



DeKalb County Department of Planning & Sustainability

**178 Sams Street,
Decatur, GA 30030**

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

**Planning Commission Hearing Date: July 11, 2023
Board of Commissioners Hearing Date: July 27, 2023**

STAFF ANALYSIS

Case No.:	SLUP-23-1246466	Agenda #: 2023-0594
Address:	3837 Redan Road	Commission District: 05 Super District: 07
Parcel ID(s):	15-221-03-001	
Request:	Rezone the property located at 3837 Redan Road from R-75 (Residential Medium Lot-75) zoning district to O-I (Office Institutional) to allow for a mixed-use development.	
Property Owner(s):	Elizabeth D. Scott	
Applicant/Agent:	Elizabeth D. Scott	
Acreage:	0.895	
Existing Land Use:	Vacant land.	
Surrounding Properties:	North: OI/Indian Creek Overlay District East: R-75/Indian Creek Overlay District South: MR-1, C-2 West: R-75, MR-2/Indian Creek Overlay District	
Comprehensive Plan:	Town Center <div style="display: flex; justify-content: space-around; align-items: center;"> Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/> </div>	

Staff Recommendation: Approval.

The applicant, Elizabeth Scott, is seeking to rezone 3837 Redan Road from the R-75 (Residential Medium Lot-75) Zoning District to the O-I (Office Institutional) Zoning District. The applicant owns the adjacent parcel, 3851 Redan Road, which is zoned O-I (Office Institutional). Both properties are located in the Indian Creek Overlay District. The owner anticipates redeveloping 3851 Redan Road for a mixed-use development. The rezone request is to alleviate the R-75 zoning classification requirements of a 50-foot transitional buffer between R-75 and O-I zoning districts. Currently, both the subject site and 3851 Redan Road are vacant lots abutting I-285 and are adjacent to two (2) single family residences (3859 & 3865 Redan Road) both of which are also zoned O-I. The subject site 3837 Redan Road will remain undisturbed indefinitely while the applicant awaits further direction from the Georgia Department of Transportation (GDOT). GDOT is in the process of purchasing a rear portion of the subject site for future I-285 express lane development.

The development will be in two (2) phases. Phase one (1) will begin on the adjacent property 3851 Redan Road including a mixed-use development of a 3-story building with eight (8) loft apartments – six (6) of which are two-story lofts that comprise the 2nd and 3rd floor, three (3) ground floor retail units, and a rooftop terrace. The applicant has stated “the rental units will house traveling medical professionals including, nurses, doctors, and their assistants, physical, occupational, speech therapists and their assistants, respiratory therapists and their assistants, surgical technicians, etc.” The applicant also included to join a housing list associated with Electric Owl Studios as a long-

term rental option for movie production professionals since the Studio is located within 0.5 miles of the subject site. Phase two (2) of the development remains indefinite as the proposal will depend on how much land is acquired by GDOT. The applicant has stated the subject site will remain as is (vacant) until there is more communication with GDOT.

The requested rezoning to O-I is consistent with the *Comprehensive Plan* and *Zoning Ordinance*. 3837 Redan Road is located in the Town Center (TC) future land use character area, which includes OI as a permissible zoning district (pg. 25) and encourages residential mixed-use projects (pg. 33). The subject site is also located in the Indian Creek Master Active Living Plan Small Area Plan (MALP) as well as the Indian Creek Overlay. A mixed-use development is a permitted use within OI zoning districts and is not prohibited within the Indian Creek Overlay, so long as the three (3) retail spaces are not prohibited uses in *Section 3.41.6 B. Principle Uses and Structures*. While the TC generally promotes mixed-use development, reduced automobile travel; walkability; and increased transit usage, the small area plan provides more targeted recommendations. “The master goal is to improve the integration of physical activity and other healthy behaviors into daily commutes, routines, and the built environment” (Indian Creek MALP Pg. 8). The MALP promotes development with an emphasis on mixed-use, inter-connected streets, multimodal accessibility, and increased public space (pg.8). The proposal meets these goals and objectives of the character area, MALP, and overlay district. The County Transportation Department has provided infrastructure requirements relating to right-of-way expansion, sidewalks, landscape strips and street lighting (see attached). It was also noted that the applicant shall coordinate with the GDOT Major Mobility Investment Program (MMIP) Express Lanes project prior to permitting.

The proposed rezone request appears to be an adequate request for the future development of 3851 Redan Road. Staff has completed a pre-cursory review of the site plan associated with 3851 Redan Road mixed-use development which addresses applicable building requirements of the Indian Creek Overlay. No variances will be sought at this time.

Therefore, based on review of Section 7.3.5., the Planning & Sustainability Department recommends approval.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR
JOHN REID JREID@DEKALBCOUNTYGA.GOV

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: Z-23-1246466

Parcel I.D. #: 15 221 03 001

Address: 3837 Redan Road

Decatur, GA 30032

WATER:

Size of existing water main: 6 inch (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: Upper Snapfinger Creek

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: 500 ft

Water Treatment Facility: Snapfinger WTP (X) adequate () inadequate

Sewage Capacity: 36 (MGPD) Current Flow: 28 (MGPD)

COMMENTS:

sewer cap requirement depends on scope work.

Signature: Yola Lewis

6/16/2023

To: Ms. Madolyn Spann, Planning Manager
Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

6/16/2023

N.9

SLUP-23-1246463 / 15 224 09 062

1193 Sherrington Drive

Amendment

- Review general comment.

N.10

Z-23-1246464 / 16 006 03 001 and 16 007 02 013

5646 Covington Highway

Amendment

- Review general comments.
- Indication of septic system installed on surrounding properties. Strong possibility septic may be on this property. No records for this location.

N.11

SLUP-23-1246465 16 006 03 001 & 16 007 02 013

5646 Covington Hwy

Amendment

- Review general comments.
- Septic indicated on surrounding property

Zoning Comments June 2023

NOTE: County records indicate Shepherds Lane has an existing 60-foot ROW (not 40-feet) and LaVista Road has a 70-foot ROW (not 60 feet). Verify "ROW", as this will greatly impact lot yield.

N1. 1481 LaVista Road LaVista Rd is SR 236. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). LaVista Road is classified as a minor arterial. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with 6-foot sidewalk with 4-foot bike lanes OR (preferred) 10-foot multi-use path. A variance is required to not install the bike facilities. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path/sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)

NOTE: County records indicate Shepherds Lane has an existing 60-foot ROW (not 40 feet) and LaVista Road has a 70-foot ROW (not 60 feet). Verify ROW as this will greatly impact lot yield.

Tract A: Driveway must be located on the southern property line, as shown on zoning plans.

Shepherds Lane is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)

N2. 1890 Wee Kirk Road. No Comments.

N3. 4746 Flat Shoals Road. Property does not front public property- no comment. Interior roads private.

N4. 2998 LaVista Road. LaVista Rd is SR 236. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). LaVista Road is classified as a minor arterial. If the owner is widening to the south, they are required to install curb and gutter and sidewalk on the southern right of way of LaVista Rd. Sidewalk width is to match the current GDOT project under construction. Left turn lane is required, as shown on zoning plan. Add right turn channelization island on the northern ingress/egress access point. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with 6-foot sidewalk with 4-foot bike lanes OR (preferred) 10-foot multi-use path. A variance is required to not install the bike facilities. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path/sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Eliminate parking spots on interior speed table.

N5. 3401 Rainbow Drive. Rainbow Drive and Columbia Drive are both classified as minor arterials. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with 6-foot sidewalk with 4-foot bike lanes OR (preferred) 10-foot multi-use path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path/sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Ensure there is pedestrian connectivity between the proposed development and the public sidewalk infrastructure. Ensure that the access points meet the minimum sight distance standards per AASHTO. Note required confirming sight distance on plans at Land Disturbance Permit phase.

N6. 928 Fairwind Court. No Comments.

N7. 3355, 3375, and 3395 Northeast Expressway. I-85 Frontage requires GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). Woodcock Blvd is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 6-foot sidewalk. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Provide necessary construction easements and right of way for the connection to the future Peachtree Creek Greenway.

N8. 3070 Clifton Springs Road. No Comments.

N9. 1193 Sherrington Drive. No Comments.

N10 & N11. 5646 Covington Highway. Covington Hwy is SR 12 and a major arterial. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 10-foot multi-use path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Young Rd is classified as a collector road. Requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Please note that the multiuse path on the plan is not entirely on right of way. Requires a 5-foot landscape strip with a 10-foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Ensure that the access points meet the minimum sight distance standards per AASHTO. Note required confirming sight distance on plans at Land Disturbance Permit phase.

N12. 3837 Redan Road. Must coordinate with the GDOT MMIP Express Lanes project prior to permitting. Project manager Tim Matthews TMatthews@dot.ga.gov. Redan Road is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 6-foot sidewalk. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Ensure that the access points meet the minimum sight distance standards per AASHTO. Note required confirming sight distance on plans at Land Disturbance Permit phase. Please provide a copy of the deed where the Old Redan Right of Way was abandoned to the property owner as County records show that this is right of way. This issue of ownership should be resolved prior to any zoning actions by the county.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

- **Storm Water Management**

- **Flood Hazard Area/Wetlands**

- **Landscaping/Tree Preservation**

- **Tributary Buffer**



DEKALB COUNTY GOVERNMENT
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JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-23-1246466 Parcel I.D. #: 15-221, 03-001
Address: 3837 Redan Road
Decatur, Ga. 30032

Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

<u>No traffic engineering concerns at this time.</u>

Signature: Jennifer Russell

DEPARTMENT OF PLANNING & SUSTAINABILITY

**Rezoning Application to Amend the Official Zoning Map of DeKalb
County, Georgia**

Date Received: _____ Application No: _____

Applicant Name: Elizabeth Scott

Applicant E-Mail Address: Lenestry@aol.com

Applicant Mailing Address: 2531 Brentford Pl, Decatur, GA 30032

Applicant Daytime Phone: 404-542-7384 Fax: _____

Owner Name: Elizabeth Scott

If more than one owner, attach list of owners.

Owner Mailing Address: 2531 Brentford Pl, Decatur, GA 30032

Owner Daytime Phone: 404-542-7384

Address of Subject Property: 3837 Redan Rd, Decatur, Ga 30032

Parcel ID#: 15 221 03 001

Acreage: .895 Commission District: 5&7

Present Zoning District(s): R-75

Proposed Zoning District: O&I

Present Land Use Designation: Vacant

Proposed Land Use Designation (if applicable): _____

REZONING APPLICATION CHECKLIST

Submit **4 printed, collated sets** of the complete application (no staples, no binders) and a PDF version on a **flash drive**

✓
____ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

✓
____ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.

____ 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)

____ **A. Application form** with name and address of applicant and owner, and address of subject property;

____ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;

____ **C. Letter of application and impact analysis**

1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.

2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

____ **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

____ **E. Campaign disclosure statement** (required by State law).

____ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*

____ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

____ a. complete boundaries of subject property;

____ b. dimensioned access points and vehicular circulation drives;

____ c. location of all existing and proposed buildings, structures, setbacks and parking;

____ d. location of 100 year floodplain and any streams;

____ e. notation of the total acreage or square footage of the subject property;

____ f. landscaping, tree removal and replacement, buffer(s); and

____ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

____ **H. Reduced Site Plan**, reduced to 8.5" x 11".

____ **I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).

____ **J. Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

____ **K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

DEPARTMENT OF PLANNING & SUSTAINABILITY

IMPACT ANALYSIS

(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and 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.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
- 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.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes _____ 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant /Date

Check one: Owner _____ Agent _____

Expiration Date/ Seal

*Notary seal not needed if answer is "no".

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 4/18/23

TO WHOM IT MAY CONCERN:

(I) (WE) Elizabeth Scott
Name of owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Elizabeth Scott
Name of Agent or Representative

to file an application on (my) (our) behalf.

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

FILING FEES

At the time of submittal, a filing fee shall accompany each application as follows:

<u>Rezoning</u>	<u>FEE</u>
RE, RLG, R-100, R-85, R-75, R-60 MHP, RNC, RSM, MR-1, MR-2	\$500.00
HR-1, HR-2, HR-3 MU-1, MU-2, MU-3, MU-4, MU-5 O-I, OD, OIT, NS, C-1, C-2, M. M-2	\$750.00

If the application is a request to rezone to more than one zoning district, the higher fee will apply.

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. Applications deferred “full cycle” do not require additional fees. An application that is withdrawn and later re- filed will be treated as a new case and will require a new fee.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond
Andrew A. Baker, AICP

Director

**PRE-APPLICATION FORM REZONE, SPECIAL LAND USE PERMIT,
MODIFICATION, AND LAND USE**
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Elizabeth Scott Phone: 404-542-7384 Email: Lenestry@aol.com

Property Address: 3837 Redan Road

Tax Parcel ID: 15 221 03 001 Comm. District(s): 5 & 7 Acreage: .89 acres

Existing Use: Vacant

Supplemental Regs: NA Overlay District: Yes Indian Creek DRI:
NA

Rezoning: Yes No

Existing Zoning: Indian Creek Overlay District and R-75 underlying zoning Proposed Zoning: O-I -- 3 retail shops with 8 lofts (2 br—1000 sf) with a rooftop terrace—three stories. Density of 9 units per acre

 Square Footage/Number of Units: --

Rezoning Request:

Indian Creek Overlay District R-75 to Indian Creek Overlay District O-I to allow mixed use development with retail and residential lots with rooftop terrace at density of 9 units per acre

Land Use Plan Amendment: Yes No

Existing Land Use: Town Center (TC) Proposed Land Use: NA Consistent
Inconsistent

Special Land Use Permit: Yes No Article Number(s) 27-

DEPARTMENT OF PLANNING & SUSTAINABILITY

Major Modification:

Existing Case Number(s): NA

Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: X Review Calendar Dates: X PC: 07/11/23*
BOC: 07/27/23** Letter of Intent: X Impact Analysis: X Owner Authorization(s): X
Campaign Disclosure: X Zoning Conditions: X Community Council Meeting: 06/12/23
Public Notice, Signs: X (Applicant must pick up and post and/or will be done by Staff) Tree
Survey, Conservation: _____ Land Disturbance Permit (LDP): X Sketch Plat: X
Bldg. Permits: X Fire Inspection: X Business License: X State License:
_____ Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS
PLEASE

***Filing Deadline for application to be considered for July 2023 zoning cycle is May 4, 2023. Last day to hold community meeting with 15 days notice to be considered for July 2023 cycle is April 26, 2023. If there are more than 20 cases on July 2023 agenda cycle then case would be heard in September 2023.**

Review of Site Plan

Density: X Density Bonuses: X Mix of Uses: _____ Open Space: X
Enhanced Open Space: X Setbacks: front X sides X side corner _____ rear X
Lot Size: X Frontage: X Street Widths: X Landscape Strips: X
Buffers: X Parking Lot Landscaping: X Parking - Auto: X Parking - Bicycle:
X Screening: X Streetscapes: X Sidewalks: X Fencing/Walls: X
Bldg. Height: X Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: X Roofs:
X Fenestration: X Façade Design: X Garages: X Pedestrian Plan: X
Perimeter Landscape Strip: X

DEPARTMENT OF PLANNING & SUSTAINABILITY

Comments: _Will need to demonstrate compliance with impact criteria A through H on rezoning application relating to how proposed use and zoning are compatible with surrounding area and goals of the Town Center (TC) future character area. Will need to show compliance with Indian Creek Overlay District standards including but not limited to max building height, minimum/maximum building setbacks from property lines, minimum and maximum number of parking spaces, sidewalks along Redan Road and public road frontages, landscape strips with street trees, minimum amount of open space, minimum amount of non-residential uses, etc. Please see Sec 3.41.7, 3.41.8, 3.41.13, and 3.41.14 of the Indian Creek Overlay District as well as the relevant sections of Article 5 including but not limited to building materials, open space, sidewalks and streetscape, and building form. Please also review relevant O-I zoning requirements of article 2 including minimum apartment building size and maximum lot coverage (Table 2.17).

This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner: John Reid Date 03/13/23

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00

April 28, 2023

Dear Sirs:

I am the owner of 3837 Redan Rd, and I am applying to the Board of Commissioners to rezone the property from an R75 category to an Office and Institution (O&I) category. In addition, I own the property at 3851 Redan Rd, adjacent to 3837, which currently holds an O&I zoning. Every property within 100 feet of the proposed property is zoned O&I or multi family.

I am making this request so I may develop lot 3851 to a mixed-use development without the extreme setback requirements that are mandatory for R75 zoning. Both properties will eventually be developed to mixed-use projects, but in two separate phases. Lot 3837 will remain undisturbed particularly due to the Georgia Department of Transportation (GDOT) buying the rear of the lot for future I285 express lane development.

Once 3837 is available to develop, it will also become a mixed-use development – an exact replica or greater/lesser mixed-use development as 3851 Redan Rd depending on the amount of land GDOT acquires. The number of units proposed for 3851 is eight living spaces and three retail spaces with a roof top deck. It will have three floors with all retail on the first floor and two living spaces, and the second floor will have two story loft units which will comprise the 2nd and 3rd floors.

Because the proposed property is not being developed currently, there is no further information regarding number of employees, and manner and hours of operation.

Regards,

Elizabeth Scott

Impact Analysis

- A. The zoning proposal is compliant with the overall plan of the Indian Creek District. According to the overlay, the <Indian Creek> District is envisioned to be a premier regional recreation destination with accessory restaurant, retail and office space. Transit oriented development (TOD) is encouraged in this area to increase MARTA ridership and mixed-use development around the Indian Creek MARTA station. The O&I zoning for the proposed property will allow for a planned mixed-use development on lot encompassing living, eating, and retail spaces with an outdoor gym for anyone in the community to utilize.
- B. The current zoning proposal is in concurrence with the zoning of properties within 10-100 feet of 3837 Redan Rd. The proposed property is zoned R-75 and all other surrounding properties are either zoned O&I or MR1.
- C. The current zoning is R-75 which will allow for only one property to be developed with no economic value to the community. By rezoning to O&I, the property will allow for mixed use development with office or retail, eating, and multiple living spaces which will have more of an economic impact on the community.
- D. The zoning proposal will positively improve the existing use of usability of the adjacent or nearby properties, because they are currently zoned O&I or MR1. Whereas the proposed property is zoned R-75 and is limited to one residential property.
- E. There are no other existing or changing conditions affecting the use and development of the property.
- F. There are no historic building sites, districts or archaeological resources in the area.
- G. The proposal will not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. There are no schools in the immediate area and the walkability aspect of the community is encouraged due to the close proximity of Indian Creek Transit and other new developments in the area. The zoning proposal may open up an existing road (Old Redan Rd) that was once in use but was cut off by I-285 and has since been covered with dirt, grass, shrubbery. This road can provide access to the rear of the property.
- H. The zoning proposal will not adversely impact the environment. I-285 runs parallel to the rear of the property and this owner will request a tree line buffer be left between the lot and the highway.

March 23, 2023

RE: Proposed rezoning project at 3837 Redan Rd., Decatur, 30032

Dear Property Owner,

I would like for you to join my Zoom Video Meeting on Saturday, April 15, 2023 from 11:00 am -12:00 pm to discuss the proposed rezoning for the property located at 3837 Redan Rd, Decatur, 30032. I am seeking to rezone the property to complement the zoning of the adjacent lot to allow for a mixed-use development with 8 loft apartments and 3 retail units that will be located on lot 3851 Redan Rd.

Below, are the meeting instructions. There are multiple ways for you to join the meeting, including via computer, cell phone, or tablet with or without video. If you are unable to make it but would like to learn more, please feel free to contact me at 404-542-7384 or email me at Lenestry@aol.com, and I will send you a summary of the meeting.

Please contact me if you have questions regarding the meeting.

Regards

Elizabeth Scott

Topic: Zoning Meeting for 3837 Redan Rd.

Time: April 15, 2023 11:00 AM Eastern Time (US and Canada)

Join Zoom Meeting:

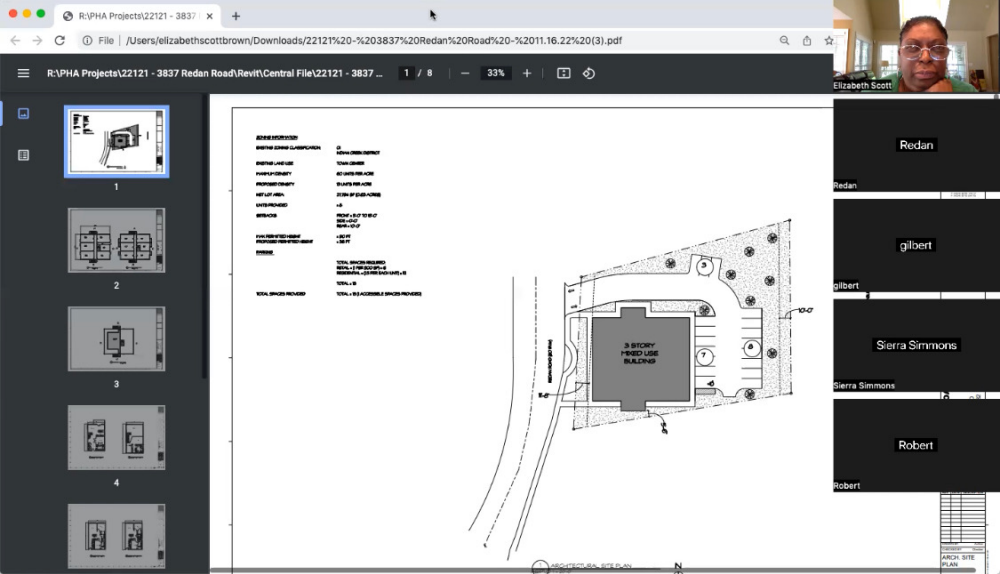
<https://us05web.zoom.us/j/83485976247?pwd=Q21zK2dYQ1FRS3VLNW1WRUFnQT09>

Meeting ID: 834 8597 6247

Passcode: j7Q5rm

Community Meeting Sign In

1. Gilbert
2. Sierra Simmons and Mr. Simmons
3. Robert
4. Deneen Daniels



Edit



10:28

5G



April 15
9:01 PM

All Photos



R:\PHA Projects\22121 - 3837 x +

File | /Users/elizabethscottbrown/Downloads/22121%20-%203837%20Redan%20Road%20-%2016.22%20(3).pdf

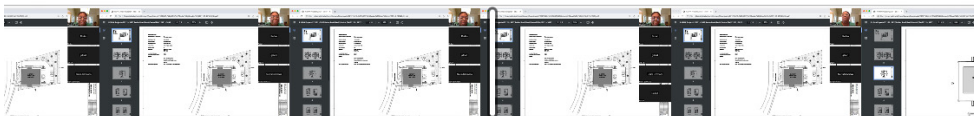
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Elizabeth Scott

Redan
Redan
gilbert
gilbert
Sierra Simmons
Sierra Simmons
Robert
Robert

3 STORY
PRESTIGE
BUILDING

ARCH SITE PLAN



Edit

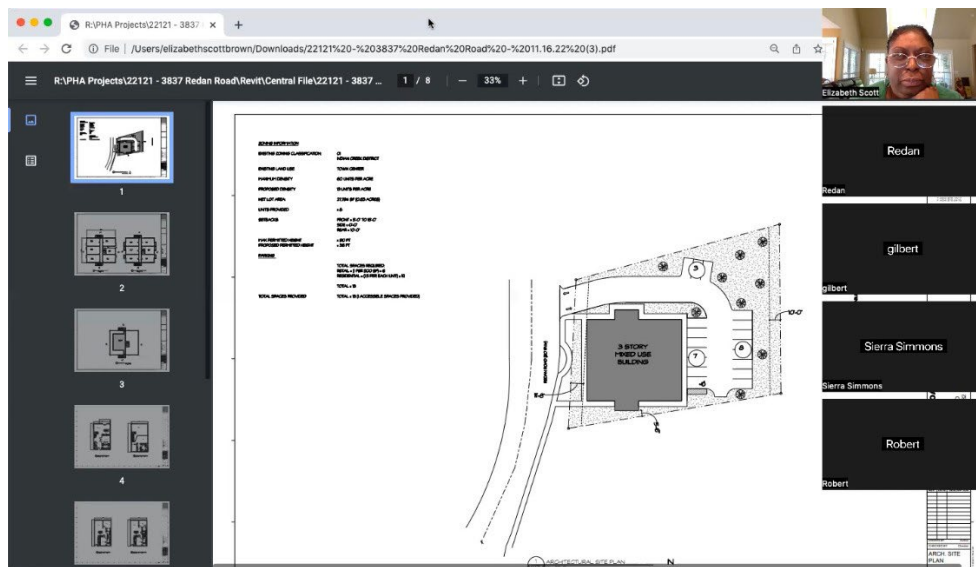


10:28

April 15

All Photos

9:01 PM (edit time)





O
Edit

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes _____ 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Murali Bijjala
Notary



Elyse Scott
Signature of Applicant /Date

Check one: Owner Agent _____

FEB 02 2027
Expiration Date/ Seal

*Notary seal not needed if answer is "no".

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 4/18/23

TO WHOM IT MAY CONCERN:

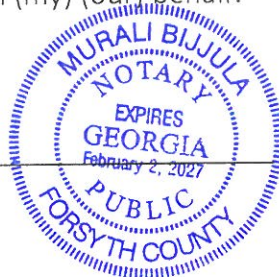
(I) (WE) Elizabeth Scott
Name of owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Elizabeth Scott
Name of Agent or Representative

to file an application on (my) (our) behalf.

Murali Biju
Notary Public



Elizabeth Scott
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

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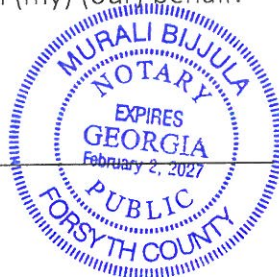
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Notary Public



Elizabeth Scott
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Deed Book 18884 Pg 538
Filed and Recorded Jul-03-2006 04:24pm
2006-0127961
Real Estate Transfer Tax \$50.00
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

WARRANTY DEED (FORM 36A)

Return to:
BURROUGHS & KEENE, LLC
6440 HILLANDALE DRIVE
SUITE 100
LITHONIA, GEORGIA 30058

FILE NO. 060470

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DEKALB

THIS INDENTURE, made the 30th day of June, in the year, Two Thousand Six
between Wayne Taylor and Nancy Taylor Cooper

of the County of Hart, and State of Georgia, as party or parties of the first part,
hereinafter called Grantor, and

Elizabeth D. Scott

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to
include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of **TEN AND NO/100
DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION**, in
hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does
grant, bargain, sell, alien, convey and confirm unto the said Grantee,

Tract I: 3837 Redan Road / Parcel ID # 15-221-03-001

All that tract or parcel of land lying and being in Land Lot 221, 15th District, DeKalb County, Georgia, and
being more particularly described as follows:

BEGINNING at a right-of-way marker located at the intersection of the South right-of-way line of Redan
Road (100 foot right-of-way) and the West right-of-way line of Interstate Highway Number 285 (300 foot
right-of-way); thence South 01 degrees 46 minutes 19 seconds West along the West right-of-way line of
Interstate Highway Number 285 a distance of 404.61 feet to a point; thence South 65 degrees 09 minutes 44
seconds West 112.31 feet to a point; thence South 68 degrees 14 minutes 46 seconds West 74.52 feet to a point;
thence South 69 degrees 18 minutes 05 seconds West 82.38 feet to a point; thence North 00 degrees 12
minutes 38 seconds East 63.85 feet to a point on the southeasterly right-of-way line of Redan Road (80 foot
right-of-way); thence North 24 degrees 12 minutes 00 seconds East along the southeasterly right-of-way line
of Redan Road a distance of 53.59 feet to a point; thence North 12 degrees 52 minutes 12 seconds East along
the southeasterly right-of-way line of Redan Road and following the curvature thereof 50.36 feet to a point;
thence North 80 degrees 32 minutes 52 seconds East 198 feet to a point; thence North 00 degrees 32 minutes
36 seconds West 315.29 feet to a point on the South right-of-way line of Redan Road (100 foot right-of-way);
thence South 87 degrees 52 minutes 46 seconds East 34.99 feet to the POINT OF BEGINNING.

Tract II: 3893 Redan Road/Parcel ID # 15-221-14-005

All that tract or parcel of land lying and being in Land Lot 221, 15th District, DeKalb County, Georgia, and
being more particularly described as follows:

BEGINNING at a right-of-way marker found at the intersection of the North right-of-way line of Redan Road
(100 foot right-of-way) and the East right-of-way line of Interstate Highway Number 285 (300 foot right-of-
way); thence North 01 degrees 53 minutes 48 seconds East along the East right-of-way line of Interstate 285 a
distance of 61.50 feet to a point; thence South 89 degrees 06 minutes 13 seconds East a distance of 109.48
feet to a point; thence South 05 degrees 41 minutes 13 seconds West a distance of 61.99 feet to a point on the
North right-of-way line of Redan Road (100 foot right-of-way); thence North 88 degrees 57 minutes 04

LAND SURVEYING - CONSULTING - COMMERCIAL - RESIDENTIAL

REVISIONS:

SHEET 01 OF 01

AARROW SURVEYING
 LICENSE NO. LSF000595
 2245 COUNTRY WALK
 SNELLVILLE, GEORGIA 30039
 PH. AND FAX 770-982-9900

BOUNDARY/ASBUILT SURVEY FOR:
ELIZABETH D. SCOTT
 LOCATED AT:
#3837 REDAN ROAD
LAND LOT 221 OF THE 15TH DISTRICT
DEKALB COUNTY, GEORGIA

JOB NUMBER: 200060
 SCALE: 1" = 30' LAND LOT: 221
 DATE: 11/05/20 DISTRICT: 15TH
 DRAWN BY: KB SECTION:
 PC: KB IP: KB COUNTY: DEKALB
 CHECKED BY: KB STATE: GEORGIA
 AARROW PLOT DATE: 11/06/20

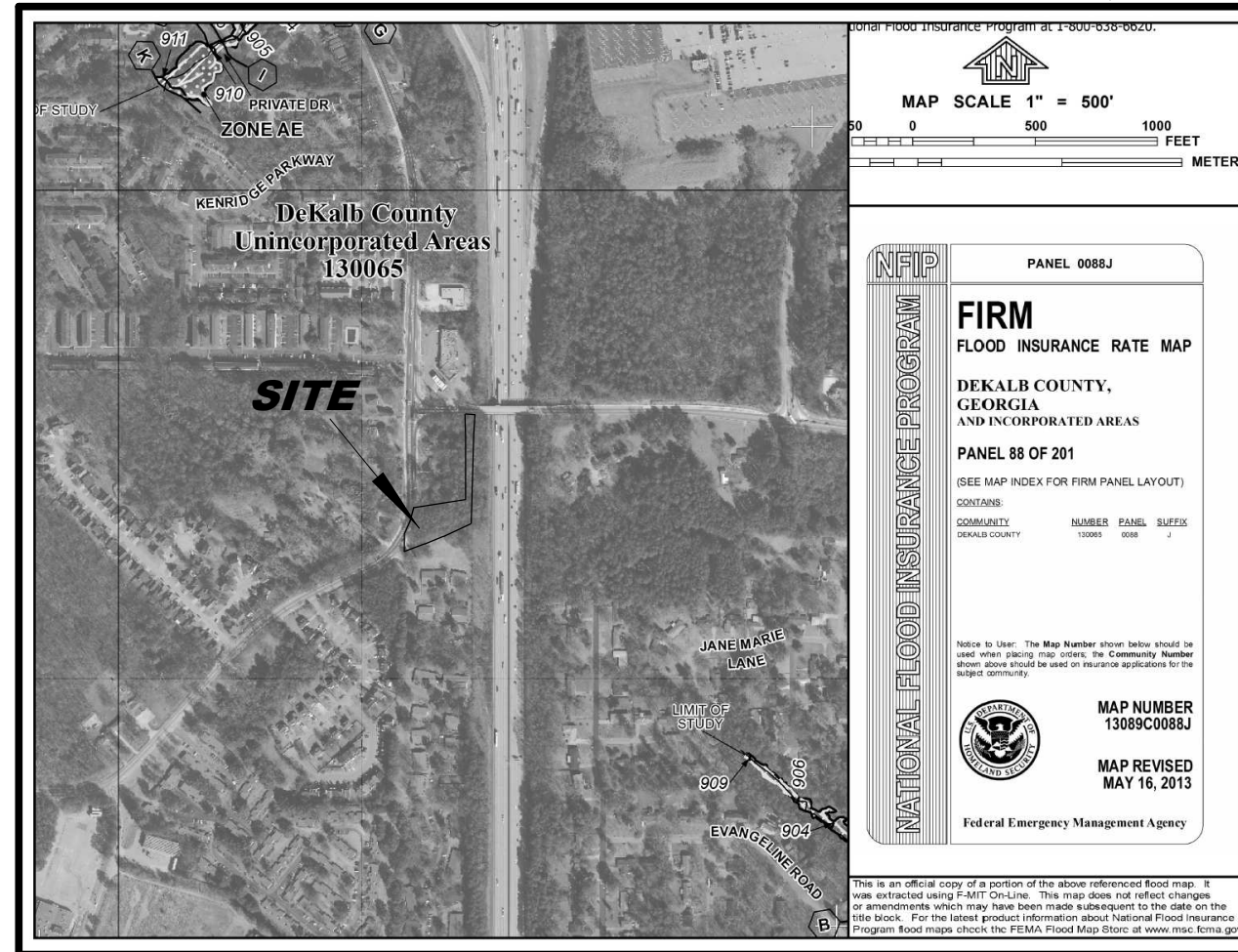
DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 THE SURVEY DIMENSIONS ARE BASED ON THE U.S. FOOT
 (39.37 INCHES = 1 METER)
 EQUIPMENT USED:
 THEODOLITE READING DIRECTLY TO 02 SECONDS,
 ELECTRONIC DISTANCE METER READINGS DIRECTLY
 TO .005 FEET.
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED
 HAS A HORIZONTAL CLOSURE OF 1 FOOT IN 50,856 FEET.
 THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE
 BY LATITUDE AND DEPARTURE AND IS FOUND TO BE
 ACCURATE WITHIN 1 FOOT IN 207,175 FEET.
 THIS PROPERTY HAS BEEN FIELD SURVEYED.
 THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE
 EXAMINATION AND MAY BE SUBJECT TO OTHER EASEMENTS
 AND ENCUMBRANCES NOT SHOWN THAT MAY OR MAY NOT
 BE OF RECORD.

THIS SPACE RESERVED FOR THE CLERK OF COURT



LOCATION MAP NOT TO SCALE

SUBJECT LOT IS TAX ID 15 221 03 001



NO PORTION OF THIS PARCEL IS IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP NUMBER 13089C0088J PANEL 88 OF 201 COVERING DEKL COUNTY, GEORGIA DATED AY 16, 2013.

UNDERGROUND UTILITY DISCLAIMER

Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information as it relates to underground facilities and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and such underground utilities and structures not shown may be encountered. The Owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of the information shown hereon as it relates to underground utilities and structures. The limitations as to accuracy contained in this paragraph shall not apply to the utilities and/or structures of any kind which are visible from the surface. All such above ground utilities and/or structures have been field located and are accurately depicted hereon.

PLAT CERTIFICATION NOTICE

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR HEREON RENAMING THE PLAT TO SAID OTHER PERSON, PERSONS OR ENTITIES.

STATE WATERS NOTE

THIS SURVEYOR HAS MADE NO DETERMINATION OR JUDGEMENT AS TO THE EXISTENCE OF ANY STATE WATERS THAT MAY BE ON OR ADJACENT TO THE PROPERTY SHOWN ON THIS SURVEY. PRIOR TO ANY CONSTRUCTION OR OTHER WORK THE PROPERTY OWNER AND/OR THEIR CONTRACTOR SHOULD VERIFY WITH THE LOCAL AND/OR STATE AGENCIES AS TO THE EXISTENCE OF STATE WATERS THAT MAY IMPACT THIS PROPERTY. AN INDEPENDENT ENVIRONMENTAL ASSESSMENT MAY BE REQUIRED.

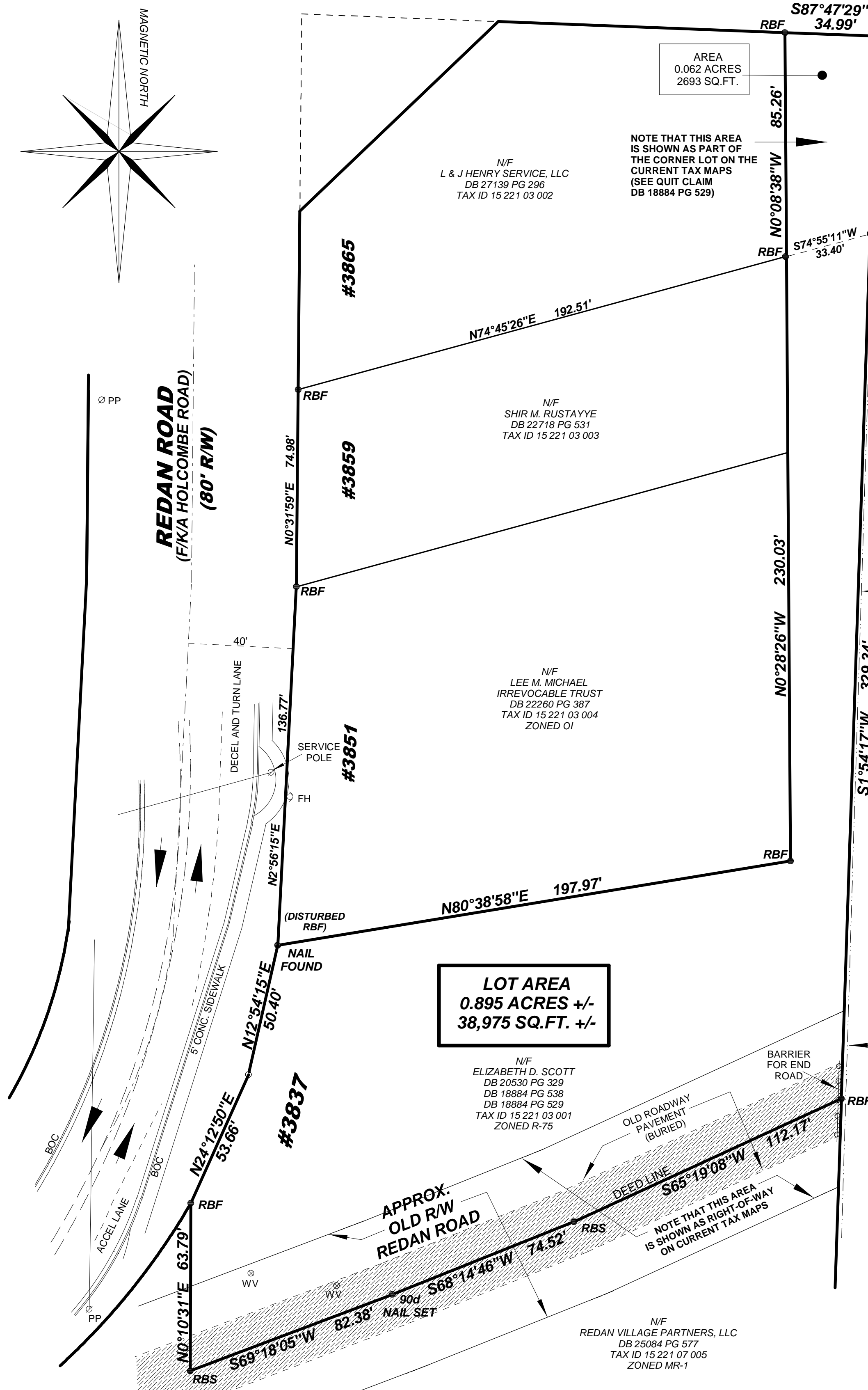
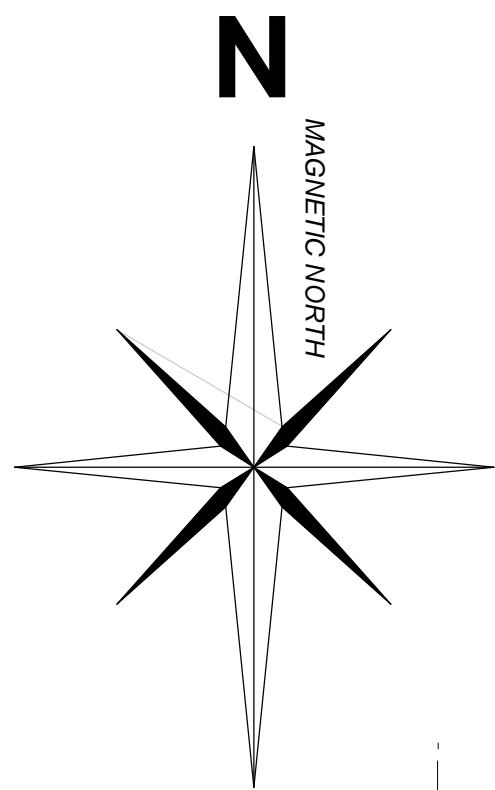
LEGEND

- REBAR FOUND OR SET (RBF) (RBS)
- CORNER CALCULATED OR SET (IPS)
- ⊗ LIGHT POLE (LP) / POWER POLE (PP)
- WATER METER (WM)
- ⊕ GAS METER (GM)

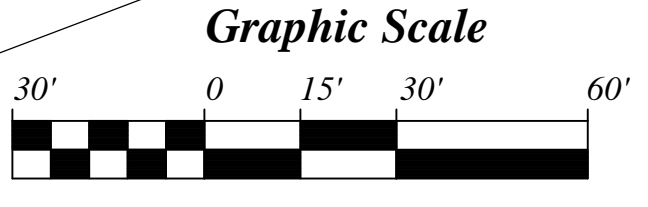
ACCORDING TO THE DEKALB COUNTY RECORDS THIS SITE IS ZONED R75.

NOTE THAT ANY BUILDING SETBACKS SHOWN ARE SUBJECTIVE AND HAVE BEEN INTERPOLATED FROM ZONING INFORMATION OR PLATS OF RECORD. THESE BUILDING SETBACKS MAY CHANGE WHEN REVIEWED BY THE LOCAL GOVERNING AUTHORITY.

PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 44-1-15 IT IS UNLAWFUL FOR ANY PERSON WILLFULLY AND KNOWINGLY TO REMOVE, DESTROY, INJURE, OR DISPLACE ANY PROPERTY CORNER MONUMENT EXCEPT UNDER THE AUTHORITY OF A REGISTERED LAND SURVEYOR.



LOT AREA 0.895 ACRES +/- 38,975 SQ. FT. +/-



SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

ELIZABETH D. SCOTT
 REGISTERED LAND SURVEYOR
 No. 2581
 LANNES K. BURKHALTER
 11/06/2020
 DATE

MATTERS OF TITLE ARE EXCEPTED
 COPYRIGHT AARROW SURVEYING 2020

Contact 811 before you dig.

LAND SURVEYING - CONSULTING - COMMERCIAL - RESIDENTIAL

THIS SPACE RESERVED FOR THE CLERK OF COURT

DISTANCES ARE HORIZONTAL GROUND DISTANCES.
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EQUIPMENT USED:
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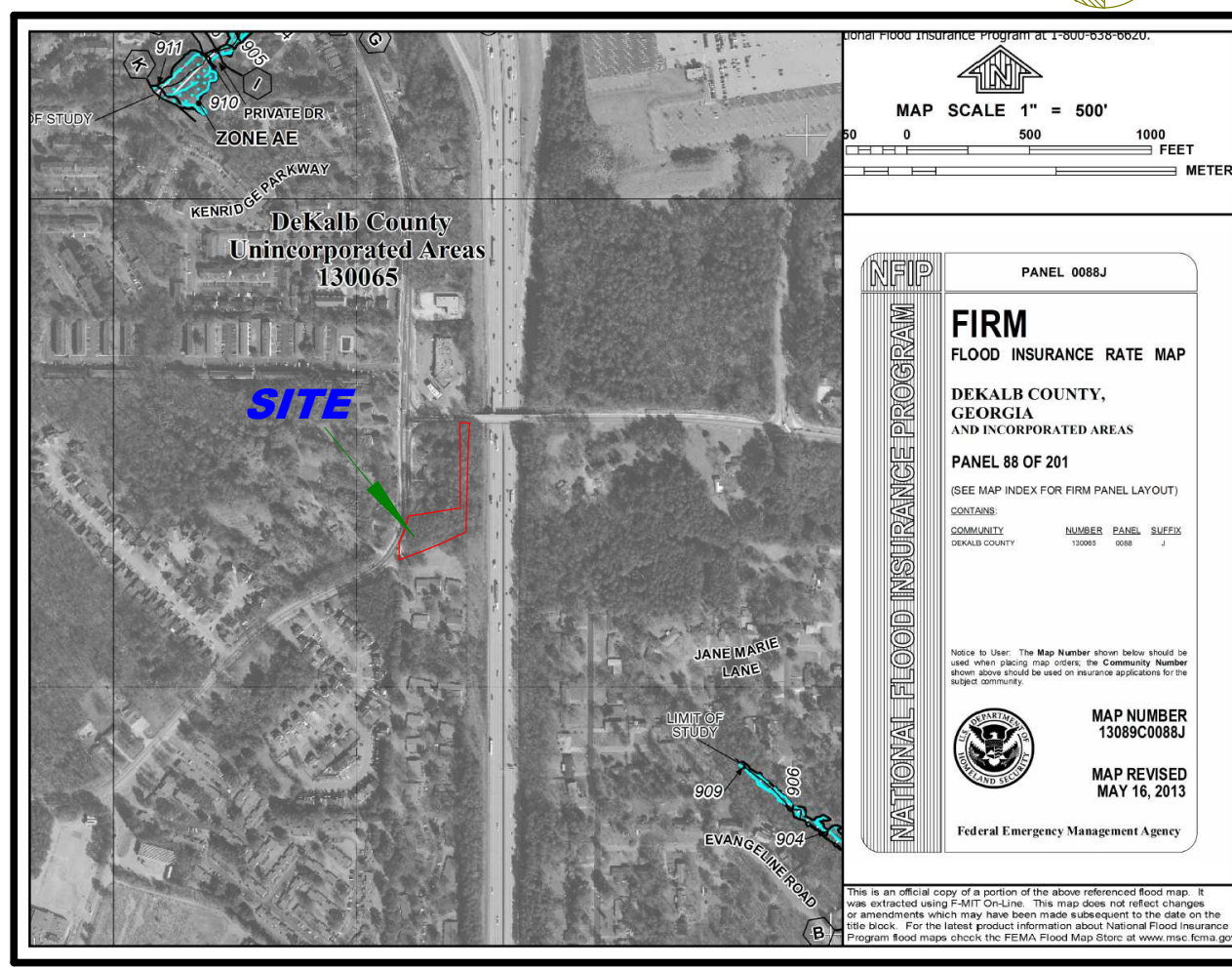
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LOCATION MAP NOT TO SCALE

SUBJECT LOT IS TAX ID 15 221 03 001



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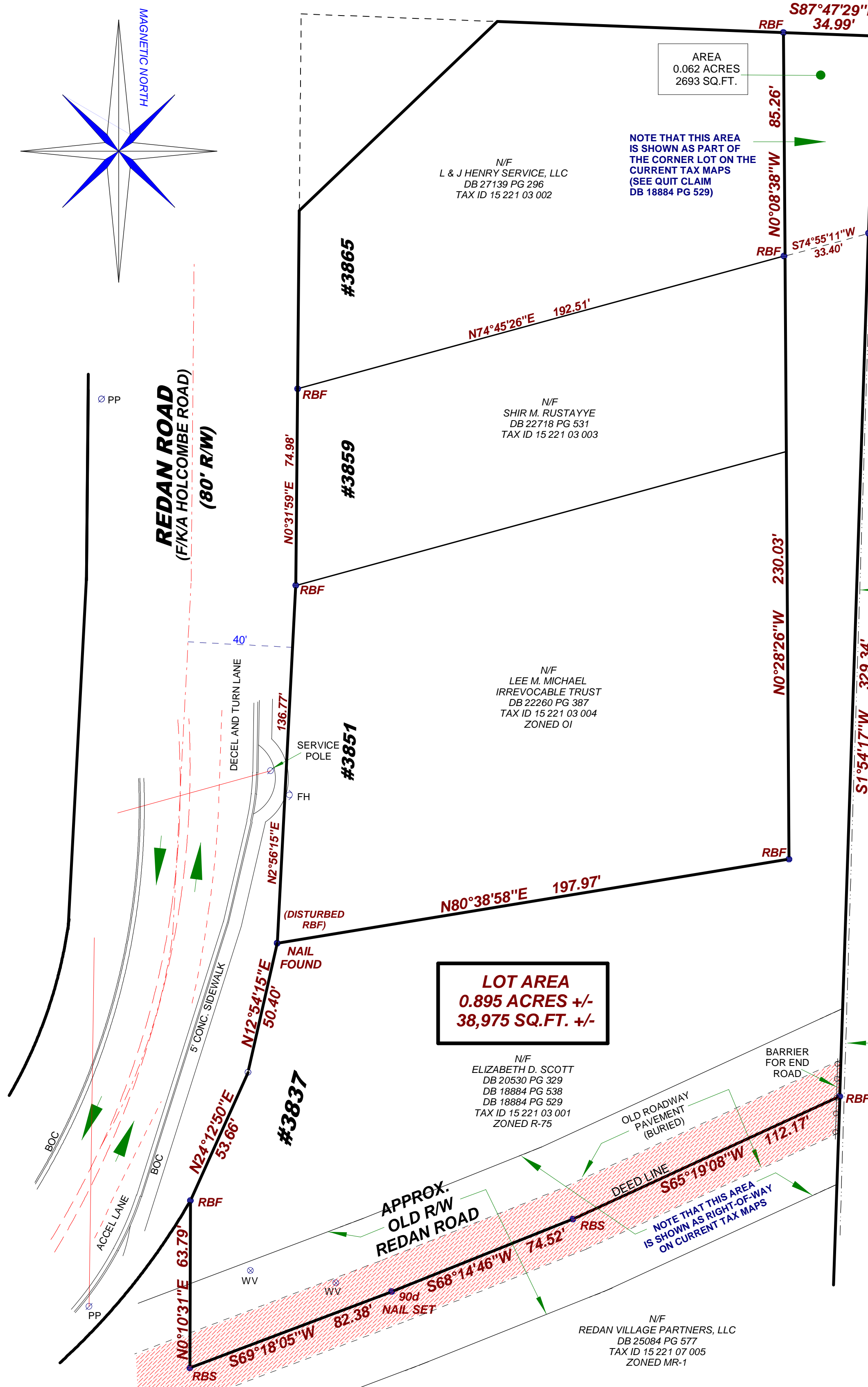
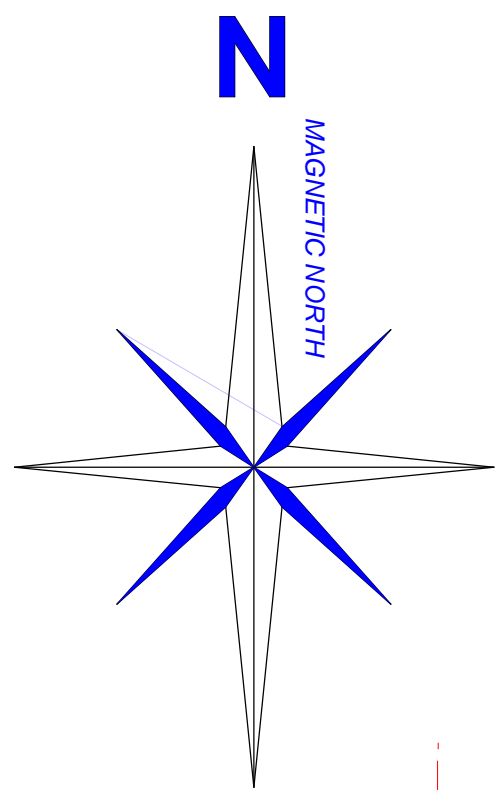
LEGEND

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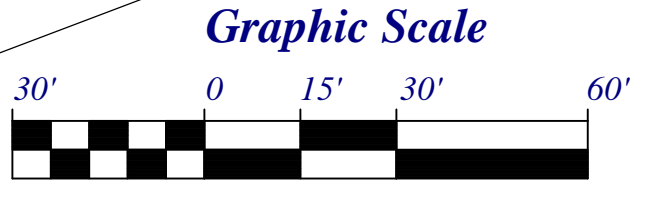
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MATTERS OF TITLE ARE EXCEPTED
COPYRIGHT AARROW SURVEYING 2020

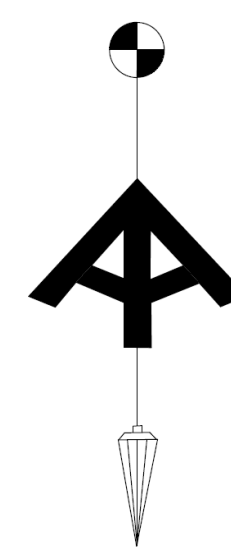
REVISIONS:

SHEET 01 OF 01

AARROW SURVEYING

LICENSE NO. LSF000595

2245 COUNTRY WALK
SNELLVILLE, GEORGIA 30039
PH. AND FAX 770-982-9900



BOUNDARY/ASBUILT SURVEY FOR:

ELIZABETH D. SCOTT

LOCATED AT:

#3837 REDAN ROAD
LAND LOT 221 OF THE 15TH DISTRICT
DEKALB COUNTY, GEORGIA

JOB NUMBER: 200060

SCALE: 1" = 30' LAND LOT: 221

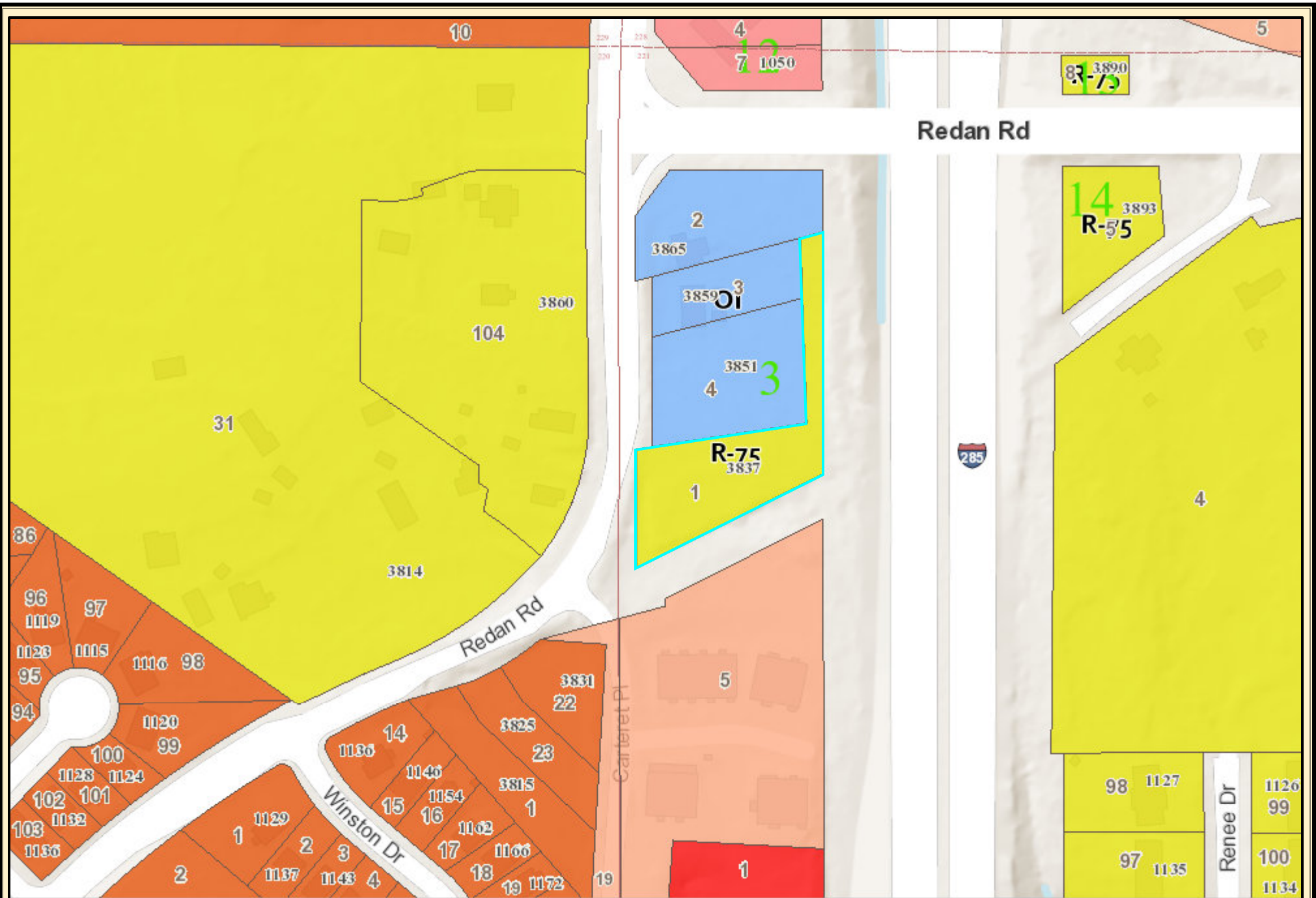
DATE: 11/05/20 DISTRICT: 15TH

DRAWN BY: KB SECTION:

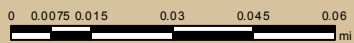
PC: KB IP: KB COUNTY: DEKALB

CHECKED BY: KB STATE: GEORGIA

AARROW PLOT DATE: 11/06/20



DeKalb County Parcel Map

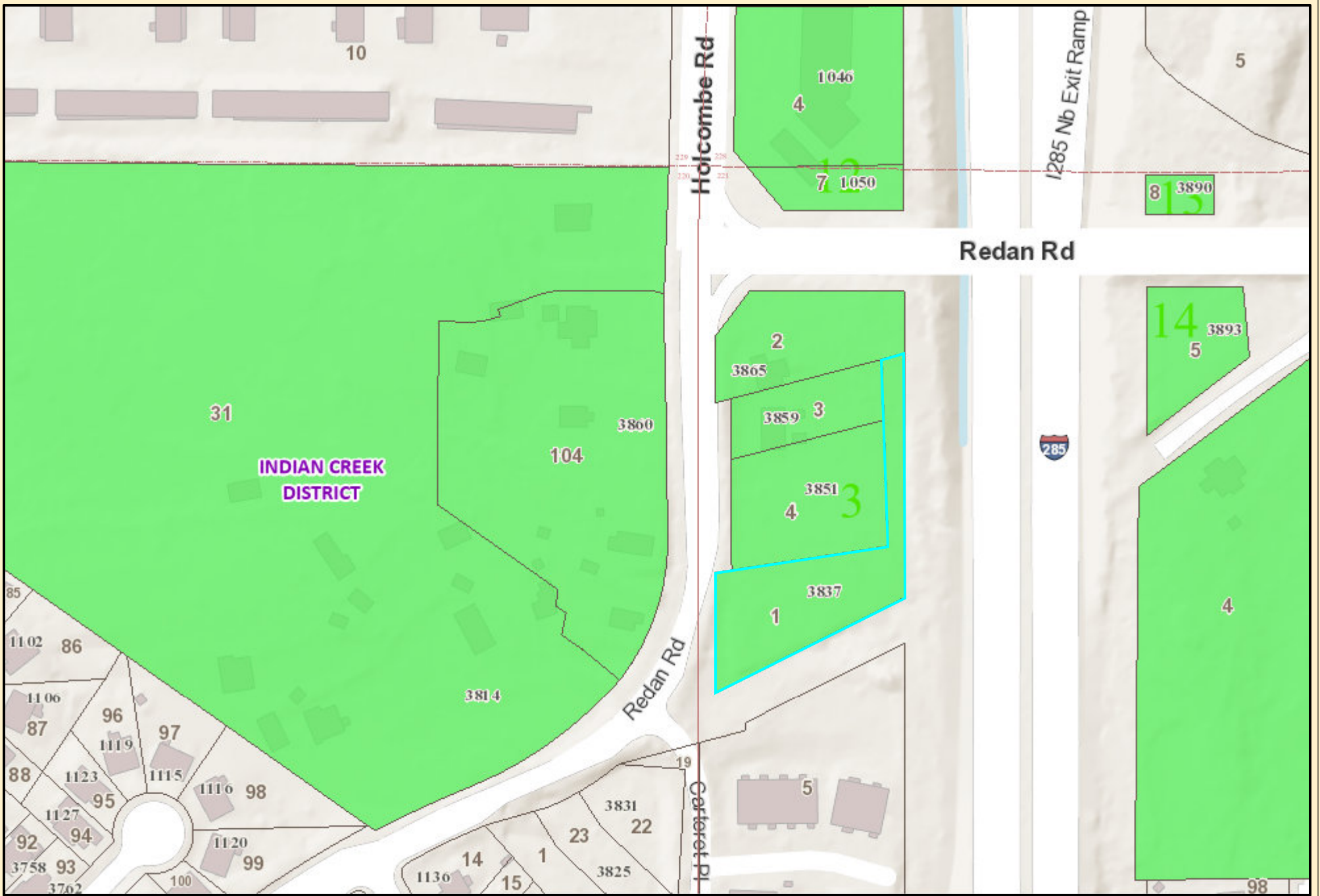


Date Printed: 6/30/2023

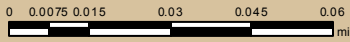


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DeKalb County Parcel Map

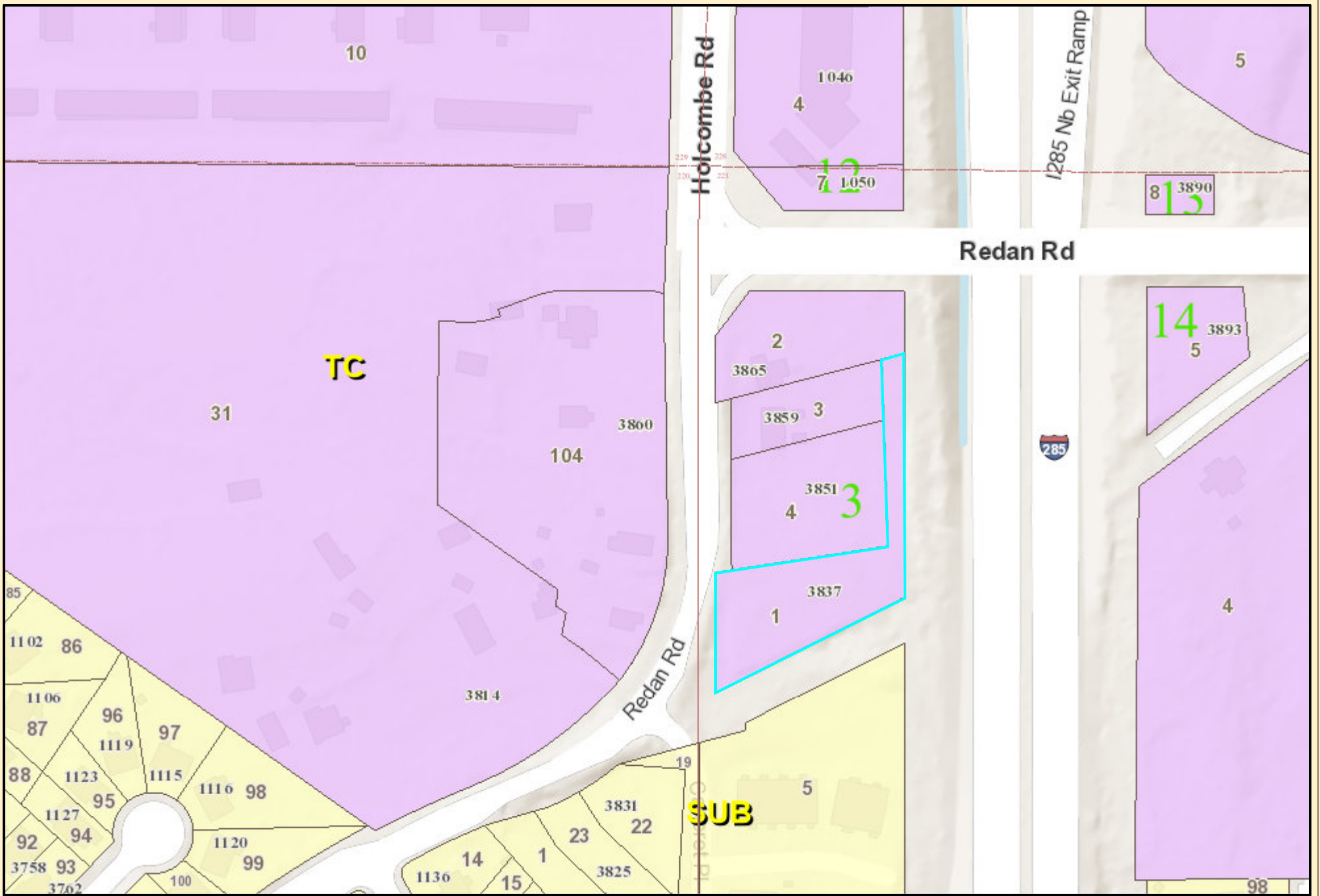


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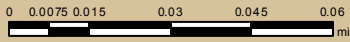


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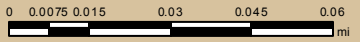


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