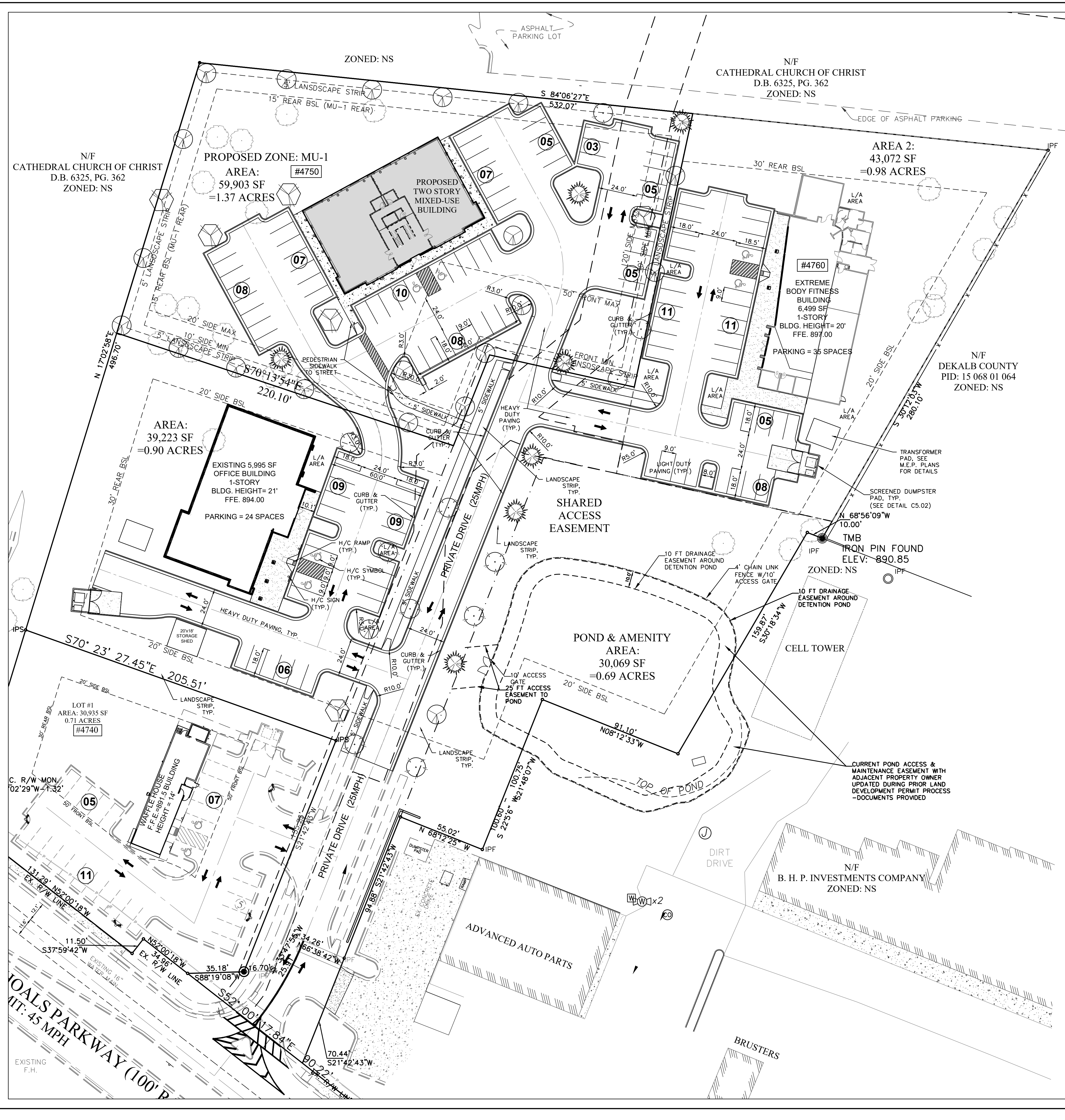
Based on the submitted site plan, several variances would appear to be required including but not limited to the following:

1. A 10-foot-wide landscape strip is required along the Flat Shoals Parkway right-of-way with one street tree for every 50 feet of street frontage;
2. A 6-foot-wide landscape strip with street trees for every 50 feet of frontage is required along the private street frontage (revised plan shows a 5-foot-wide landscape strip); and
3. Maximum side yard setback allowed by MU-1 district is 20 feet, proposed concept plan shows a 30-foot-wide building setback.

The Zoning Board of Appeals will ultimately decide whether the site conditions warrant any required variances.

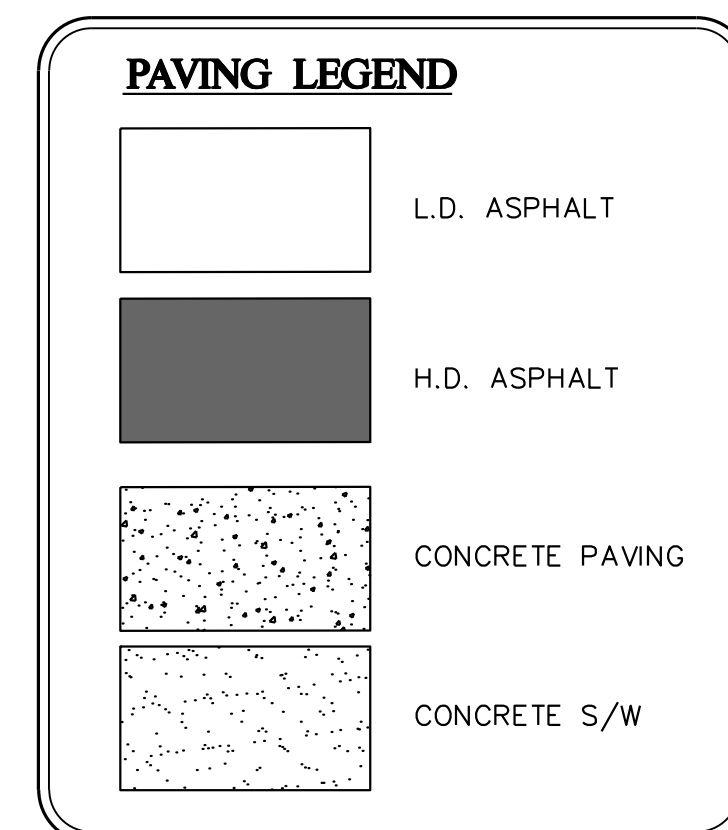
Taken as a whole, the conceptual layout of the proposed rezoning request appears to be generally compatible with the surrounding area and consistent with the policies and strategies of the CRC Character Area. Upon review of Section 7.3.5.B, the Planning Department recommends “Approval” with the following recommended conditions:

1. The subject property shall be developed in a manner generally consistent with the site plan dated 08/01/2023 titled “The Water Towers” prepared by Edwards Engineering Consultants. The Site Plan is conceptual and should there be any conflicts between the Site Plan and the *Zoning Ordinance*, the *Zoning Ordinance* shall prevail.
2. Provide a maximum of four (4) dwelling units and maximum building height of two stories. Residential shall constitute at least 15% of the total building square footage, and commercial shall constitute at least 10% of the total building square footage. Residential shall be located on the second floor and commercial shall be located on the first floor.
3. Provide general compliance with submitted elevations.
4. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approval under the authority of the Planning Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by each entity.
5. Provide a summary of anticipated maintenance and ownership of streets and open space prior to the issuance of any Land Development Permits.



LOCATION MAP
N.T.S.

NO PORTION OF THIS PROPERTY LIES IN THE FLOOD HAZARD ZONE AE AS PER THE DEKALB COUNTY F.I.R.M. COMMUNITY PANEL NO. 13089C0161 H, DATED MAY 7, 2001.



- NOTES**
1. USE ARCHITECTURAL PLANS FOR BUILDING STAKE OUT.
 2. ALL DIMENSIONS SHOWN ARE FROM FACE OF BUILDING, CURB, OR WALL UNLESS OTHERWISE NOTED.

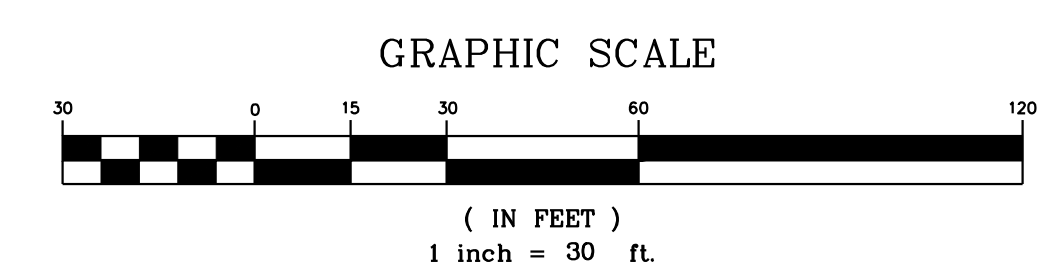
REZONING CASE: Z-23-1246456

SITE DATA
 4750 FLATSHOALS PKWY
 PID: 15 068 01 066
 TOTAL ACREAGE: 1.37 ACRES
 DISTURBED ACREAGE: 0.8 ACRES
 IMPERVIOUS AREA (TOTAL): 0.73 ACRES (31,846 SF)
 PERCENT IMPERVIOUS: 53%
 DEKALB COUNTY, GA
 LAND LOT 68; 15th DISTRICT
 EXISTING ZONING: NS (NEIGHBORHOOD SHOPPING)
 PROPOSED ZONING DISTRICT: MU-1 (MIXED USE LOW DENSITY) DISTRICT
 MIN. LOT SIZE = 12,500 SQ. FT. (MULTIFAMILY)
 MIN. LOT WIDTH = 50 FT (1 BLDG)
 STANDARD SETBACKS:
 FRONT = MIN 10 FT / MAX 50 FT
 SIDE = MIN 10 FT / MAX 20 FT
 REAR = 15 FT. / 0 IF PARKING DECK
 DWELLING UNITS PER ACRE (W/BONUS) = 4 TO 8
 MIN ONE BEDROOM = 550 SF
 MIN TWO BEDROOM = 700 SF
 MIN THREE BEDROOM = 850 SF
 ZONE MIX:
 MIN 15% RESIDENTIAL AND MIN 10% COMMERCIAL
 OPEN SPACE REQUIRED (MIN %) = 10% OF PARCEL
 ACREAGE = 0.137 ACRES = 5,990 SF
 PROVIDED OPEN SPACE = 0.64 ACRES = 28,057 SF
 PARKING PROVIDED:
 TOTAL SPACES: 58 SPACES TOTAL
 (INCLUDES 2 H/C SPACES)

OWNER/DEVELOPER
 THE HUDSON HOLDING COMPANY
 4153-C FLAT SHOALS PARKWAY
 SUITE 330
 DECATUR, GA 30034
 24 HOUR CONTACT: DEVON HUDSON
 (404) 456-2245

ENGINEER
 EDWARDS ENGINEERING CONSULTANTS
 5456 PEACHTREE BLVD. #108
 CHAMBLEE, GA 30341
 CONTACT: KEVIN EDWARDS
 (678) 575-9263

24 HOUR CONTACT
 24 HOUR CONTACT:
 DEVON HUDSON
 (404) 456-2245



CALL 811
 FREE THROUGHOUT THE U.S.A.
 THREE WORKING DAYS BEFORE YOU DIG.

EEC
 Edwards Engineering Consultants, LLC
 CIVIL ENGINEERING & LAND PLANNING
 5456 PEACHTREE BOULEVARD # 108
 CHAMBLEE, GA 30341
 PHONE: (678) 575-9263



PROJECT:
 THE WATER TOWERS
 4750 FLATSHOALS PKWY
 PID #: 15 068 01 066
 LAND LOT 68
 15th DISTRICT
 DEKALB COUNTY, GEORGIA
 Z-23-1246456

REVISIONS:

NO.	DATE	DESCRIPTION

REZONING SITE PLAN

SCALE:	1" = 30'
DATE:	08/01/2023
DRAWN BY:	KSE
PROJECT MANAGER:	KSE
QA/QC CHECK:	

PROJECT NO.
23-183

Z1.00















