

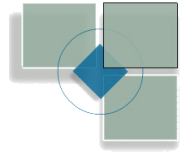


DeKalb County Department of Planning & Sustainability

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Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: September 1, 2020

Board of Commissioners Hearing Date: September 24, 2020

STAFF ANALYSIS

Case No.: Z-20-1243972 **Agenda #:** D-4

Location/Address: Southwest side of Bermuda Road, approximately 658 feet northwest of Malvern Boulevard at 1347 Bermuda Road in Stone Mountain **Commission District: 4 Super District: 7**

Parcel ID: 18 083 01 010

Request: To rezone property from R-100 (Single-Family Residential) to RSM (Small Lot Residential Mix) to develop 19 single-family detached homes at a density of 2.85 units per acre

Property Owner: Future Capital Investment c/o Kirk Harvey

Applicant/Agent: Future Capital Investment c/o Kirk Harvey

Acreage: 6.6

Existing Land Use: Vacant Single-Family structure

Surrounding Properties: Single-family homes and a single-family subdivision (English Manor) to the north; vacant land and single-family homes to the east across Bermuda Road; a single-family subdivision to the south (Deer Creek); and single-family homes to the west.

Adjacent Zoning: **North:** R-100 **South:** RSM **East:** NA Gwinnett County **West:** R100

Comprehensive Plan: SUB (Suburban) **Consistent** **Inconsistent**

Proposed Density: NA **Existing Density:** NA

Proposed Units/Square Ft.: 19 single-family detached units at a density of 2.85 units per acre **Existing Units/Square Feet:** Vacant Structure

Proposed Lot Coverage: NA **Existing Lot Coverage:** NA

Staff Recommendation: APPROVAL WITH CONDITIONS (REVISED 9/4/2020)

ZONING HISTORY

The subject property has been zoned R-100 (Single-Family Residential) since the initial adoption of the DeKalb County Zoning Ordinance in 1956.

PROJECT ANALYSIS

The subject property comprises 6.6 acres on the southwest side of Bermuda Road, approximately 658 feet northwest of Malvern Boulevard in Stone Mountain, Georgia. The site contains a vacant, dilapidated single-family structure. The site slopes moderately downward from Bermuda Road, but some of the rear portions of the property are steeper can contain grades of 15%. The site currently has an abundance of mature trees and vegetation.

Since the September 1st Planning Commission meeting, the applicant has submitted revised site plans and new renderings to decrease the number of units from 20 to 19 single-family detached homes, decrease the building height from three to two stories, and increase the minimum lot sizes from 4,000 square feet to 8,000 square feet. The revised plan's minimum lot sizes and building heights are more consistent with those of the RSM-zoned Deer Creek Subdivision to the south (10,890 square feet) and the R-100 zoned English Manor Estates subdivision to the north (17,859 square feet), and also complies with the minimum lot size requirements of the RSM district (5,000 square feet). Additionally, the revised plan is providing more open space than is required by the zoning ordinance (25% provided, 20% required), and the 20-foot wide buffers along the north, west, and south property lines have been revised to comply with the zoning ordinance requirements to be located outside of proposed lots. The proposed larger lot sizes and two-story building heights appear to be consistent with the predominant single-family detached development pattern in the area. The rezoning request appears to be consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1).

The property has frontage along Bermuda Road, a two-lane collector road with curb and gutter but no sidewalks. The proposed single-family homes will access a new public road which will be publicly accessible to Bermuda Road at the northern end of the project site. Sidewalks are proposed along both sides of the new internal road as well as along Bermuda Road. Based on the information from the applicant at the Planning Commission meeting, the proposed single-family detached homes will be two stories tall. The applicant indicates the building materials will consist of "a grade level material at each unit that will either be a white full veneer brick or a light natural stone veneer". The entry porch will have a metal roof supported by simple wood posts. Each unit will be diverse in color, consisting of either fiber cementitious siding, lap, shakes, or board and batten (see attached conceptual elevations).

Surrounding uses include single-family homes and a single-family subdivision (English Manor) to the north; vacant land and single-family homes to the east across Bermuda Road; a single-family subdivision to the south (Deer Creek); and single-family homes to the west.

Supplemental Requirements: There are no supplemental regulations in the zoning ordinance for single-family detached homes.

Compliance with District Standards:

STANDARD	RSM REQUIREMENT	EXISTING/PROPOSED	COMPLIANCE
MAX DENSITY	4-8 units per acre	2.85 units per acre	Yes
LOT WIDTH	25 feet per lot (minimum)	53 feet	Yes
LOT AREA	5,000 s.f. (minimum)	8,005- 11,570 s.f.	Yes
MAX. LOT COVERAGE	50%	50%	Yes
FRONT SETBACK	20 feet	20 feet	Yes
REAR SETBACK	20 ft.	20 ft	Yes
SIDE SETBACK	3 ft from p/l with min. 10 feet between buildings.	3 ft (<i>10 ft between buildings</i>)	Yes
BUILDING MATERIALS	All building facades facing a public street shall consist of at least 80% brick, stone, glass, decorative concrete, fiber cement siding, or hard coat stucco, or combination thereof.	Combination of brick, stone, fiber cementious siding.	Yes
MAX. BLDG. HEIGHT	35 feet	2 stories, maximum building height of 35 feet	Yes
MIN UNIT SIZE	1,200 s.f.	1,200 s.f. to 2,500 s.f.	Yes

MIN OPEN SPACE	20%	25%	Yes—Applicant has to comply with Sec. 5.5.3.E.8 regarding requirements for stormwater facilities to count as open space.
TRANSITIONAL BUFFER	20 ft along south property lines	20-ft wide buffer provided along north, south, and west property lines.	Yes
PARKING	40 spaces (2 spaces per dwelling unit).	Information not provided on site plan.	Non-compliance will necessitate variances.
LANDSCAPING	Each single-family lot on which new development shall occur shall be planted with three new trees.	Information not provided on site plan.	Non-compliance will necessitate variances.
SIDEWALKS AND STREETSCAPING	6-ft. sidewalk along Bermuda Road, 10-ft. landscape strip, street trees 50 ft. on center	Sidewalks are proposed along Bermuda Road and along the proposed internal road. However proposed sidewalk widths are not shown. No landscape strips or street trees are shown on plan.	Non-compliance will necessitate variances.

STREET LIGHTS AND PEDESTRIAN LIGHTS	Street lights shall be installed along public right of way within the landscape strip spaced at a maximum distance of 80 ft on center. Pedestrian lights shall be installed along public right of way at a maximum distance of 40 ft on center.	Information not provided	Non-compliance will necessitate a variance.
INTERNAL SIDEWALKS	Pedestrian access shall be provided from all parking areas directly to a public sidewalk.	Sidewalks are provided along both sides of the proposed new local road.	Yes

LAND USE AND ZONING ANALYSIS

Section 27-7.3.5 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

Based on the information and revised site plan from the applicant since the September 1st Planning Commission meeting, the proposed rezoning request appears to be consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1) since the proposed building height and lot sizes are consistent with the predominant development pattern in the area.

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

Based on the information from the applicant since the September 1st Planning Commission meeting, it appears that the proposed lots sizes (8,000 to 11,000 square feet) and building heights (two-story single-family homes) are compatible with the surrounding development pattern consisting of minimum lot sizes of 10,890 square feet (Deerfield Subdivision) and 17,890 square foot minimum lot sizes in the R-100 zoned English Manor Estates subdivision to the north. Therefore it appears that the zoning proposal will permit a use that is suitable in view of the surrounding single-family detached residential development pattern.

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

It appears that the property may have a reasonable economic use as currently zoned R-100 which allows single-family detached residential development.

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

Based on the information from the applicant since the September 1st Planning Commission meeting, it appears that the proposed lots sizes (8,000 to 11,000 square feet) and building heights (two-story single-family homes) are compatible with the surrounding development pattern consisting of minimum lot sizes of 10,890 square feet (Deerfield Subdivision) and 17,890 square foot minimum lot sizes in the R-100 zoned English Manor Estates subdivision to the north. Therefore, it does not appear that the zoning proposal will adversely affect the existing usability of adjacent or nearby property.

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 subject property falls within a SUB (Suburban) character area which calls for protecting established residential neighborhoods (SUB Policy #1). Based on the information from the applicant since the September 1st Planning Commission meeting, it appears that the proposed lots sizes (8,000 to 11,000 square feet) and building heights (two-story single-family homes) are compatible with the surrounding development pattern consisting of minimum lot sizes of 10,890 square feet (Deerfield Subdivision) and 17,890 square foot minimum lot sizes in the R-100 zoned English Manor Estates subdivision to the north

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

Based on the submitted information, no historic buildings, sites, districts, or archaeological resources are located on the subject property or in the surrounding area.

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:

There has been no indication from reviewing departments and agencies that the proposal could cause excessive use of existing streets, transportation facilities, utilities, or schools. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is available.

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

The proposed development is not expected to have unusual impacts on the natural environment.

Planning and Sustainability Department Recommendation: APPROVAL WITH CONDITIONS (REVISED 9/4/2020)

Since the September 1st Planning Commission meeting, the applicant has submitted revised site plans and new renderings to decrease the number of units from 20 to 19 single-family detached homes, decrease the building height from three to two stories, and increase the minimum lot sizes from 4,000 to 8,000 square feet. The revised plan's minimum lot sizes and building heights are more consistent with those of the RSM-zoned Deer Creek Subdivision to the south (10,890 square feet) and the R-100 zoned English Manor Estates subdivision to the north (17,859 square feet), and also comply with the minimum lot size requirements of the RSM district (5,000 square feet). Additionally, the revised plan is providing more open space than is required by the zoning ordinance (25% provided, 20% required), and the 20-foot wide buffers along the north, west, and south property lines have been revised to comply with the zoning ordinance requirements to be located outside of proposed lots. The proposed larger lot sizes and two-story building heights appear to be consistent with the predominant single-family detached development pattern in the area. The rezoning request appears to be consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). Therefore, it is the recommendation of the Planning and Sustainability Department that the rezoning application be, respectfully, "Approved" with the following recommended conditions.

1. Up to a maximum of 19 single-family detached homes. Minimum lot sizes shall be at least 8,000 square feet.
2. Location of the proposed open space shall be generally consistent with the conceptual site plan titled "*The Astwood at Bermuda Road*" and dated 08/23/2020. Developer shall demonstrate compliance with Sec. 5.5.3.E.8 of the zoning ordinance regarding requirements for stormwater facilities to be considered as meeting the minimum open space requirements. The developer shall create a Homeowners Association which shall be responsible for maintaining the open space.
3. Existing trees within the 20-foot transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist prior to the issuance of any Certificates of Occupancy.
4. Maximum building height of two stories.
5. The single-family detached units shall have a minimum floor area of 2,000 square feet.
6. Building materials shall be consistent with the requirements of Article 5 of the Zoning Ordinance. No metal or vinyl allowed.
7. The subdivision shall include distinctly different front façade designs within each phase of the development. "Distinctly different" shall mean that each front façade must differ from adjacent buildings' front façades in at least four (4) of the following six (6) ways: a. The use of different primary exterior materials; b. Variation in the width or height of the front façade by four (4) feet or more; c. Variation of the type, placement or size of windows and doors on the front façades; d. Variations in rooflines, including the use of dormers and changes in the orientation of rooflines; e. Variation in the location and proportion of front porches; and f. Variation in the location or proportion of garages and garage doors. No single-family detached residence shall be of the same front façade design as any other single-family detached residence along the same block face within eight (8) lots of the subject residence. Mirror images of the same configuration are not permitted on the same block face. No single front façade design may be used for more than twenty-five (25) percent of the total units of any

single phase of a conventional single-family detached residence subdivision.

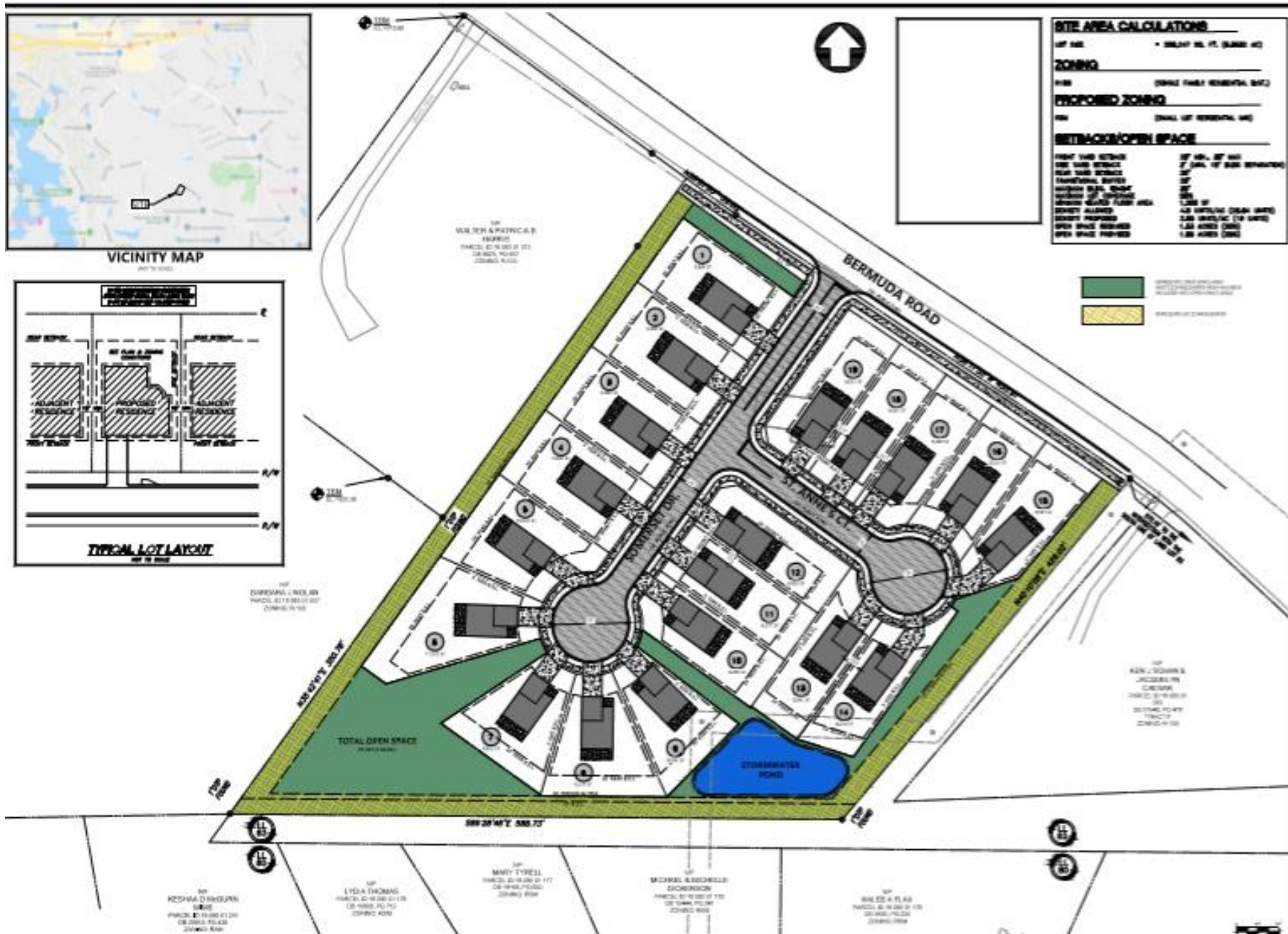
8. Any single-family detached residence with a front façade width of forty (40) feet or more shall incorporate wall offsets in the form of projections or recesses in the front façade plane. Wall offsets shall have a minimum depth or projection of two (2) feet so that no single wall plane exceeds twenty-five (25) feet in width.
9. Street-facing garage façades shall not comprise more than forty-five (45) percent of the total width of the conventional single family detached residence's front façade. Street-facing garages shall be at least two (2) feet behind the primary front façade plane of a single-family detached residence.
10. The front facades of homes along Bermuda Road shall be oriented to face away from Bermuda Road. No driveway access from Bermuda Road shall be allowed for these lots.
11. The development shall comply with Sketch Plan requirements for subdivision prior to the issuance of a Land Disturbance Permit.
12. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage 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.
13. Provide compliance with Section 14- 40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control.
14. 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 Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
15. Subject to Department of Transportation and County Arborist approval, the developer shall provide a 6- foot wide sidewalk and a 15- foot wide landscape strip with street trees 50 feet on center within the Bermuda Road right-of-way prior to the issuance of any certificates of occupancy. Additionally, one street light for every 80 feet of road frontage along Bermuda Road shall be provided. A six-foot high decorative wooden fence shall be provided which utilizes pressure treated lumber, with the finished side facing Bermuda Road. The 15-foot buffer must meet the requirements of Section 5.4.5.C.1., 2., and 3 regarding planting height, planting type and planting function and shall be located between the fence and Bermuda Road to provide additional screening for the lots that have frontage along Bermuda Road. Street-facing fences shall have masonry (brick, stone, or hard coat stucco finish) piers separating fence sections with maximum lengths of 24 feet. A pier shall be required at any point where the fence changes direction. Piers must be at least 12 inches wide. Only black, white, earth tones, or colors of natural wall or fence materials shall be permitted. Primary and neon colors are prohibited.
16. Subject to Department of Transportation and County Arborist approval, the developer shall provide a 6- foot wide sidewalk and a 5- foot wide landscape strip with street trees 30 feet on center within the right-of-way of the proposed internal streets prior to the issuance of any certificates of occupancy. Additionally, one street light for every 100 feet of road frontage shall be provided.

17. Each single-family residential lot on which new development occurs shall be planted with a minimum of three (3) new trees. Street trees along the lot frontage shall count towards this requirement. The species and specifications for the trees to be planted in compliance with this requirement shall meet the requirements of a list approved by the County Arborist.

18. 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 of adjacent properties and properties within the Deer Creek and English Manor Estates subdivision, by way of mailbox flyers, 24 hours in advance of any blasting.

Attachments:

1. Public Works Department Comments
 - a. Land Development Division
 - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs





Applicant's Proposed Change for 19 lots

8/23/20

- Site will now accommodate (19) Single Family Detached homes (Average lot area ranging from 0.18-0.27 acres)
- The overall character of the community resembles the adjacent subdivisions with the updated site layout & spacing between homes.
- Building setbacks are still applicable with current layout (20' front, 3' side & 20' rear)
- The transitional zoning buffers along perimeter are shown at 20' and will be undisturbed. (No trees will be impacted within this area – see cross hatched area in yellow for display).
- The developed area (areas of improvement) will be well landscaped as well as the road frontage as required by Dekalb County Arborist Division.
- The total open space area has been satisfied by designating 25% of the site to this criteria.
- There will be an enhanced site frontage to include monument signage, new curb & gutter, & new stormwater piping to handle drainage (which all aids in better visibility & safer driving conditions along the road with respect to the present condition)
- Pedestrian friendly subdivision with wide sidewalks & decorative site lighting to strengthen the character of the community.
- New residences constructed will be 4-5 bedroom homes with 2-car garage starting in the low \$300s price point.

