

Agenda Item

File ID: 2021-2905

Substitute 11/16/2021

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 02; Super District 06

Application of PEC c/o Doug Linneman to request a rezoning from the R-100 (Residential Medium Lot) Zoning District to the MR-2 (Medium Density Residential-2) Zoning District to allow the construction of new multi-family apartments, at 2784 N. Druid Hills Road.

PETITION NO: N4. Z-21-1245064 (2021-2905)

PROPOSED USE: Multi-family apartments.

LOCATION: 2784 N. Druid Hills Road, Atlanta, Georgia 30329

PARCEL NO. : 18-111-05-002; 18-111-05-003

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of PEC c/o Doug Linneman to request a rezoning from R-100 (Residential Medium Lot) to MR-2 (Medium Density Residential-2) to allow the construction of new multi-family apartments. The property is located on the east side of North Druid Hills Road, approximately 118 feet south of Fama Drive at 2784 and 2790 North Druid Hills Road in Atlanta, Georgia. The property has approximately 200 feet of frontage along North Druid Hills Road and contains 0.9 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Deferral.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval with conditions. (Revised 10/21/2021)

STAFF ANALYSIS: There is a companion land use amendment request (See Case LP-21-1245063) to change from Suburban (SUB) to Town Center (TC). These properties are located at the edge of a Town Center (TC) land use character area focused around the North Druid Hills/LaVista Road intersection and a Suburban (SUB) land use character area which includes the single-family residential neighborhoods along Fama Drive to the north and the Merry Hills single-family detached subdivision to the northeast across North Druid Hills Road. The TC outer ring policies and development guidelines call for a mix of residential, retail, office, and service uses at maximum density of 24 units per acre, building heights between one and three stories, and enhanced buffers to allow for an appropriate transition into the abutting and nearby low density single-family residential areas. The plans appear to be consistent with the TC outer ring policies relating to building height (three story building height provided), land use (multi-family residential), and density (23.3 units per acre provided). While a portion of the buffer abutting the single-family subdivision to the north is proposed to be reduced from 50 to 30 feet (see attached transitional buffer plan), the applicant is proposing that the narrower buffer will be enhanced with mature trees and an eight-foot-tall wooden fence and will serve to provide the enhanced buffers called for by the TC outer ring policies. The Zoning Board of Appeals will ultimately decide whether the site conditions warrant a buffer reduction. With appropriate zoning conditions, it appears that the rezoning request would be consistent with the policies and strategies of the 2021 Comprehensive Plan 5 year update and with abutting and nearby land uses

(Sec. 7.3.5. A&B). The recommended conditions to provide appropriate compatibility with adjacent and nearby land uses are based on proposed conditions from the applicant, Planning Department Staff, and community representatives. Therefore, the Planning & Sustainability Department recommends “approval with conditions.”

PLANNING COMMISSION VOTE: Full Cycle Deferral 7-1-0. April Atkins moved, Jana Johnson seconded for a Full Cycle Deferral to the November 2021 zoning cycle. Tess Snipes opposed; Vivian Moore was not present for this vote.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Deferral 7-0-0.

SUBSTITUTE

RECOMMENDED ZONING CONDITIONS

2021-2905

11-16-2021

1. The combined subject properties containing 0.9 acres shall be developed for no more than twenty-one (21) units within a single structure not to exceed three (3) stories or 45 feet in height, whichever is less, and in substantial compliance with the layout shown on the most current site plan titled "Preliminary Zoning Site Plan" labeled Sheet Z1, prepared by Planners & Engineers Collaborative + (PEC+) and dated 11/04/21 and subject to any conditions that may be imposed by the Zoning Board of Appeals for any future variance requests. The building design shall be subject to the approval of the Director of Planning and Sustainability. To the extent that there is any conflict between the site plan and the other approved conditions set forth below, the written condition shall control. The subject property shall remain a separate and distinct parcel from 2280 Lavista Road (Parcel ID: 18 111 05 006). A shared access/parking easement between the subject properties and the adjacent property at 2280 Lavista Road shall be recorded prior to the issuance of any building permits.
2. The ingress/egress from North Druid Hills Road onto the property will be restricted for emergency vehicle use only. The design of these turning conditions shall be approved by the DeKalb County Transportation Department. Appropriate signage stipulating "Emergency Vehicles Only" or similar language shall be installed at the new entrance to deter unauthorized non-emergency vehicles from entering.
3. The ingress/egress referenced in condition 2 will have a decorative gate which will remain in the closed position, locked at all times, and shall not be used by Kenco's residents except for emergency situations, as needed. The gate will have a "Knox Box" that will meet the County Fire Marshal's requirements. The gate shall be placed as close to North Druid Hills Road as reasonably possible, subject to approval by the DeKalb County Transportation Department and/or the Georgia Department of Transportation.
4. At the County's discretion, the decorative gate referenced above may serve as a proposed public art piece that is to be installed on the site. The Developer shall also present options of the art piece's design to the North Druid Hills Residents' Association (NDHRA) for review and comment; including feedback from Fama Drive residents and adjacent property owners.
5. Subject to Department of Transportation and County Arborist approval, a multi-use trail (in lieu of a sidewalk), the required landscape strip, and requisite street trees shall be planted or constructed along the entire North Druid Hills Road frontage of the subject property. Street trees shall be approved by the County Arborist and planted outside of the landscape strip and adjacent to the property.

6. A painted crosswalk shall be installed across the curb cut for the North Druid Hills Road entrance, including handicap ramps to allow for travel along the sidewalk, which shall be installed in accordance with DeKalb County requirements and Americans with Disabilities Act (ADA) requirements. The crosswalk must be painted to comply with Georgia Department of Transportation requirements.
7. The new parking spaces closest to North Druid Hills Road shall be screened with landscaping.
8. The new parking spaces shall include at least one space dedicated for electric vehicle(s) with industry standard charging equipment.
9. The entire length of the northern edge of the new driveway shall be designated as "No Parking," either by signage or a painted curb.
10. The façades of the apartment building that face North Druid Hills Road shall have architectural features such as windows, false windows, shutters, bay windows, or patterned brick that are consistent with other nearby developments. Additionally, all other building facades shall be developed in general conformity with the submitted conceptual elevations titled "Kenco LaVista Apartments" and dated 06/22/21 by Pimsler-Hoss Architects, Incorporated (PHA).
11. The Developer shall comply with the zoning requirement of providing a transitional buffer along the northern property line adjacent to the R-100 boundary, which includes the adjacent tax parcels 18-111-05-001 and 18-111-05-014. Where the Developer may seek to reduce the minimum required width of the transitional buffer, it shall not be any less than thirty (30) feet from the aforementioned parcels, even if approved by the Zoning Board of Appeals. No buildings or structures shall be constructed within the transitional buffer, and it shall include new landscaping that will help serve as a visual barrier between subject tax parcels 18-111-05-002 and 18-111-05-003 and the adjoining tax parcels 18-111-05-001 and 18-111-05-014 to the north, as approved by the County Arborist. Such landscaping for the transitional buffer shall be defined and included as part of an overall landscape plan for the site, in accordance with the conditions that pertain to landscaping.
12. A minimum eight (8) foot high, double-sided (i.e., finished on both sides), wooden fence shall be installed along the northern boundary of the property with the tax parcels 18-111-05-001 and 18-111-05-014. The fence shall be stained or painted a color other than white during installation. Ongoing maintenance, upkeep, and repairs to the fence shall be provided by the Developer. A temporary fence shall be installed within 30 days of the project's commencement in order to provide a visual screen from the two aforementioned tax parcels.
13. All exterior lighting shall be screened or shielded to minimize glare onto North Druid Hills Road, as well as onto any adjacent homeowners' properties to the north.

14. Post-construction stormwater run-off shall be no greater than pre-construction stormwater run-off in accordance with the *DeKalb County Code of Ordinances* and as required by the *Georgia Storm Water Management Manual*, subject to approval by the Division of Land Development. Furthermore, water quality shall meet the minimum requirements of the *Georgia Storm Water Management Manual* and/or DeKalb County requirements.
15. The stormwater hydrology model for the site must be completed using the following methodology: Reduce the stormwater runoff rates in the proposed development condition at the site study point by the following parameters:
 - i. 2-year storm event reduced to 1 year storm flow rate;
 - ii. 5-year storm event reduced to 2-year storm flow rate;
 - iii. 10-year storm event reduced to 5-year storm flow rate;
 - iv. 25-year storm event reduced to 10-year storm flow rate;
 - v. 50-year storm event reduced to 25-year storm flow rate; and
 - vi. 100-year storm event reduced to 50-year storm flow rate.
16. The Developer shall present a landscape plan for the entire site to the North Druid Hills Residents' Association (NDHRA), to then be distributed by NDHRA to all adjacent property owners. A period of seven (7) days shall be afforded to NDHRA to review the plan and provide reasonable comments. Key planting materials within the transitional buffer shall provide a measure of visual separation upon their installation and shall be such that they achieve substantial annual growth rates as they mature. Following NDHRA's review, and prior to a Land Disturbance Permit (LDP) being issued, the Developer or their agent shall submit to the County Arborist, the NDHRA-reviewed landscape plan, which shall substantially conform to the standards of the presented landscape plan. The County Arborist shall then review the proposed tree selection and placement, and approve the plan if it is compliant with DeKalb County's requirements.
17. The Developer shall present a stormwater management plan for the entire site to the North Druid Hills Residents' Association (NDHRA), to then be distributed by NDHRA to all adjacent property owners. A period of fourteen (14) days shall be afforded to NDHRA to review the plan and provide reasonable comments. Following NDHRA's review, and prior to a Land Disturbance Permit (LDP) being issued, the Developer or their agent shall submit to the County, the NDHRA-reviewed stormwater management plan, which shall substantially conform to the standards of the presented stormwater management plan. The County shall then review the proposed plan, and approve the plan if it is compliant with DeKalb County requirements.
18. Wherever feasible, any mature or hardy hardwood or decorative trees that can be saved shall be shown on the landscape plan.
19. The two (2) existing single-family, detached homes shall both be demolished on the same date.
20. The Developer shall employ effective dust abatement measures, stormwater management, and erosion control measures during construction.

21. During the demolition and construction phases of the project, the Developer shall ensure that it will abide by the *DeKalb County Noise Ordinance* at all times. There shall be no outside construction which produces loud or obtrusive noise on weekends, nor on recognized national holidays, unless such activity arises from an emergency which puts the site or neighboring property owners and their properties at risk of harm or loss.
22. Applicant/Developer must demonstrate compliance with the density bonus criteria (five, 20% density bonuses are required to achieve density of 23.3 units per acre) prior to the issuance of any building permits or certificates of occupancy, including the following:
 - a. Public Improvements to two (2) existing MARTA bus stops at an agreed upon location between Kenco Residential and MARTA with a new bus shelter (20% density bonus). A written agreement between MARTA and the applicant must be submitted to indicate that this improvement will be implemented per MARTA or GRTA standards and a project timeline for that implementation. Installation must be done prior to issuance of any building permits.
 - b. Amenity Proximity to grocery store (Kroger) (20% density bonus). The applicant must verify via a surveyor's stamp on the plan that a grocery store is within a quarter mile of the subject property. Additionally, per Code Sec. 2.12.6, the applicant must indicate that there are existing and continuous sidewalks from the subject property to the grocery store. This must be done prior to the issuance of a certificate of occupancy.
 - c. Public art piece (20% density bonus). Must comply with Planning Commission criteria for public art in Article 2. Planning Commission approvals of the art pieces must occur prior to issuance of Land Disturbance Permits, and installation of the art pieces must occur prior to issuance of any certificates of occupancy.
 - d. Public Improvement (20% density bonus) – multi-use trail. Applicant's site plan indicates that the proposed multi-use trail will be extended offsite from the southern property line to the northern entrance of the neighboring commercial property's entrance, which complies with the requirement for sidewalk improvements to be offsite beyond the project. This must be done prior to the issuance of any certificates of occupancy.
23. A minimum of 15% open space shall be provided. The applicant/Developer must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development and all landscaping and street trees along North Druid Hills Road (outside of the right-of-way) shall be maintained and protected in perpetuity. Existing trees located within designated open space areas that are not proposed for trails, buildings, structures, or parking lots or those likely to be impacted by necessary grading shall be preserved.
24. Provide compliance with Section 5.7.7.G of the *Zoning Ordinance* regarding required outdoor play and recreation areas, Section 5.7.7.H.3 of the *Zoning Ordinance* regarding required balconies for exterior units, and provision of landscaping around the building.

25. All dumpsters must be screened from view on all four (4) sides so as not to be visible from adjacent properties and the public street.
26. During construction, the Developer shall post a contact phone number for nearby residents to call and discuss development and construction issues. The developer shall use Best Management Practices (BMPs) for run-off and sedimentation control in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department.
27. 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 Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity whose decision shall be independently based.
28. Blasting shall be permitted only with the written approval of the County under the requirements of Section 14-324.C of the DeKalb County Code of Ordinances. The developer shall notify residents on North Druid Hills Road and LaVista Road and property owners within a half mile. Notifications must be made by way of mailbox flyers at least 24 hours in advance of any blasting.

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GENERAL NOTES:

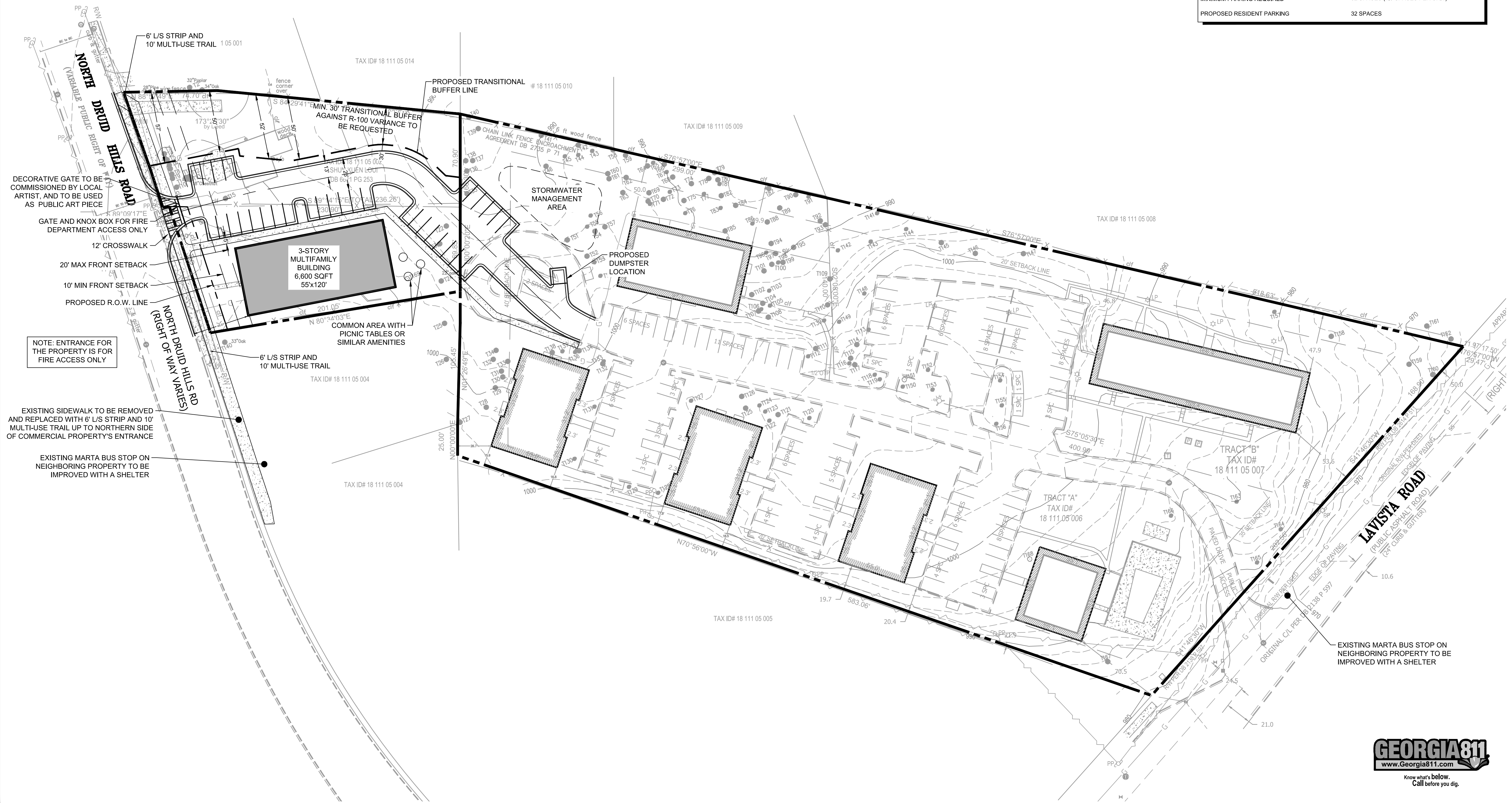
- 50 FOOT TRANSITIONAL BUFFER REQUIRED ALONG R-100 BOUNDARY
- 30 FOOT TRANSITIONAL BUFFER, VARIANCE TO BE REQUESTED ALONG R-100 BOUNDARY
- ACCESS AGREEMENT PUT IN PLACE WITH EXISTING KENCO LAVISTA PROPERTY FOR FIRE ACCESS, PARKING AND STORMWATER MANAGEMENT.
- VARIANCE TO BE REQUESTED TO INCREASE MAX. FRONT SETBACK, BASED ON ZONING CONDITIONS RECOMMENDED BY NEIGHBORS.

DENSITY BONUSES:

- AMENITY PROXIMITY - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - SIDEWALK IMPROVEMENT - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PUBLIC ART PIECE - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PROPOSED BUS SHELTER - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PROPOSED BUS SHELTER - 20% OF BASE DENSITY (2.4 UPA)

BASE DENSITY = 12 UPA
 TOTAL DENSITY BONUSES TO BE APPLIED = 12 ADDITIONAL UPA
 MAXIMUM DENSITY WITH BONUSES APPLIED = 24 UPA
 TOTAL PROPOSED DENSITY WITH BONUSES = 23.3 UPA

SITE DATA:	
EXISTING SITE AREA	0.9 ACRES
ZONING	
EXISTING ZONING	R-100
PROPOSED ZONING	MR-2
ZONING JURISDICTION	DEKALB COUNTY
USE CALCULATIONS	
MR-2 BASE DENSITY	12 UPA
MAXIMUM DENSITY WITH BONUSES	24 UPA
TOTAL SITE AREA	0.9 ACRES
TOTAL PROPOSED DENSITY	23.3 UPA
TOTAL UNITS PROPOSED	21 UNITS
DENSITY BONUSES	
PUBLIC IMPROVEMENTS - PUBLIC ART, SIDEWALK IMPROVEMENT, BUS SHELTER (2) (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA EACH (9.6 UPA TOTAL)
AMENITY PROXIMITY - KROGER (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA
TOTAL DENSITY BONUSES TO BE APPLIED	12 ADDITIONAL UPA
SETBACK REQUIREMENTS	
REQUIRED BUFFER ON NEW PARCELS	50 FEET AGAINST R-100
OPEN SPACE	
REQUIRED OPEN SPACE	15% (0.135 ACRES)
PROVIDED OPEN SPACE	16.8% (0.151 ACRES)
PARKING REQUIREMENTS	
MINIMUM PARKING REQUIRED	32 SPACES (1.5 SPACES PER UNIT)
PROPOSED RESIDENT PARKING	32 SPACES



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350 RESEARCH COURT STE 200
 PEACHTREE CORNERS, GA 30092

PROJECT

KENCO LAVISTA
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT
 2784-2790 NORTH DRUID HILLS ROAD
 DEKALB COUNTY, 30329
 DEKALB COUNTY

FOR

KENCO RESIDENTIAL

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	10/18/2021	CL	UPDATED SITE PLAN
2	11/04/2021	CL	UPDATED SITE PLAN

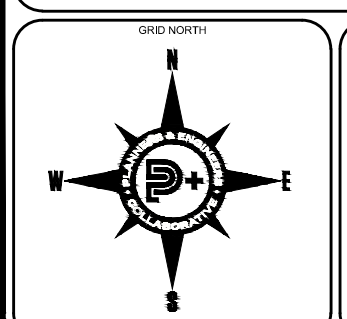
THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

PRELIMINARY
 NOT TO BE RELEASED FOR CONSTRUCTION

ZONING SITE PLAN



SCALE: 1" = 40'
 DATE: 08/04/2021
 PROJECT: 21049.00



Z1
 SHEET



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GENERAL NOTES:

- 50 FOOT TRANSITIONAL BUFFER REQUIRED ALONG R-100 BOUNDARY
- 30 FOOT TRANSITIONAL BUFFER, VARIANCE TO BE REQUESTED ALONG R-100 BOUNDARY
- ACCESS AGREEMENT PUT IN PLACE WITH EXISTING KENCO LAVISTA PROPERTY FOR FIRE ACCESS, PARKING AND STORMWATER MANAGEMENT.
- VARIANCE TO BE REQUESTED TO INCREASE MAX. FRONT SETBACK, BASED ON ZONING CONDITIONS RECOMMENDED BY NEIGHBORS.

DENSITY BONUSES:

- AMENITY PROXIMITY - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - SIDEWALK IMPROVEMENT - 20% OF BASE DENSITY (2.4 UPA)
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 TOTAL PROPOSED DENSITY WITH BONUSES = 23.3 UPA

SITE DATA:	
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ZONING	R-100
EXISTING ZONING	R-100
PROPOSED ZONING	MR-2
ZONING JURISDICTION	DEKALB COUNTY
USE CALCULATIONS	
MR-2 BASE DENSITY	12 UPA
MAXIMUM DENSITY WITH BONUSES	24 UPA
TOTAL SITE AREA	0.9 ACRES
TOTAL PROPOSED DENSITY	23.3 UPA
TOTAL UNITS PROPOSED	21 UNITS
DENSITY BONUSES	
PUBLIC IMPROVEMENTS - PUBLIC ART, SIDEWALK IMPROVEMENT, BUS SHELTER (2) (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA EACH (9.6 UPA TOTAL)
AMENITY PROXIMITY - KROGER (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA
TOTAL DENSITY BONUSES TO BE APPLIED	12 ADDITIONAL UPA
SETBACK REQUIREMENTS	
REQUIRED BUFFER ON NEW PARCELS	50 FEET AGAINST R-100
OPEN SPACE	
REQUIRED OPEN SPACE	15% (0.135 ACRES)
PROVIDED OPEN SPACE	16.8% (0.151 ACRES)
PARKING REQUIREMENTS	
MINIMUM PARKING REQUIRED	32 SPACES (1.5 SPACES PER UNIT)
PROPOSED RESIDENT PARKING	32 SPACES

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 ARBORISTS + SURVEYING & CONSTRUCTION + WATER RESOURCES

350 RESEARCH COURT STE 200
 PEACHTREE CORNERS, GA 30092

PROJECT

KENCO LAVISTA

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT
 2784-2790 NORTH DRUID HILLS ROAD
 DEKALB COUNTY, 30329
 DEKALB COUNTY

FOR

KENCO RESIDENTIAL

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	10/18/2021	CL	UPDATED SITE PLAN
2	11/04/2021	CL	UPDATED SITE PLAN

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

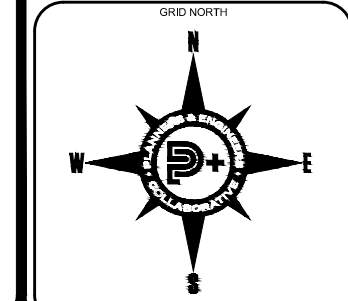
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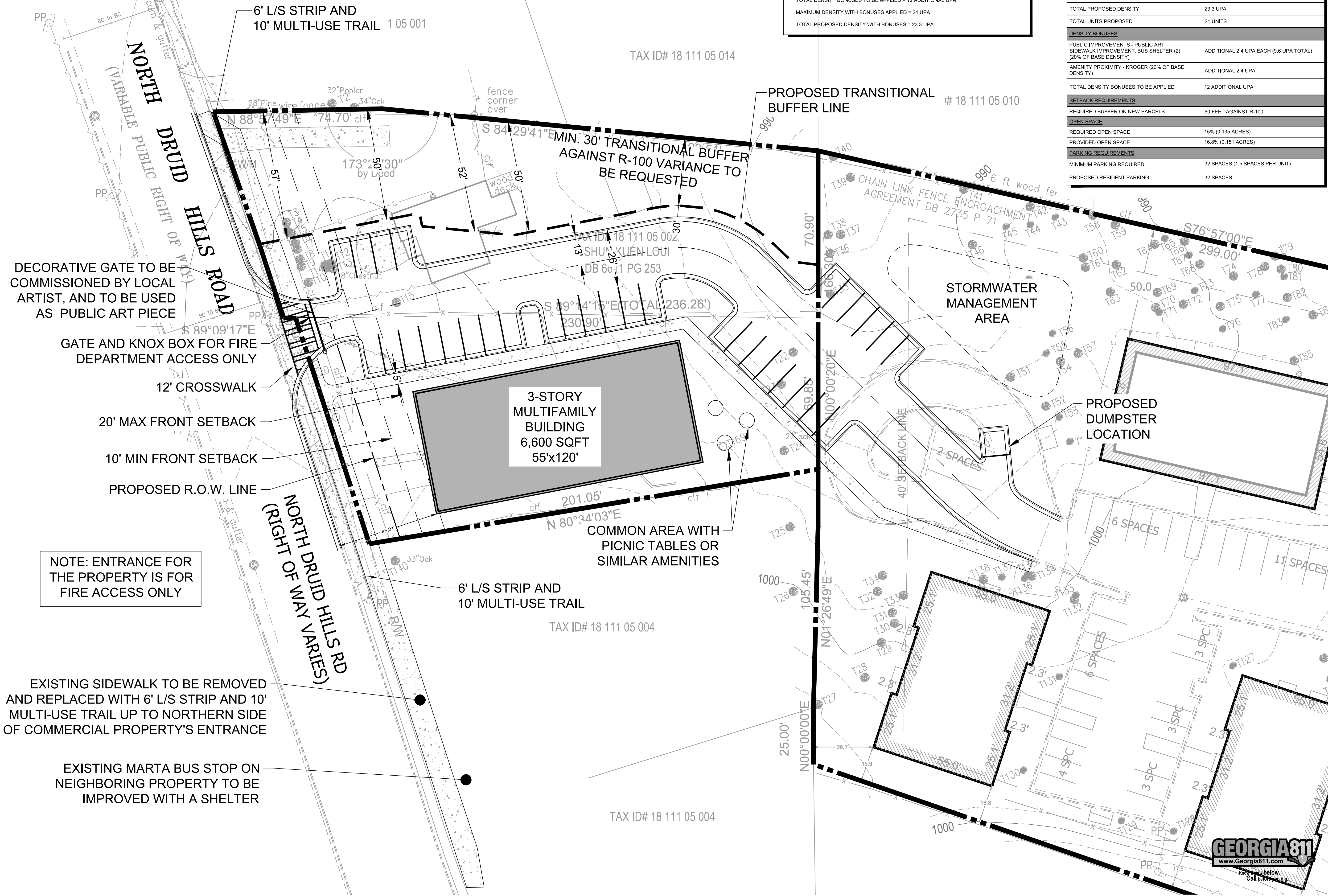
ZONING SITE PLAN



SCALE: 1" = 20'
 DATE: 08/04/2021
 PROJECT: 21049.00



Z2
 SHEET





PITOSPORUM



DWARF INDIAN HAWTHORN



AMERICAN HOLLY



CHINESE JUNIPER (Juniperus x pfitzeriana "Sea Green")



EASTERN REDBUD



GREEN GIANT ARBORVITAE



