

Agenda Item

File ID: 2022-2253

Substitute: 4/11/23

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 4 & 6

Application of D.A. Edwards & Company c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell to rezone property from R-75 (Residential Medium Lot) zoning district to RSM (Residential Small Lot Mix) zoning district to allow the construction of cottage-style urban single-family detached homes, at 1251 Robinwood Road.

PETITION NO: Z-22-1245936 (2022-2253)

PROPOSED USE: urban, single-family, detached homes

LOCATION: 1251 Robinwood Road

PARCEL NO.: 18-116-04-008

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: (404) 371-2155

PURPOSE:

Application of D.A. Edwards & Company c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell to rezone property from R-75 (Residential Medium Lot) zoning district to RSM (Residential Small Lot Mix) zoning district to allow the construction of cottage-style urban single-family detached homes, at 1251 Robinwood Road.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Denial.

PLANNING STAFF: Approval with conditions

STAFF ANALYSIS: See attached case materials.

PLANNING COMMISSION VOTE: Denial 7-1-0. LaSonya Osler moved, Jana Johnson seconded for denial. Jan Costello opposed.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 6-2-1.

REZONING CONDITIONS

Z-22-1245936

4-10-23

1. The subject property shall be developed in a manner generally consistent with the site plan dated December 9, 2019 (revised December 15, 2022) (the "Site Plan"), a copy of which is attached hereto as "Exhibit A." 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. The development shall contain a maximum of 16 dwelling units and each unit shall be a minimum of 800 square feet of floor area. Should the County subsequently adopt a zoning ordinance that would allow unit sizes smaller than 800 square feet, the smaller units shall be allowed by-right. In exchange for bonus density, the Developer shall provide open space (i.e., greenspace and edible landscaping) as shown on the Site Plan and/or other qualifiers, subject to compliance with the *DeKalb County Zoning Ordinance*.
3. At least one home site shall be offered with the option for an "aging-in-place" design, which may include a single-story structure, wider doorways (36"), no-step or low-step entries and rough-in for grab bars in the bathroom(s).
4. The site shall be provided with underground utilities for electricity, phone, cable and internet services.
5. A minimum of twenty-five (25) percent of the units shall be "solar ready" with electrical panels sized to accommodate a 40-amp double pole breaker on the opposite end of the parcel labelled "reserved for solar."
6. Productive urban landscaping shall be incorporated into the design of and implementation of the open space. The productive urban landscaping shall consist of fruit-bearing trees and shrubs and other plants that support pollinating insects.
7. The Developer shall install enhanced landscaping on the south side of the proposed parking lot to screen the parking lot from the adjacent single-family homes (south).

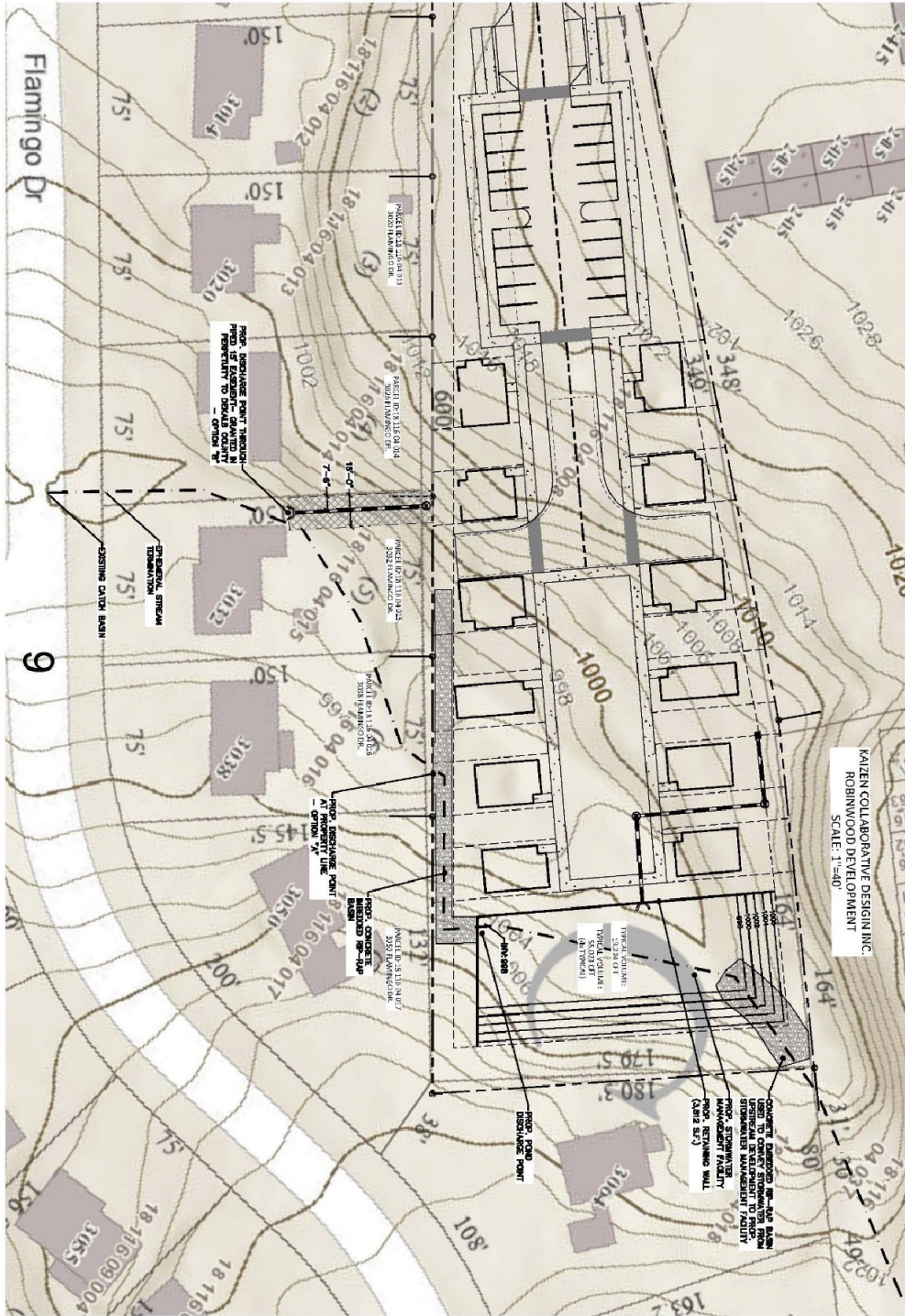
8. A mandatory Homeowners' Association ("HOA") shall be established and shall be responsible for maintenance of all common areas/facilities.
9. A maximum of 2 of units may be leased as rental units and rentals of less than six months shall be prohibited. This restriction shall be written into the covenants of the HOA described in condition 8.
10. The site shall provide at least one electric vehicle charging station capable of serving two vehicles with 240V AC plugs. Further, the Developer shall design the parking area to allow for eventual conversion of a minimum of ten percent (10%) of all parking spaces to have EV charging stations.
11. To the extent tree recompense may be required under the DeKalb County tree protection regulations, the recompense may be used at or near the subject property, including area parks or public spaces, subject to necessary approvals. On-site recompense will be preferred in lieu of off-site reforestation.
12. The dwelling units are not required to be located on individual lots but Developer must subdivide the Subject Property into at least two lots. Parts of the subject property may be subdivided and owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
13. Should there be a subdivision, separate ownership of parts of the subject property and/or a conveyance of part of the subject property to different owners, all conditions and variances shall remain applicable to any portion of the subject property, regardless of what person or entity owns the property.
14. Subdivision, separate ownership of parts of the subject property and/or conveyance of part of the subject property to different owners shall not create non-conforming uses and shall not require any changes to the Site Plan for the development nor any variances. The newly created property lines which arise from these conveyances are not required to observe setback, buffer or other zoning requirements, except as may be reflected on Site Plan.

15. Developer shall comply with the *Georgia Stormwater Management Manual*, and *DeKalb County Code of Ordinances*, Sec. 14-40, for stormwater management and storm water quality control, as amended, to include Runoff Reduction Volume (RRv), where applicable. RRv is required per the County Codes Sec. 14-40.
16. A stormwater retention pond shall be designed to receive stormwater off-site flows from upstream development(s) and shall be designed to detain up to four (4) times the minimum required volume identified through the hydrological modelling, subject to approval of the Land Development Division.
17. Per County Codes Sec. 14-40(b)(10), the drainage system from a proposed development must discharge into an outfall that has adequate capacity to accommodate the runoff from the development. Subject to any necessary approvals and the granting of easements by the adjacent property owner(s), the developer and design professional shall connect the pond's discharge directly to the existing storm sewer manhole located in the right-of way between lots 18-116-04-015 and 18-116-04-014 either through the existing ditch on 18-116-04-015 (scenario A) or through a proposed storm sewer pipe to be installed to connect to the existing ditch through lot 18-116-04-015 (scenario B). The scenarios are depicted on Exhibit "B" but are conceptual only. A sheet flow from the discharge of the proposed pond to adjacent property(ies) is prohibited.
 - a. Under scenario A, the design professional shall analyze the existing ditch to establish the current water depth and velocity for the 10-, 25-, and 100-yr storm events to ensure that ditch is currently handling the existing flow and will continue to do so with the proposed discharge or development impact. Any necessary upgrades to the existing ditch to ensure that the 10-, 25-, and 100-year storm events are properly conveyed without increase in water depth and flow velocity must be implemented.
 - b. Under scenario B, which is subject to the grant of an easement by the adjacent property owner(s), the design professional shall design the proposed storm sewer pipe to accommodate the 100-year storm event (i.e., 100-yr hydraulic grade line to be contained within the pipe).

- c. Under either scenario, the design professional shall assess the existing storm sewer manhole in the right-of-way between lots 18-116-04-015 and 18-116-04-014 and connecting to pipes, and shall communicate the need for upgrades/improvements to the County Roads & Drainage Dept.
 - d. Runoff Reduction Volume shall be provided and documented unless technical justification is provided regarding the infeasibility and is approved by the Land Development Division of Planning and Sustainability Department. Justification must be prepared according to the County infeasibility policy, submitted and approved/accepted by the Land Development Division before the Land Development application is submitted.
18. Subject to any necessary approvals, Developer shall install additional erosion control measures if necessary, during land development construction phase, in consultation with the County.
19. Developer shall provide the District Commissioner and Super District Commissioner with a 24-hour contact whose contact information may be shared with interested neighbors. Further, and after issuance of the Land Disturbance Permit, Developer shall provide to the Commissioners with a link with the final, approved Land Disturbance Permit, a landscape plan exhibit and an anticipated construction timeline.
20. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals 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.
21. Should scenario #2 as identified in paragraph 17 above be chosen, and subject to necessary approvals, Developer shall restore disturbed landscape areas on lot 18-116-04-015 and, if appropriate, on lot 18-116-04-014. Developer shall provide the owners of the relevant lots with a professionally designed landscape plan for comment at least one week in advance of installation.
22. Subject to any necessary approvals, Developer shall install a 6' opaque fence along the southern property line and repair damage to existing fences it may cause.

23. Subject to any necessary approvals, Developer shall install screening evergreen trees, at least 6 feet in height, at the rear of lots 18-116-04-015, 18-116-04-014 and 18-116-04-016 south of the subject property's property line (i.e. off of the subject property) where appropriate. A professionally prepared planting plan shall be provided to the owners of said parcels for comment at least one week in advance of installation and Developer shall work with the property owners on the placement of those trees if requested within 6 days of delivery of the planting plan.

EXHIBIT B



SITE INFORMATION

LOCATION:

ADDRESS: 1251 ROBINWOOD RD
DECATUR, GA 30033
LAND LOT: 116
DISTRICT: 18TH
COUNTY: DEKALB
CURRENT ZONING: R-75
PROPOSED ZONING: RSM
SITE AREA: 90,247 SF (2.072 ACRES)

OVERALL SITE REQUIREMENTS

Table 2.4 MEDIUM AND HIGH DENSITY RESIDENTIAL ZONING DISTRICTS DIMENSIONAL REQUIREMENTS

DWELLINGS PER ACRE: 4 - 8
DWELLING UNITS PROVIDED: **16 TOTAL (8 PER ACRE)**

OPEN SPACE REQ'D (35% (NLA)): 31,586 SF
OPEN SPACE PROVIDED: **33,534 SF (37%)**

LOT COVERAGE (70% * 90,247 SF) 63,172 SF

STREET/ PARKING 15,445 SF
SIDEWALKS 6,293 SF
BUILDING FOOTPRINTS 9,283 SF
TOTAL LOT COVERAGE 31,021 SF (35%)

BUILDING SETBACKS:

FRONT YARD (ROBINWOOD) 20' - 0"
FRONT YARD (ALLEY) 10' - 0"
SIDE YARD (MIN.) 0' - 0"
SEPARATION BETWEEN UNITS (MIN.) 3' - 0"
REAR YARD (WITH ALLEY) 10' - 0"
REAR YARD (WITHOUT ALLEY) 20' - 0"

COTTAGE SIZE

SF DETACHED - COTTAGE (MIN.) 800 SF
BUILDING HEIGHT 1.5 Stories

PARKING

PARKING (1.5 PER DWELLING) 24
STANDARD SPACES 20
STREET PARKING SPACES 5
TOTAL SPACES PROVIDED 25

UNIT INFORMATION

UNIT TOTALS:

1.5 STOREY (800 SF MIN.) 16
TOTAL UNITS: 16

NOTE:

- FINAL BUILDING FOOTPRINTS MAY VARY

AREA SCHEDULE OPTION B

Name	Level	Area	Comments
COTTAGE AREA	1st Floor	9283 SF	BUILDING
		9283 SF	
CENTRAL GREEN	1st Floor	5607 SF	OPEN SPACE
DETENTION POND	1st Floor	10820 SF	OPEN SPACE
FRONT GREEN	1st Floor	6161 SF	OPEN SPACE
GREEN	1st Floor	5112 SF	OPEN SPACE
SIDE GREEN	1st Floor	5834 SF	OPEN SPACE
		33534 SF	

ZONING INFORMATION

Sec. 2.11.2 - Dimensional requirements.

Dimensional requirements, including overall site requirements, individual lot dimensions, setbacks, and heights for Medium and High Density Residential Zoning Districts, are provided in Table 2.4, "Medium and High Density Residential Zoning Districts Dimensional Requirements." In addition, compatibility and transitional buffers as defined and required in article 5 may apply.

Sec. 2.13.5 - Density and location criteria.

- a. Use of bonuses shall permit a development to exceed the maximum base density established for the district in which the development property is located, provided that in no case shall a development exceed the maximum density allowed by the character area in which the property is located, according to the future development map adopted at the time of land disturbance permit application. Table 2.7 describes the maximum allowed dwelling unit density after application of any bonuses.

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

20% Amenity Proximity | Existing amenities, such as healthcare facilities (The proposed development is within 0.25 miles of Radiotherapy Clinic of Georgia and the Offices of Dr. Laurie Kulp.
100% greater than base | Additional enhanced open space (with standards established by article 5) comprises 35% of the overall development site.

Section 5.5.3 - Standards and design. E. Open Space and enhanced open space

3. Outdoor gathering spaces shall be connected to the sidewalk and pedestrian walkway network, and shall provide at least three (3) of the following features per space:

- a. Lighted bollards; b. Tables and chairs; c. Fountains or other water features; d. Benches; e. Seat walls and/or raised landscape planters; f. Shade trees lining the gathering space; g. Pots or hanging baskets filled with seasonal plant material; h. Information kiosks; i. Sculptures or other public art features; or j. Other features as approved by the director of planning if the feature enhances the visual impact of the outdoor gathering space.

Sec. 6.1.8 - On-street parking.

On-street parking spaces located immediately abutting the subject property, entirely within the extension of the side lot lines into the roadway and not within any required clear sight triangle, may be counted toward meeting the required parking ratios for all uses occurring on such abutting lots facing a local street or minor collector street. Where streets have been designated "no parking" by the county, no credit for on-street parking shall be available.



2 Site Plan - Option D
1" = 30'-0"



GRASSCRETE FIRETRUCK ACCESS



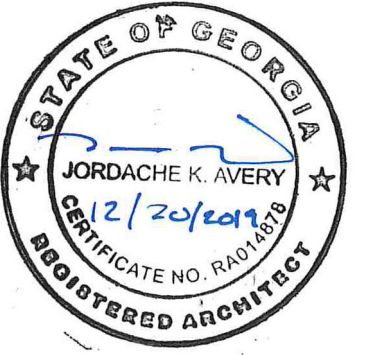
CISTERN



COMMUNITY FIRE PIT



TREE WELLS



NOT RELEASED FOR CONSTRUCTION



ROBINWOOD DEVELOPMENT

1251 ROBINWOOD RD | DECATUR | 30033

XMETRICAL, LLC | Modern Design Studio | 834 Inman Village Pkwy Suite 140 | Atlanta 30307 | 404.474.2204 | office@xmetrical.com

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No.	Description	Date
1	SCHEMATICS	2021.07.14
2	SCHEMATICS REVISED	2022.01.28
3	ZONING COMMENTS REV	2022.12.08
4	DISTRICT COMM. REV	2022.12.15

DANIEL EDWARDS
1251 Robinwood
ARCHITECTURAL
SITE PLAN - 03

Project number 452
Date 2019.12.09
Drawn by Author
Checked by Checker

A100.3

Scale As indicated

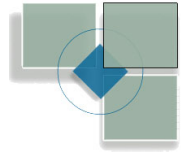


DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov



Michael Thurmond
Chief Executive Officer

Board of Commissioners Hearing Date: March 28, 2023

STAFF ANALYSIS

SUBSTITUTE

Case No.:	Z-22-1245936	Agenda #:	
Location/ Address:	The northeast side of Robinwood Road, approximately 327 feet east of Lawrenceville Highway at 1251 Robinwood Road in Decatur, Georgia.	Commission District: 4 Super District: 6	
Parcel ID:	18 116 04 008		
Request:	To rezone properties from R-75 (Residential-Medium Lot-75) to RSM (Small Lot Residential Mix) District to construct cottage style urban single-family detached homes.		
Property Owner:	June K. and Phillippe B. Laval		
Applicant/Agent:	D.A. Edwards & Company c/o Denn Webb		
Acreage:	2.12 acres		
Existing Land Use:	Vacant single-family home and vacant land.		
Surrounding Properties:	A medical office, residential condominiums (Berkeley Square), and Kingston Pointe Manor townhomes to the northwest; and single-family detached homes to the north, east, and south across Robinwood Road.		
Adjacent Zoning:	North: MU-4 and R-75 South: R-75 East: R-75 West: NS & O-I		
Comprehensive Plan:	SUB (Suburban)	Consistent <input checked="" type="checkbox"/>	Inconsistent <input type="checkbox"/>
Proposed Density:	8 units per acre	Existing Density:	NA
Proposed Units/Square Ft.:	16 cottage style urban single-family detached homes.	Existing Units/Square Feet:	Vacant single-family home and vacant land
Proposed Lot Coverage:	NA	Existing Lot Coverage:	NA

Planning and Sustainability Department Recommendation: APPROVAL WITH CONDITIONS

The request was deferred from the February 28, 2023 Board of Commissioners (BOC) meeting. Since the November 17, 2022 BOC Zoning meeting, the applicant has submitted a revised plan (see attached) for the proposed 16 cottage home development which addressed most of the concerns raised in the previous Staff Report as follows:

1. Applicant has increased the unit sizes from 550 square feet to 800 square feet with a maximum building height of 1.5 stories to comply with the current cottage development standards in the Zoning Ordinance;
2. The Applicant indicates that the Plan will provide for a minimum of two fee-simple lots in order to qualify for density bonuses to obtain the desired density of 8 units per acre;
3. The Plan provides for one tree for every 8 parking spaces and a 5-foot wide landscape strip around the perimeter of the parking lot to comply with the parking lot landscape requirements of the zoning ordinance;
4. The Plan provides a 10-foot wide easement along both sides of the proposed private drive to comply with the private drive requirements of the zoning ordinance;
5. The Land Development Division has reviewed the revised plan and finds the *conceptual* drainage plan acceptable, subject to compliance with the County's Stormwater Management regulations prior to issuance of any Land Development Permits.

The project's cottage-style homes centered around green courtyards appears to comply with the size, building height, and configuration requirements of the zoning ordinance and appears to be consistent with the goals of the *Comprehensive Plan* to provide more diverse and affordable housing within the county. Due to the unique project scope and the irregular shape and topography of the site, two variances would be required: 1) a variance to the location of the parking lot would be required since the zoning ordinance requires parking lots be located to the side and/or rear of the proposed homes and the proposed parking lot is in front of several of the proposed units; and 2) a variance of the number of parking spaces would be required since the proposed plan provides 25 parking spaces and the zoning ordinance requires a minimum of 32 spaces. The Zoning Board of Appeals will ultimately decide whether the site conditions warrant these variances.

The applicant has proposed several zoning conditions (see attached). Staff recommends approval with conditions.