



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File ID: 2018-1913

Substitute

8/28/2018

Public Hearing: YES NO

Department: Planning and Sustainability

SUBJECT:

Commission District(s): 4 & 6

Rezone – Z-18-22138

Information Contact: Marian Eisenberg

Phone Number: (404) 371-371-4922

PURPOSE:

To rezone property from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix) for a residential development consisting of 44 lots for urban single-family detached homes and 39 attached townhome units at a density of 6.69 units per acre.

NEED/IMPACT:

N.A.

FISCAL IMPACT:

No cost to the County.

RECOMMENDATION:

The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.” The proposed detached homes along Valley Brook Road will appear two-story in height maintaining consistency of building type with the single-family homes in the larger neighborhood. At 6.69 units per acre, and with the mixture of townhouses and single family detached dwellings, the proposed development provides a transition from the higher-density townhome and multifamily developments to the north and northeast to the adjoining single family properties to the south. The amount of Open Space exceeds the standards, taking into account the limitation of floodplain acreage. As a result of multiple community meetings, the plans include many amenities for use by the residents of the development, as well as the use by the surrounding community. The School District has indicated in its comments that there is adequate capacity for the number of elementary, middle, and high school students who are projected to live in the development. Therefore, the Department of Planning and Sustainability recommends “Approval” with conditions.

RECOMMENDED CONDITIONS

Z-18-22138

Rezone from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix)

1. The subject property shall be developed in accordance and full compliance with the conceptual layout shown on the Zoning Site Plan titled "Valley Brook Tract" dated July 18, 2018, received by the department of Planning and Sustainability on August 17, 2018, a true and correct copy of which is attached as Exhibit "A" and incorporated herein by reference (the "Site Plan"), except for any modifications required to comply with and/or incorporate these and any other zoning conditions imposed and approved by the DeKalb County Board of Commissioners or applicable County, State, and Federal regulations, as and whenever amended. Modifications to conditions approved by the Board of Commissioners must comply with Section 27-7.3.10 of the DeKalb County Code.
2. To the conceptual landscape plan dated July 18, 2018, received by the department of Planning and Sustainability on August 17, 2018, and the open space plan received by the Department of Planning and Sustainability on August 27, 2018. The plans are conceptual only and may change slightly due to engineering. In the event the plans change, copies of revised plans will be provided to the Valley Brook Civic Association. See exhibits A-1 and C-1 through C-5.
3. The Proposed Development shall consist of a maximum of 43 lots for urban single-family detached homes and 39 lots for attached, fee-simple townhome units.
4. The single-family homes along Valley Brook Road shall face Valley Brook Road.
5. Residential architecture and building materials of the Proposed Development shall be developed in substantial accordance with the conceptual renderings provided to DeKalb County and attached as Exhibit "B". The plans are conceptual only and may change slightly due to engineering. In the event the plans change, copies of revised plans will be provided to the Valley Brook Civic Association.
6. The owner or developer shall create and incorporate a mandatory perpetual homeowners association ("HOA") compliant in all respects with applicable Georgia law. The HOA shall own and be responsible for the repair, upkeep, and maintenance of all common areas, open areas/spaces, enhanced open spaces, landscape strips (not less than twenty [20] feet wide), greenways, underground stormwater detention/retention areas or facilities, private streets, water, sewer, and stormwater systems, landscaping around detention areas, entrance area, and the like, contained within the Proposed Development. In conjunction with the creation of the mandatory HOA, the owner or developer shall create and record in the Office of the Clerk of the Superior Court of DeKalb County and

enforce protective covenants running with the land which shall contain covenants, rules, and regulations that shall be compliant in all respects with and incorporate these Zoning Conditions and shall be enforced and enforceable by the mandatory HOA to the fullest extent permitted by Georgia law (collectively, the "Protective Covenants").

7. A conservation easement shall be contained in the Protective Covenants protecting and restricting all open spaces, enhanced open spaces, landscape strips, pocket parks, buffers, stream buffers, greenways, and walking paths, delineated on the Final Plat from any development in perpetuity. The conservation easement must be submitted with the final plat to the DeKalb County Department of Planning and Sustainability Department.
8. The proposed walking path shall be located as shown on the Site Plan.
9. Use or operation of any gas-powered motorized vehicles, except for maintenance equipment, shall be prohibited on any walking path or in any open space, enhanced open space, landscape strip, pocket park, or greenway shown on the final plat.
10. A twenty (20) foot wide landscape strip shall be established as shown on the Site Plan. A solid privacy fence not less than six (6) feet in height shall be installed within the landscape strip, three (3) feet from the exterior property line of the Proposed Development. If the fence has a finished side, it shall face the lots that adjoin the Proposed Development.
11. A minimum of three (3) benches and a minimum of two (2) trash receptacles shall be provided along the walking path. There shall be a minimum of three (3) pocket parks. Each pocket park shall have a minimum of one bench that provides seating and minimum of one trash receptacle. Additionally, the owner, developer, or HOA, as applicable shall provide a pet refuse station on both ends of the walking path and in each pocket park. Maintenance and upkeep of the pet refuse stations shall be the sole responsibility of the owner, developer, or HOA, as applicable.
12. All sidewalks, pocket parks, walking paths, and greenways in the Proposed Development shall be open to public use for the larger community. Streets and walking paths within the Proposed Development that are not dedicated to public use will be subject to an easement for public use by vehicular or pedestrian traffic, as appropriate. All alleys shall only be for private use by residents of the Proposed Development.
13. Outdoor lighting shall comply with Section 27-5.6.1 of the DeKalb County Code.
14. The pedestrian crossings across the internal private drives shown on the Site Plan shall be striped to slow traffic and facilitate safe crossings for pedestrians. Pedestrian crossings across the primary ingress and egress points from Valley Brook Drive may be striped, or consist of a pavement in a contrasting color or texture.
15. Driveways to single-family attached units shall be a minimum of twenty (20) feet in length, as shown on the Site Plan.

16. The owner, developer, or HOA, as applicable shall design, construct, operate and maintain a stormwater management system that complies with all applicable laws and statutes.
17. Best Management Practices shall be followed with the design and implementation of an erosion and sedimentation control plan, as per the Manual for Erosion and Sedimentation Control in Georgia, subject to approval by the DeKalb County Development Services Division.
18. The subdivision sign shall be a maximum of eight feet high and shall have a brick-and/or stone-finished base, and may have accents of other materials.
19. There shall be a 24-hour contact and telephone number during demolition and construction. This 24-hour contact and telephone number shall be listed on all permit materials submitted to DeKalb County.
20. All utilities shall be installed underground.
21. All construction and employee vehicles and equipment will be parked and otherwise located on, the Subject Property during development of infrastructure and construction of units and shall not be parked on or along Ford Place or Milton Street. Does not apply during demolition and removal of said roads from the subject property.
22. All units shall have vehicular access from a private drive on the interior of the site, as shown on the Site Plan identified and cited in Condition No. 1.
23. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

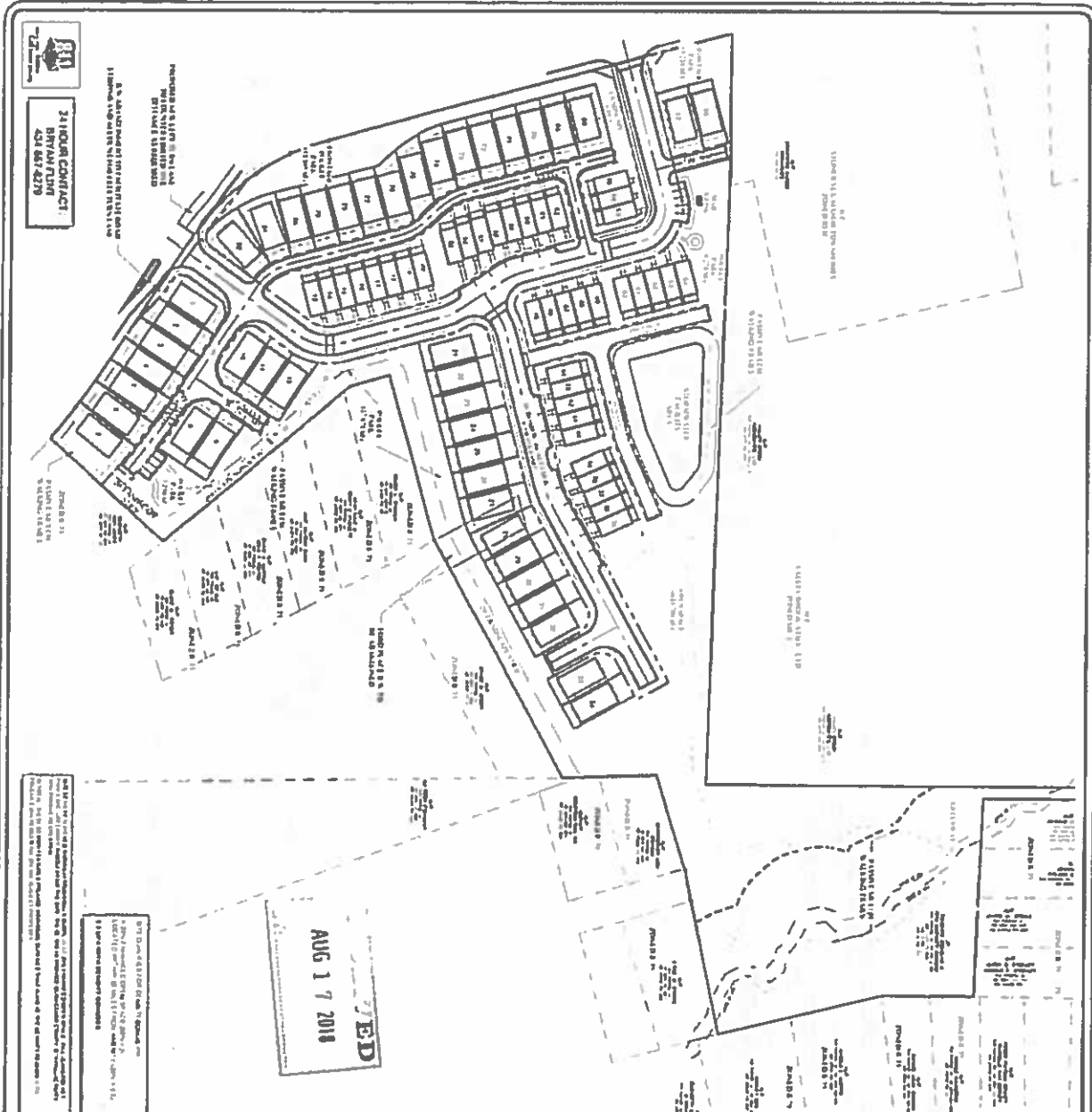


EXHIBIT A

SITE DATA:

PROJECT: VALLEY BROOK RD @ FORD PLACE

DATE: 08/17/2018

SCALE: 1" = 40'

PROJECT: 17180100

REVISIONS:

NO.	DATE	DESCRIPTION
1	08/17/2018	ISSUED FOR PERMITS

VALLEY BROOK RD @ FORD PLACE

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

ARROWHEAD REAL ESTATE PARTNERS

535 BEECH LARCH CT
SUITE 100
PEACHTREE CORNERS, GEORGIA 30092
CONTACT: 404.633.4376

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• 200 RESEARCH COURT • PLANTING COUNCIL, GEORGIA • 30092 • 878.435.3741 • FAX: 878.435.3742

ZONING SITE PLAN

SCALE: 1" = 40'

PROJECT: 17180100

DATE: 08/17/2018

REVISIONS:

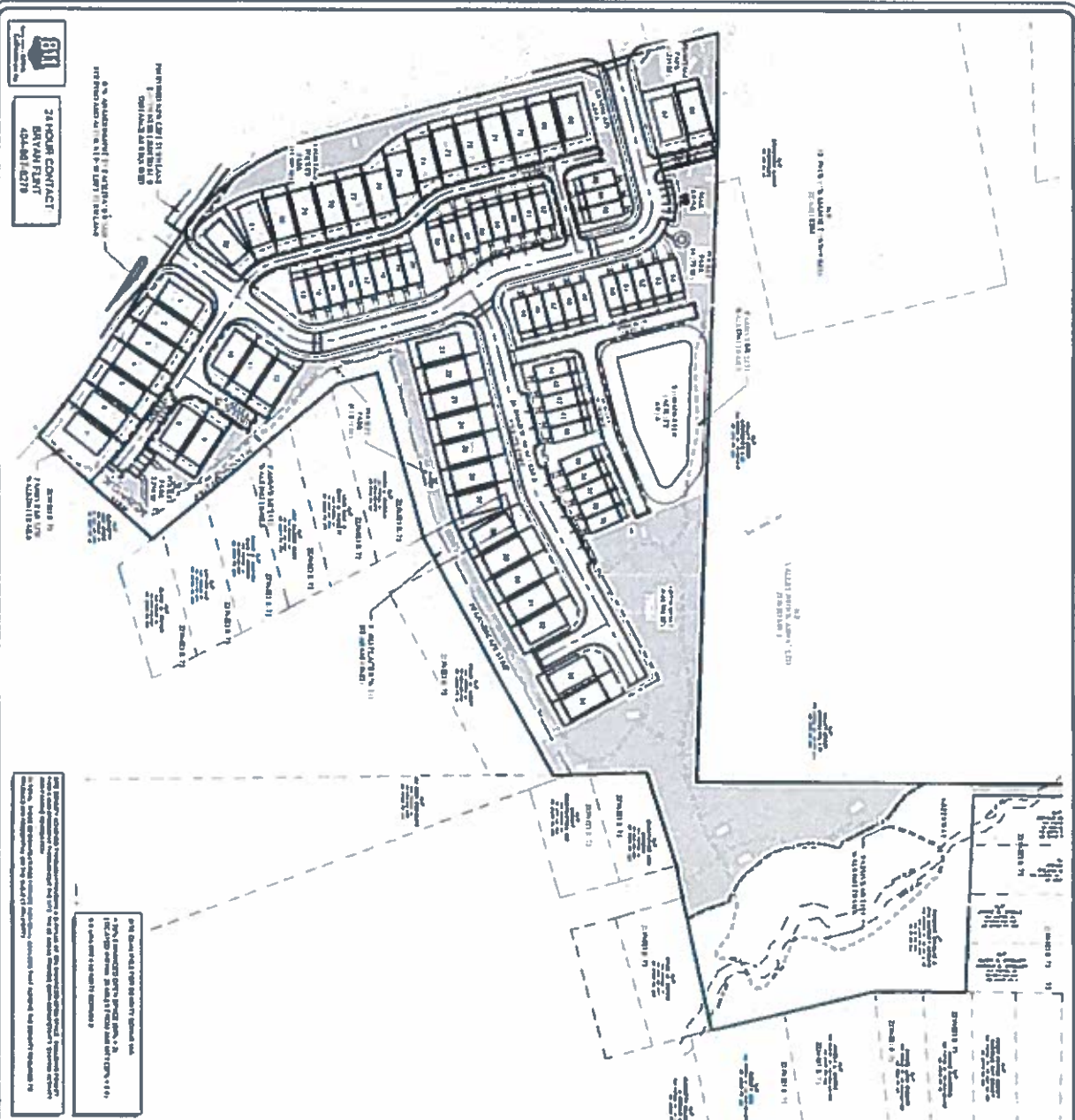


EXHIBIT A-1

Rev'd 8/22/18

MBC

SITE DATA:

Site Area: 13.28 ACRES
 580,000 SQ FT
 13.28 ACRES
 580,000 SQ FT

Proposed Residential Units: 100
 Proposed Commercial Units: 0
 Proposed Office Units: 0
 Proposed Industrial Units: 0
 Proposed Multi-Family Units: 0
 Proposed Other Units: 0

Proposed Total Units: 100

Proposed Total Area: 13.28 ACRES
 580,000 SQ FT

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/18/18	ISSUED FOR PERMITTING
2	08/22/18	REVISED PER COMMENTS

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VALLEY BROOK RD @ FORD PLACE

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

ARROWHEAD REAL ESTATE PARTNERS
 340 REDWOOD COURT
 SUITE 700
 PLANNING CENTER, OAKLAND, CALIFORNIA 94612
 CONTACT: 970-69-3741

OPEN SPACE EXHIBIT

SCALE: 1" = 60'

DATE: FEBRUARY 11, 2018

PROJECT: VALLEY BROOK RD @ FORD PLACE

PERMITTING NOTES:

1. ALL PERMITTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF OAKLAND ZONING ORDINANCES AND THE CITY OF OAKLAND DEVELOPMENT CODE.

2. ALL PERMITTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF OAKLAND ZONING ORDINANCES AND THE CITY OF OAKLAND DEVELOPMENT CODE.

3. ALL PERMITTING REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF OAKLAND ZONING ORDINANCES AND THE CITY OF OAKLAND DEVELOPMENT CODE.

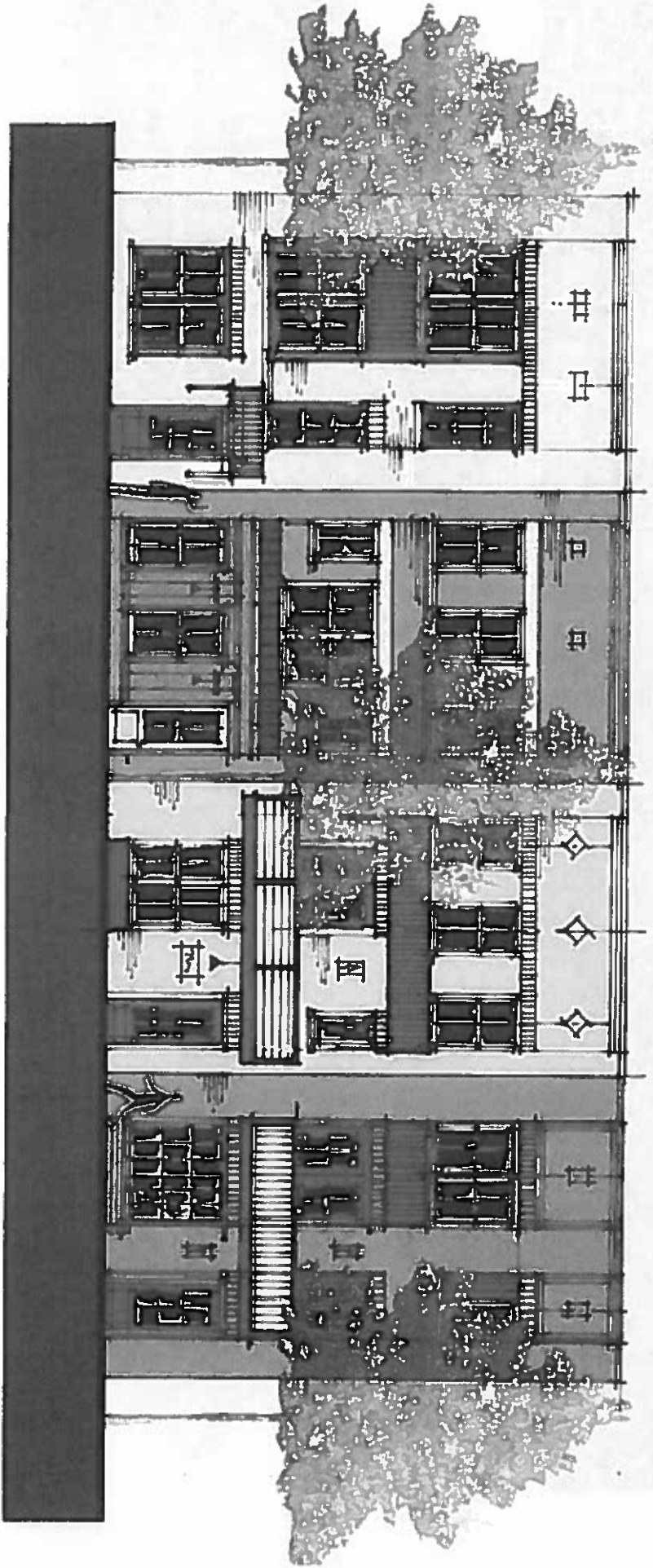


EXHIBIT B-1

GAVNET TRS - Mercantile

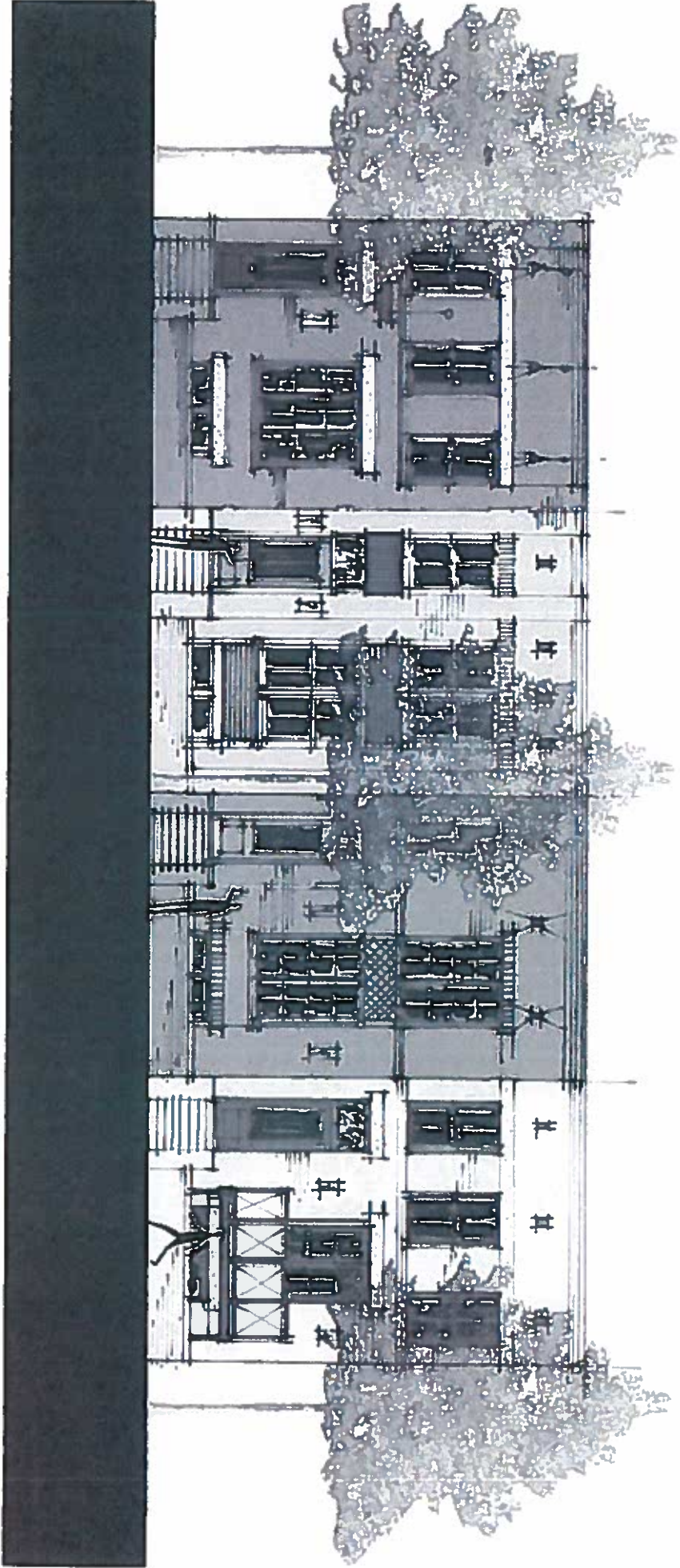
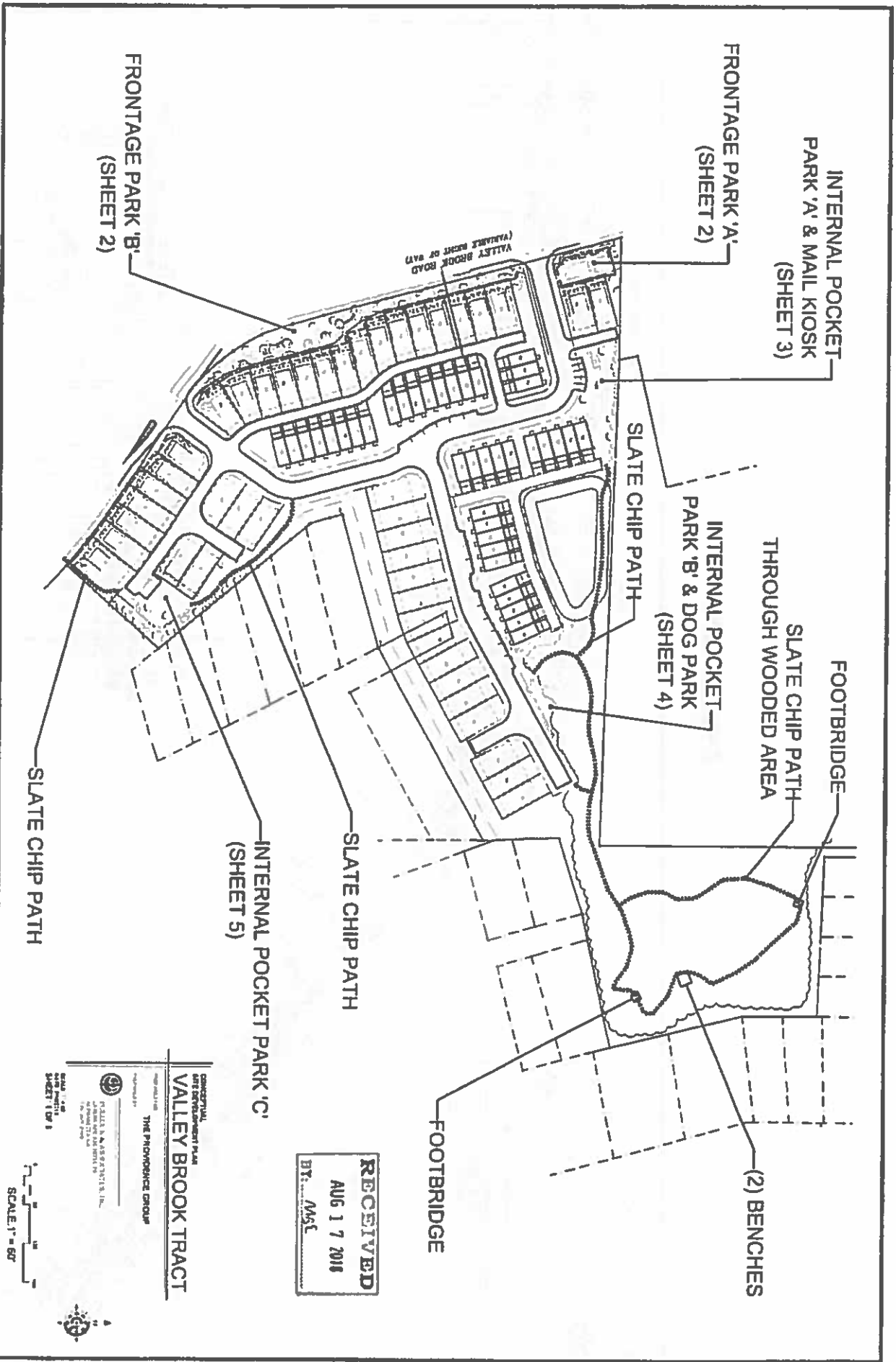


EXHIBIT B-2

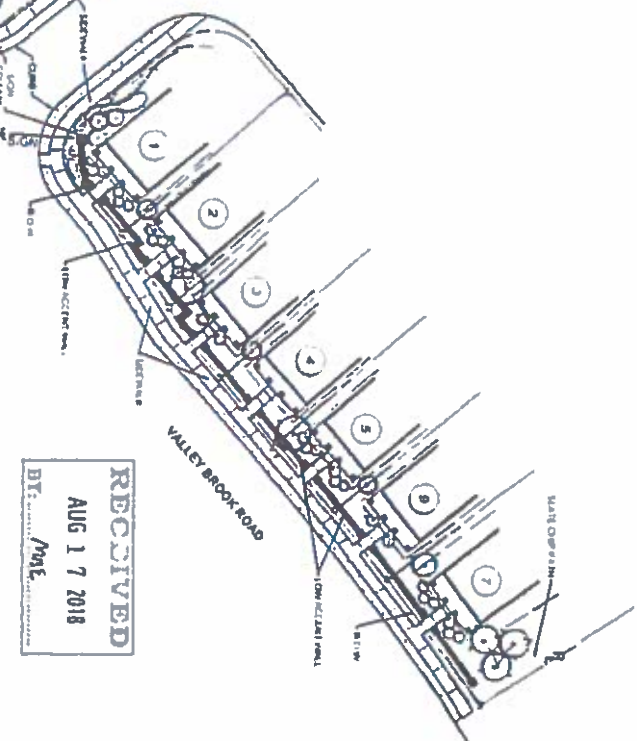
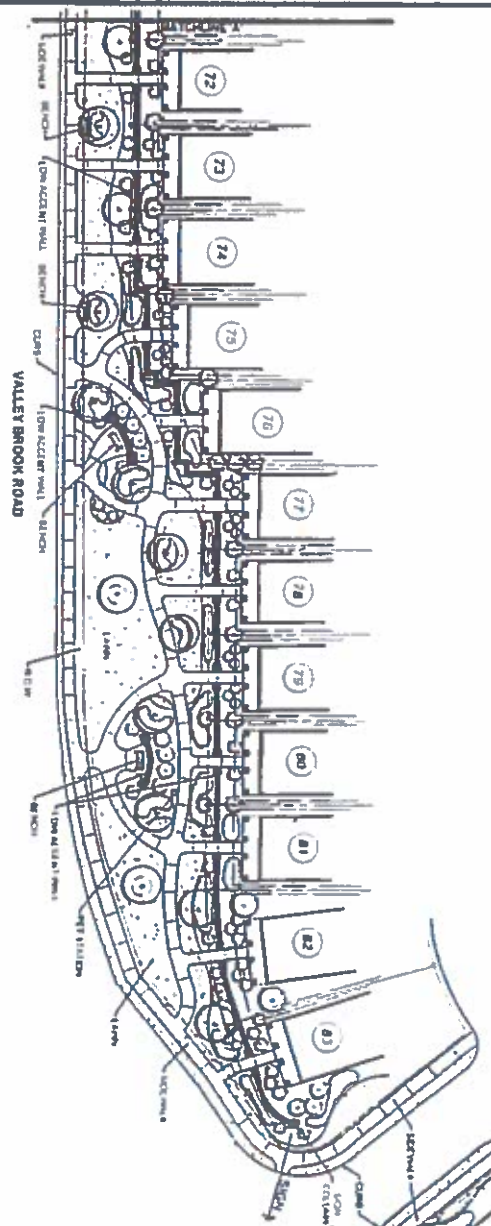
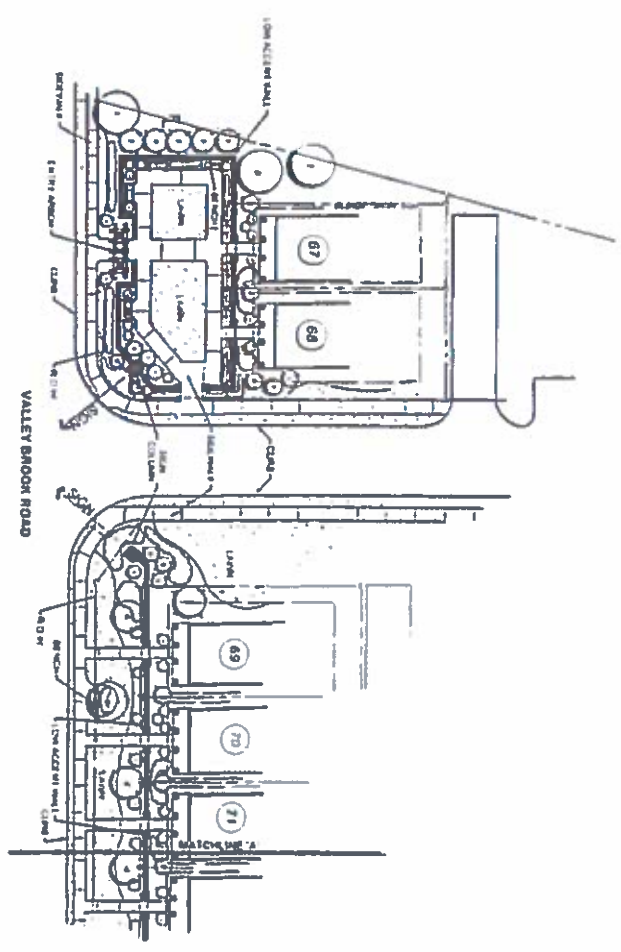


RECEIVED
 AUG 17 2016
 BY: MGC

CONCEPTUAL SITE DEVELOPMENT PLAN
VALLEY BROOK TRACT
 THE PINNACLES GROUP
 PYLE & ASSOCIATES, INC.
 10000 W. 10th Ave., Suite 100
 Denver, CO 80202
 SHEET 1 OF 5

SCALE: 1" = 80'

EXHIBIT C-1



RECEIVED
 AUG 17 2018
 DT: M/ML

CONCEPTUAL
 FRONT YARD PLAN, 1/2" = 8' SITE PLAN
VALLEY BROOK TRACT

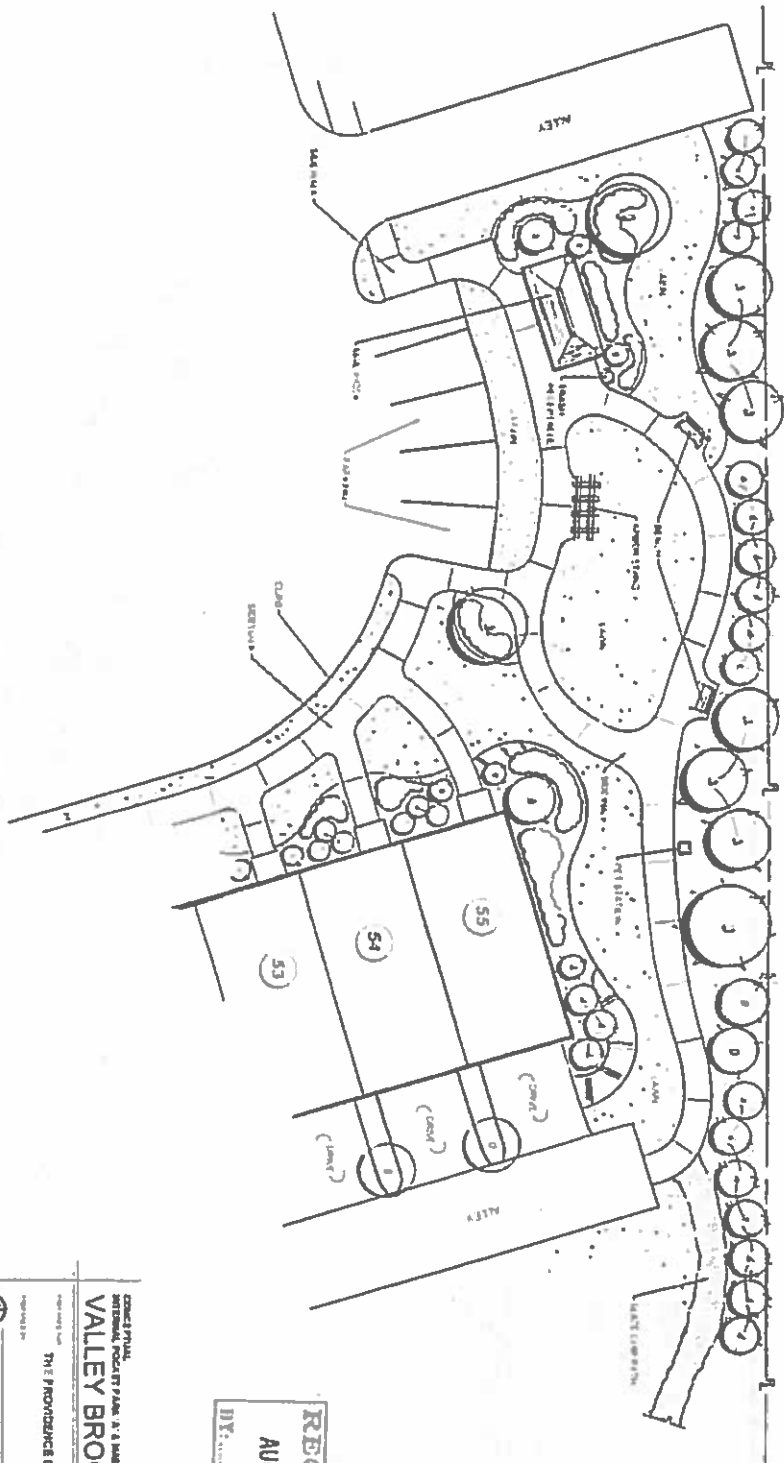
PREPARED BY
THE PROVIDENCE GROUP

PREPARED BY
MILITTA ASSOCIATES, INC.
 1000 WEST 10TH AVENUE
 SUITE 100
 DENVER, CO 80202

DRAWN BY
THE PROVIDENCE GROUP
 SHEET 2 OF 5



EXHIBIT C-2



RECEIVED
 AUG 17 2018
 BY: *MBC*

CONCEPTUAL
 INTERIM POCKET PLAN A & B AND FINAL SITE PLAN
VALLEY BROOK TRACT

THE PROVIDENCE GROUP

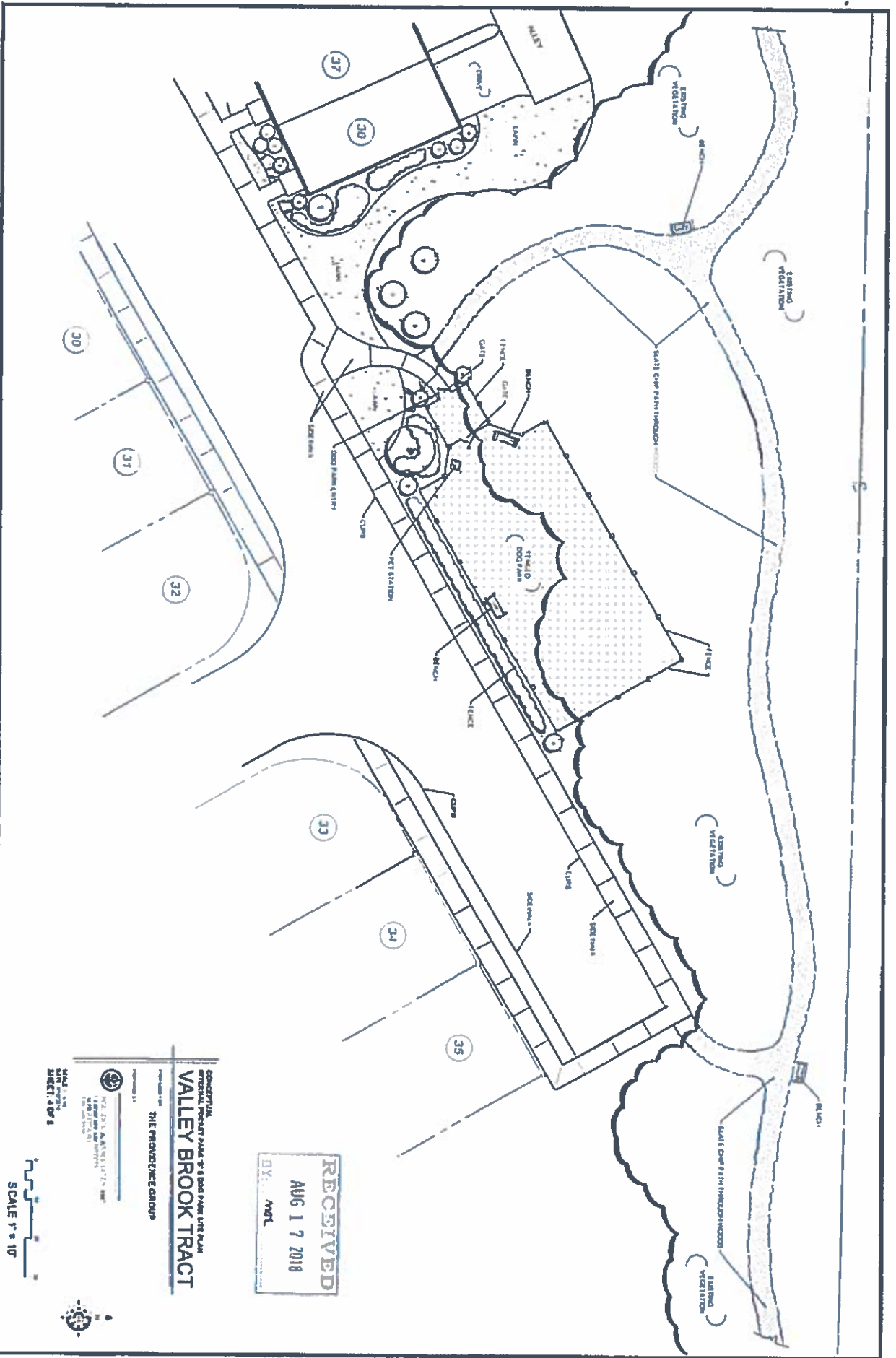
TULLY & ASSOCIATES, INC.
 ARCHITECTS

SHEET 3 OF 3

SCALE 1" = 10'



EXHIBIT C-3



RECEIVED
 AUG 17 2018
 BY: MRL

CONCEPTUAL
 PRELIMINARY PROPOSED PLAN, P. 1 5000 PAVING, SITE PLAN
VALLEY BROOK TRACT
 THE PROVIDENCE GROUP

Project Number: 11
 Date: 08/14/18
 Prepared by: MRL
 Checked by: MRL
 Drawn by: MRL

49
 THE PROVIDENCE GROUP
 1000 W. WASHINGTON ST.
 SUITE 200
 CHICAGO, IL 60606

SHEET 4 OF 8
 SCALE 1" = 10'

EXHIBIT C-4



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

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

Planning Commission Hearing Date: July 10, 2018, 6:30 P.M.

Board of Commissioners Hearing Date: July 24, 2018, 6:30 P.M.

Deferred from May, 2018

STAFF ANALYSIS

Case No.: Z-18-22138

Location/Address: 745, 741, 731, 721, 715, 713, 707, 705, 701, Commission District: 4 Super District: 6
the rear of 701, 695, 681, 675, 669, and 665
Valley Brook Road, Decatur, 742 and 739 Ford
Place, Scottdale, and 759 Milton Street,
Scottdale.

Parcel ID(s): 18-064-02-020, -022, -013 through -019, -021, -023, -037, -038, -066, -152 through -154, -156

Request: To rezone property from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix) for a residential development consisting of 44 lots for urban single-family detached homes and 39 attached townhome units at a density of 6.67 units per acre.

Property Owner(s): Various

Applicant/Agent: Arrowhead Investors, LLC c/o Bryan Flint

Acreage: 12.83 acres

Existing Land Use: Single-family residential, woods, and streams

Surrounding Properties: To the north: Stonewyck Manor townhomes and Valley Brook Crossing multifamily residential; in all other directions: single-family residential and woods.

Adjacent Zoning: North: RSM and MR-1 South: R-75 East: R-75 West: R-75 Northeast: R-75
Northwest: R-75 Southeast: R-75 Southwest: R-75

Comprehensive Plan: Suburban Consistent Inconsistent

Proposed Density: 6.67 units/acre	Existing Density: .86 units/acre
Proposed Units: 83	Existing Units: 11
Proposed Lot Coverage: 70%	Existing Lot Coverage: (estimate) 5%

PROJECT ANALYSIS

The subject property is a 12.83 assemblage of 18 parcels into one development site with frontage on Valley Brook Road, and minor arterial. Most of the lots are developed with single-family detached homes on parcels that range in

size from approximately 8,450 square feet to approximately 32,633 square feet. One parcel, located at the terminus of Milton Street, is crossed by a stream; this parcel is proposed to be left as open space. DeKalb County maps also show a stream running across 739 Ford Place; the site plan indicates that this parcel is intended to be developed. The landscape plan indicates that healthy mature trees will be preserved along the street frontage and at several locations within the site.

The proposal is for a residential development consisting of 44 lots for urban single-family detached homes and 39 attached townhome units at a density of 6.67 units per acre. Vehicular access is proposed to be provided by a combination of 24-foot wide private drives and 16-foot wide alleys with 20-foot easements. The site plan shows three pocket parks, a "master amenity" area with a structure and a trailhead for a trail in the floodplain, and an unimproved open space

The applicant has revised the site plan from the initial submittal for the May 2018 zoning cycle as follows:

- Reduced the total number of units from 91 to 83;
- Added open space at the northeastern part of the site;
- Moved one of the pocket parks to the front of the site along Valley Brook Road; and
- Relocated the storm water facility to allow for provision of walking trails in the floodplain.

The adjoining properties to the north are developed with a 20-unit townhome development called Stonewyck Manor, and a 170-unit multifamily residential development called Valley Brook Crossing Apartments. Stonewyck Manor has a density of 13 units per acre, and Valley Brook Crossing has a density of 12.11 units per acre. In addition, a multifamily residential development called Gateway at Cedar Brook Apartments is located across Valley Brook Road, to the southwest. Gateway has 254 units and a density of 21 units per acre. The single-family residential neighborhoods across Valley Brook Road to the west, Storybook Estates and Valley Brook Manor, are developed at densities of 2.73 units per acre and 2.92 units per acre, respectively.

A small retail node is located at the intersection of Valley Brook Road and East Ponce de Leon Avenue, less than ¼ mile from the midpoint of the row of homes that are proposed to face Valley Brook Road. A multitenant commercial building on the west side of Valley Brook Road contains a laundromat, convenience food store, and fast food restaurant. A Family Dollar store is located on the other side of Valley Brook Road.

LAND USE AND ZONING ANALYSIS

Section 27-832 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: The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to "... provide a variety of housing opportunities and choices to better accommodate the needs of residents." It is also consistent with Suburban Character Area policy No. 7 that encourages infill housing to "increase neighborhood density and income diversity".

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties: While the density of the overall development is greater than that of the surrounding single-family residential neighborhood, the single-family detached building form of the homes along the Valley Brook Road frontage corresponds to the building form found in the neighborhood. The three-story height of the homes along Valley Brook Road would be similar in height to the three-story townhomes of the Stonewyck Manor development on the adjoining property to the north. At 6.67 units per acre, the proposed density of the development is lower than that of the townhome and multifamily residential properties to the north, which are developed at 13 and 12.11 units

per acre, and the multifamily residential development to the southwest, which has a density of 21 units per acre. Thus, it departs from the precedent initiated by the higher-density townhome and multifamily developments on adjoining and nearby properties.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned: The property to be affected by the zoning proposal has reasonable economic use as currently zoned for single-family detached homes. However, this statement doesn't preclude the possibility that the proposed zoning proposal is suitable.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property: The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. A 20-foot buffer is proposed along the south property line, and the north property line adjoins developments with buildings of similar size and scale.

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:

Staff is unaware of any other conditions that would support either approval or disapproval of the zoning proposal.

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

There are no historic buildings, sites, districts, or archaeological resources on or near the subject property.

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:

The Department of Public Works Traffic Engineering Division has commented that the proposed development would not impair traffic flow on surrounding streets. The School District has indicated in its comments that there is adequate capacity for the number of elementary, middle, and high school students who are projected to live in the development.

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

The applicant has submitted a tree report by Root Zone Tree Consultants that identifies 54 "specimen sized trees" (trees with trunks measuring 18 inches or larger "at breast height", or approximately 4.5 feet above the point where the tree meets the highest grade of soil). Of the 54 trees, 35 are healthy, and 19 are damaged or diseased and are not considered to be in specimen condition. The report does not identify which of the 35 healthy specimen trees will be saved.

Compliance with District Standards:

RSM STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE	Base: 4; with bonuses: up to 8 d.u.s/acre	6.67 units/acre. Enhanced open space equal to "over 20%" of site: 50% bonus = 2 units/acre Proximity to retail = 20% = .8 units/acre 4 + .8 + 2 = 6.8 units/acre	Yes
MIN. OPEN SPACE	20%	34.2%	Yes

RSM STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		Urban s-f detached: 1,350 s.f.; "fee simple" townhomes: not applicable	Urban s-f detached: site plan states that the minimum is met Townhomes: N.A.	Yes N. A.
MIN. LOT WIDTH		Urban s-f detached: 25 ft. "Fee simple" townhomes: not applicable	25 ft. Not applicable	Yes Not applicable
MAX. LOT COVERAGE		70% of total parcel acreage	65.8%	Yes
TOWNHOME SETBACKS	FRONT	With no alley access: 20 ft. With alley access: 10 ft.	20 ft.	Yes
	SIDE	None required; building separation must comply with fire code	May be determined during building permit review.	May be determined during building permit review.
	REAR W/ ALLEY	15 ft.	20 ft.	Yes
MINIMUM UNIT SIZE		1,200 sq. ft.	Information not provided.	May be determined during building permit review.
MAX. BLDG. HEIGHT		Urban single-family detached: 35 feet Single-family attached: 45 feet or 3 stories	Information not provided. Information not provided	May be determined during building permit review.
PARKING		Detached S-F: min. 2 spaces per d.u. = 88 spaces; max. 4 spaces per d.u. = 176 spaces Attached S-F: min. 1.75 spaces per d.u. = 69 spaces; max. 3 spaces per unit = 117 spaces	Detached S-F: 176 spaces Attached S-F: 141 spaces	Yes Parking must be reduced or a variance must be obtained

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to "... provide a variety of housing opportunities and choices to better accommodate the needs of residents." It is also consistent with Suburban Character Area policy No. 7 that encourages infill housing to "increase neighborhood density and income diversity". The proposed three-story detached homes along Valley Brook Road would be similar in height to the three-story townhomes of the Stonewick Manor development on the adjoining property to the north, while maintaining consistency of building type with the single-family homes in the larger neighborhood. At 6.65 units per acre, the proposed development departs from the precedent set by the higher-density townhome and multifamily developments on adjoining and nearby properties. The Department of Public Works Traffic Engineering Division has commented that the proposed development would not impair traffic flow on surrounding streets. The School District has indicated in its comments that there is adequate capacity for the number of elementary, middle, and high school students who are projected to live in the development. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

1. The development shall consist of a maximum of 44 lots for urban single-family detached homes and 39 lots for attached, fee-simple townhome units.

2. The single-family homes shall be a maximum of 35 feet in height. The townhomes shall be a maximum of 45 feet in height.

3. The single-family homes along Valley Brook Road shall face Valley Brook Road.

4. The subdivision sign shall be a maximum of eight feet high and shall have a brick- or stone-finished base.

5. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, unless waived by the Arborist.

6. The development shall comply with standards and regulations of Chapter 14, subject to approval by the Transportation Division.

7. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Zoning Map
7. Land Use Plan Map
8. Aerial Photograph
9. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- ✓ • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ • **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued "administratively"; no public hearing required.)*
- ✓ • **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.

No N1 in the package. Case numbers are off for the entire package. File N1 has N2 in it.

N2. Midway Road is classified as a collector road (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Beech Drive is classified as a local road (requires 27.5 feet right of way dedication from centerline, 5 foot sidewalk, and street lights). Verify that street offsets meet Section 14-200 (6) of the Land Development Code. Verify that intersection and stopping sight distance (per AASHTO) are met.

N3. Moreland Ave is a state route. GDOT review and permits are required. Moreland Ave is classified as a major arterial (requires 50 foot right of way dedication from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Bailey St is a minor arterial (requires 40 foot right of way dedication from centerline, bike lanes or multiuse path, 6 foot sidewalk, and street lights). Restrict parking along frontage of Bailey Street. Relocate existing access point farther from the intersection of Moreland Ave. Only one access point allowed on Bailey Street.

N4. Midway Road is classified as a collector road (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Tocoma Way is classified as a local road (requires 27.5 feet of right of way dedication from centerline, 5 foot sidewalks and street lights). Locate driveway on lot 5 away from sharp curve. Extend sidewalks to the intersection of Tocoma Way and Midway Road on Tocoma Way for Midway Elem School access.

N5. ROW is within the City of Atlanta. COA review and permits required. No additional comments.

N6. Mountain Drive is a state route. GDOT review and approval is required. Verify sight distance (per AASHTO standards) for vehicles exiting the site. Mountain Drive is classified as a collector (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Verify that site driveway meets offset requirements in code section 14-200 (6). Verify length of queuing area for turn lanes is adequate at the intersection of access point and Mountain Dr. Code section 14-200 (5) requires 3 access points for 271 units. Extend sidewalks to existing sidewalks to the south near the intersection of Mountain Drive at Memorial Drive.

N7. Valley Brook Road is classified as a minor arterial (requires 40 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Verify sight distance (stopping and intersection) for road near JudyLyn. If sight distance is not met, turn lanes or other improvements are required. Private alley may end in a turn around. If the interior streets are planned to be public, public alleys must connect to public streets and local roads require a 55 foot right of way, 6 foot sidewalk and streetlights. It appears that part of the proposed development is located on the existing Ford Place right of way. This will need to be corrected or the right of way abandoned.

N8. No comments.

N9. Parcel 15—62-02-005 is located within the Hidden Hills overlay district. The overlay requirements trump the zoning and land development codes. In areas where the overlay is silent, the zoning then the land development code is applied. Panola Road is a major arterial (requires 50 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Limit access point to right in/right out on Panola Road due to vehicle paths crossing multiple lanes, including 2 left turn lanes for the intersection



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV**

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 2-18-22138 Parcel I.D. #: 18-064-02-020

Address: Valley Brook Rd

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:

Field and plans reviewed. Found x10 problem that would disrupt traffic flow.

Signature: [Handwritten Signature]



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID jreid@DEKALBCOUNTYGA.GOV

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

Case No.: Z-18-22138

Parcel I.D. #: 18-064-02-020, 022, 013 through 019, 021, 023, 037, 038, 066, 152 through 154, 156

Address: 745, 741, 731, 721, 715, 713, 707, 705, 701, 695, 681, 675, 669, 665 Valley Brook, Road, 742, 739 Ford Place and 759 Milton Street

Decatur and Scottsdale, GA.

WATER:

Size of existing water main: 6" AC, 2" GA Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: South Fork Peachtree Creek Basin

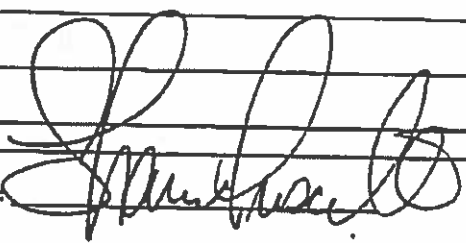
Is sewer adjacent to property: Yes () No () If no, distance to nearest line: _____

Water Treatment Facility: RM Clayton WTF () adequate () inadequate

Sewage Capacity; (MGPD) Current Flow: 122 (MGPD)

COMMENTS:

*** Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.**

Signature: 

DEKALB COUNTY



Board of Health

4/16/2018

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

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

4/16/2018

N.5

CZ-18-22125 2018-1912 15-251-01-020,15-251-01-027,15-251-01-028

3458,3468, and 3578 Mountain Drive, Decatur, GA

Amendment

- Please see general comments.

N.6

Z-18-22138/2018-1913/18-064-02-020,18-064-02-022,18-064-02-013,18-064-02-014,18-064-02-015,18-064-02-016,6,18-064-02-017,18-064-02-018,18-064-02-019,18-064-02-021,18-064-02-023,18-064-02-037,18-064-02-038,18-064-02-006,18-064-02-152,18-064-02-153,....

745,741,731,721,715,713,707,705,701,695,681,675,669,665 Valley Brook Road, Decatur, GA; 742 and 73

Amendment

- Please see general comments.

-Case # 18-064-02-154,18-064-02-156

N.7

SLUP-18-22140 2018-1897 18-091-01-052

6198 Memorial Drive

Amendment

- Please see general comment letter.

N.8

Z-18-22137 2018-1853 16-062-02-005, 16-062-02-027, 16-062-02-028, 16-062-02-029

1230,1238, and 1248 Panola Road and 5636 Redan Road, Stone Mountain, GA

Amendment

- Please see general comments

- Properties with septic installed. 1230 on 4/8/94, 1238 on 3/25/77,1248 on 06/4/75 and 5636 on 04/05/1962.

**DeKalb County School District
Zoning Review Comments**

Analysis Date: 4/11/2018

Submitted to: DeKalb County **Case #:** Z-18-22138
Parcel#: 18-064-02-020, et al.
Name of Development: Valley Brook and Ford PL
Location: Valley Brook Road North of Ford Place, 745 Valley Brook Road
Description: Current single-family lots redeveloped as 76 townhomes and 26 single-family

Impact of Development: The new plan is expected to generate 13 students: 3 at McLendon ES, 2 at Druid Hills MS, 2 at Druid Hills HS, 2 at another DCSD school and 4 in private school. The three zoned schools are all expected to have capacity for additional students.

Current Condition of Schools	Druid Hills			Other DCSD Schools	Private Schools	Total
	McLendon ES	MS	Druid Hills HS			
Capacity	513	1,182	1,405			
Portables	4	1	4			
Enrollment (Fcsst Oct. 2018)	425	947	1,302			
Seats Available	88	235	103			
Utilization (%)	82.8%	80.1%	92.7%			
New students from development	3	2	2	2	4	13
New Enrollment	428	949	1,304			
New Seats Available	85	233	101			
New Utilization	83.4%	80.3%	92.8%			

Summary of Student Calculations

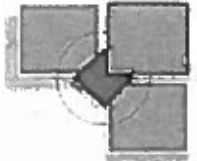
	SF (26)	TH (76)	TOTAL
McLendon ES	1	2	3
Druid Hills MS	1	1	2
Other DCSD Schools	1	1	2
Other DSCD Schools	1	1	2
Private Schools	3	1	4
Total	7	6	13



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. 2-18-22138
Filing Fee: _____

Date Received: MAR 01 2018 Application No.: _____

Applicant: Arrowhead Investors, LLC E-Mail: bflint067@gmail.com

Applicant Mailing Address:
350 Research Ct., Suite 100, Peachtree Corners, Georgia 30092

Applicant Phone: 404-867-3572 Fax: _____

Owner(s): See Exhibit "A" E-Mail: _____
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: Various - See attached

Owner(s) Phone: _____ Fax: _____

Address/Location of Subject Property: Valley Brook Road (see attached)

District(s): 18 Land Lot(s): 64 Block: 02 Parcel(s): see attached

Acreage: 12.835 Commission District(s): 2, 6

Present Zoning Category: R-75 Proposed Zoning Category: RSM

Present Land Use Category: Suburban

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions 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 the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

Notary Signature: _____
NOTARY

Signature: _____
SIGNATURE OF APPLICANT / DATE 2/28/18

Check One: Owner Agent



1300 Commerce Drive, Decatur, Georgia - 30030
Phone: (404) 371-2155 -- [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address <http://www.dekalbcountyga.gov/planning>
E-mail Address: planninganddevelopment@dekalbcountyga.gov

MAR 01 2018

PROPERTIES INCLUDED IN REZONING REQUEST
ARROWHEAD INVESTORS, LLC

TAX PARCEL ID

ADDRESS

18 064 02 013	731 Valley Brook Road, Decatur, Ga. 30033
18 064 02 014	715 Valley Brook Road, Decatur, Ga. 30033
18 064 02 015	713 Valley Brook Road, Decatur, Ga. 30033
18 064 02 016	707 Valley Brook Road, Decatur, Ga. 30033
18 064 02 017	705 Valley Brook Road, Decatur, Ga. 30033
18 064 02 018	<i>the rear of</i> 701 Valley Brook Road, Decatur, Ga. 30033
18 064 02 019	695 Valley Brook Road, Decatur, Ga. 30033
18 064 02 020	681 Valley Brook Road, Decatur, Ga. 30033
18 064 02 021	675 Valley Brook Road, Decatur, Ga. 30033
18 064 02 022	669 Valley Brook Road, Decatur, Ga. 30033
18 064 02 023	665 Valley Brook Road, Decatur, Ga. 30033
18 064 02 037	742 Ford Place, Scottdale, Ga. 30079
18 064 02 038	739 Ford Place, Scottdale, Ga. 30079
18 064 02 066	759 Milton Street, Scottdale, Ga. 30079
18 064 02 152	741 Valley Brook Road, Decatur, Ga. 30033
18 064 02 153	721 Valley Brook Road, Decatur, Ga. 30033
18 064 02 154	745 Valley Brook Road, Decatur, Ga. 30033
18 064 02 156	701 Valley Brook Road, Decatur, Ga. 30033

Notice Date: Mailed February 9, 2018

MAR 01 2018

PUBLIC NOTICE

To

Request for rezoning

Filed by: Arrowhead Investors, LLC

Bryan Flint 404-867-3572

**For Property Located at 681, 695, 701, 705, 707, 713, 715, 721,
731, 741, 745 Valley Brook Road, Decatur, Ga. 30033
665, 669, 675 Valley Brook Road, Scottdale, Ga. 30079
739, 742 Ford Place, Scottdale, Ga. 30079
& 759 Milton Street, Scottdale, Ga. 30079**

Current Use- R-75 Single Family Residential

Proposed Use- RSM (Residential Small Lot. Mix)

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

North Decatur United Methodist Church

Location: 1523 Church Street, Decatur, GA 30030

Date/Time: Monday, Feb. 26, 2018 at 7:00 PM

MEETING SIGN-IN SHEET

Project: Valley Brook Rd
 Facilitator:

Meeting Date: Feb. 26, 2018
 Location: N. Decatur United Methodist

Name	Address	Phone	E-Mail
Taana Tammen	3093 North Ave Southdale GA 30079	404 707 8289	jdnytammenn@bellsouth.net
Ryland Tammen	" "	205 253 8098	rtammenn@bellsouth.net
Ed Bell	721 Valley Brook Rd	404-293-0049	buttercream1@yahoo.com
Sherrill Warblington	721 Valley Brook Rd Decatur, GA 30037	678-677-2132	doggymomem@hotmail.com
Alicia O'Kelley	3105 North Ave	678-362-5966	alicia.950@yahoo.com
Danny Olsen	784 MUIPINS	454 216 2054	
Hae O'Kelley	3105 NORTH AVE	678-294-9921	HOKELLEY@ZOWASTANT
Ellen Wan	2955 Fantasy Lane	504-621-7447	ellen.y.wan@gmail.com
James Illingworth	" "	770-665-3228	ajillingworth2004@gmail.com
Kenna Simmons	3115 Hollywood Dr.	404-791-3588	kenna.simmons@gmail.com
Laura McCarty	796 Cenderella Ln	404 299 7292	laura.thomson.mccarty@gmail.com
Karen Buerki	2883 Fantasy Lane	404-292-3056	kbuerki@aol.com
Kathleen Hall	900 Tanner Dr.	404-499-0717	simonc1946@hotmail.com
Victoria Webb	3157 ROCKBRIDGE	484-6248	vc@FURIOUSARTISTS.CO
Carolyn M Brown	2975 Judylyn Dr	404-556-7077	carolyn.m.brown@gmail.com
Angela Morris	778 Murphree St.	404-370-8376	angelaleemorris@gmail.com
Susan & Jim Bergen	2959 Judylyn Dr.	4-510-1332	sbergen33@gmail.com
NANCY TOPPING	2862 Hollywood Dr	4-660 5022	tiptop1009@hotmail.com
Ben Kent		404 517 8030	benkent109@gmail.com
Stacie Greby	733 Ford Place	404-862-7504	sgreby@yahoo.com

MAR 01 2018

MEETING SIGN-IN SHEET	
Project: Valley Brook Rd	Meeting Date: Feb. 26, 2018
Facilitator:	Location: N. Decatur United Methodist

Name	Address	Phone	E-Mail
Susan Hawk	2827 Sunwood Dr. Decatur, GA 30033	404 1414-9495	Sjhawk4@gmail.com
Nicole Haugerud	788 Murphree St. Scottdale, GA	404-247-1395	haugerud13@hotmail.com
William Butte	721 Valley Brook Rd	404 657 2322	Butte Eric@bellsouth.net
Michael Colton	679 Ford Place Scottdale GA	770 480-5150	mcolton24@gmail.com
ANGUS LYNN	3045 Hollywood Dr. Decatur, GA	404 416 6370	lynn.angus@gmail.com
Tim & Shirley barre	741 Valley Brook Rd	404 505 0708	tinger12@gmail.com
LAVEN ZIPPERER	1064 N Valley Dr	678-427-3718	lzipperer@gmail.com
LANCE ELIAS	3100 NORTH AVE	954-557-4941	lancescapditch@yahoo.com
Megan & Justin Willmet	713 Valley Brook	404-630-2110	Megan.Hamby@gmail.com
MARTY KENNEDY	803 Murphree St	404 378-4041	martyforbic@gmail.com
James Lewis	3056 Hollywood Dr.	404 749-0844	jameslewis555@hotmail.com
Colette Walsh-Lewis	3056 Hollywood Dr.	678-623-5586	walsh.cj@gmail.com
Lore P. Covington	243 Murphree St	678-592-6750	Erick.Cov.covington.com
JAMES SIMPSON	767 Murphree St Scottdale GA	770 460 2542	JAMES.SIMPSON@AMXTER.COM
Elizabeth Roberts	3069 Lakewood Dr	(4) 277-5000	em4roberts@gmail.com
Nicole Haugerud	788 murphree st		haugerud13@hotmail.com
Rosemary Calhoun	3045 Vista Brook Dr		rosemarycalhoun@gmail.com
EILEEN POPPACHY	304 2 VINE CIRCLE	404-502-1320	EILEENPOPPACHY@BELLSOUTH.NET
JACK BARNES	908 VALLEY BROOK	4) 790 5450	jorta@bellsouth.net
Judy Ward	1126 Greenhills Dr	4/984-7045	jamesward@comcast.net

MAR 01 2018

MEETING SIGN-IN SHEET	
Project: Valley Brook Rd	Meeting Date: Feb. 26, 2018
Facilitator:	Location: N. Decatur United Methodist

Name	Address	Phone	E-Mail
James Lucasse	798 Winthrop Scottsdale 30079	404 275-0260	lucassej@gmail
MARC FARRIS	MCLendon	404-626-3085	MARC.FARRIS@ BBATV.COM
Susan Rex	3027 Judylyn	678-230-5353	susanrex@ gmail.com
JAKE DELIN	2911 FANTASY LANE	404-214-4315	JAKED@ATT.NET
Arice Drott	3024 Valley Circle	404-219-2000	AriceUSA@gmail.com (*)
Amy & Stephen Parker	747 Milton St Scottsdale	404-202-6432	Stephen.parker@ gmail.com
Elizabeth Danziger	764 Murphy St	404-290-3325	emmalib@ gmail.com
Jim Paulino	3021 Judylyn		jpaulino@ hotmail.com
Erik Spilhaus	2781 Orion Dr	352-266-7678	erikat@ hotmail.com
Misty Haxton	3133 Hollywood Dr	404-808-7122	misty.haxton@ yahoo
Angela Salazar	242 Ford Pl	4-398-3573	bterfield8@ gmail
Susan Rossi	2721 Fantasy Lane	4-77- 7927	rossi_susan@ hotmail.com
David Geter	764 Murphy St		geter.d@ yahoo
BARBARA Scott	2935 FANTASY	404-217-9351	media VOICE STUDIOS @MAC
STEVE HAGEN	LOWANACH		STEVEN@ ADLCA
LeeAnn Harvey	882 Cinderella Ct.	770-652-8575	leeannharvey@ comcast.net
	MAR 01 2018		

(*) Arice USA @ gmail.com

LAW OFFICES
SCHREEDER, WHEELER & FLINT, LLP
1100 PEACHTREE STREET, NE
SUITE 800
ATLANTA, GEORGIA 30309-4516

(404) 681-3450
FACSIMILE: (404) 681-1046

Scott W. Peters

E-Mail: speters@swflp.com
Direct Dial: (404) 954-9836

February 28, 2018

Mr. Andrew A. Baker
Director
Department of Planning and Sustainability
DeKalb County
Clark Harrison Building
330 W. Ponce de Leon Ave.
Decatur, GA 30030

MAR 01 2018

In re: Letter of Application
Arrowhead Investors, LLC
Valley Brook Road at Ford Place

Dear Mr. Baker:

Please accept this letter of application on behalf of Arrowhead Investors, LLC in support of its rezoning application in regard to the property located at Valley Brook Road at Ford Place, Decatur, GA 30033. Arrowhead Investors seeks rezoning of the property from its present R-75 zoning classification to the RSM zoning classification for purposes of development as a subdivision including a mix of attached and detached single family homes. The property is designated as "Suburban" in the 2035 Comprehensive Plan which supports the zoning of the property for the RSM zoning classification and encourages infill redevelopment as proposed.

The subject property consists of approximately 12.835 acres located along Valley Brook Road, northwest of Ponce de Leon Avenue, just north of its intersection with North Decatur Road. An apartment complex named Gateway at Cedar Brook is located across Valley Brook Road, which is zoned MR-2. Immediately to the north of the property is located the Valley Brook Crossing Apartments, which are zoned MR-1. Further, a townhome development named The Courtyards of Decatur is located just north of the property along Stonewyck Place. To the south of the property at the intersection of Valley Brook Road and East Ponce de Leon Ave is a node of commercial development. The surrounding properties are a mixture of zonings, including R-75, MR-1, MR-2, RSM, and C-2. It should be noted that several of the properties that are included in this rezoning request are non-conforming, with several of the lots fronting along Valley Brook road not qualifying as legally developable lots under the existing R-75 zoning designation.

Arrowhead Investors proposes to develop 102 lots on the 12.835 acre tract, including twenty six (26) detached cottage lots along the Valley Brook Road frontage, and seventy six (76) attached townhomes for a net density of 7.9 units per acre. All detached cottages units will have

LAW OFFICES
SCHREEDER, WHEELER & FLINT, LLP

Mr. Andrew A. Baker
Page 2
February 28, 2018

a minimum of 1,950 s.f. of heated floor area, while townhome units will include a minimum of 1,650 s.f. of heated floor area.

This zoning proposal is suitable in view of the current use and development of adjacent and nearby properties. The development of cottage lots along the principal road frontage will maintain the detached single family appearance along Valley Brook Road, while also permitting greater density of townhouse development on the interior of the property, while also permitting the preservation of significant open space within the development. Attached hereto as Exhibit "A" is an analysis of the proposed development under the factors set forth in Section 27-832 of the Dekalb County Code.

There are numerous MARTA bus stops within a quarter-mile of the property, and the applicant proposes to construct a bus shelter along Valley Brook Road. In addition, the proposed development will include Additional Enhanced Open Space (27% or more of the overall site), qualifying the development for a 100% Density Bonus in accordance with Section 2.12.5 of the Dekalb County Code. As a result, the density requested by the applicant is in conformance with the 2035 Comprehensive Plan.

The proposed subdivision under the RSM zoning district is consistent with the development of properties in the immediate vicinity. The development will provide quality residential development that will replace older single family homes that would be difficult to rehabilitate or redevelop due to existing nonconformities. The proposed development is consistent with the language and intent of the 2035 Comprehensive Plan and will provide an appropriate development compatible with surrounding properties.

Arrowhead Investors respectfully requests the approval of its rezoning request.

Sincerely,



Scott W. Peters

SWP/jlm

Enclosures

MAR 01 2018

MAR 01 2018

EXHIBIT "A"
STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

Yes. The Subject Property is designated as "Suburban" in the 2035 Comprehensive Plan. The Suburban Character Area/Land Use Designation supports density of up to 8 units an acre, including single family detached, townhomes, assisted living facilities, neighborhood retail and certain other public facilities. The RSM zoning category is a permitted zoning designation under the Suburban Character Area Designation. There is no small area plan applicable to the Subject Property in the 2035 Comprehensive Plan. Suburban Character Area Policies support infill development as proposed, including: 4. Density Increases; 5. Walkability; 6. Infill Development; 7. Infill Development; 14. Sense of Place; and 15. Density.

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

Yes. Property immediately to the North of the Subject Property is Zone MR-1 for the Valley Brook Crossing Apartments. Additional RSM Property is also immediately adjacent to the property to the North for a townhome development on Stonewyck Place. Property located to the Southwest of the Subject Property across Valley Brook Road is zoned MR-2 for the Gateway at Cedar Brook Apartments. A commercial node exists at the intersection of Valley Brook Road and East Ponce de Leon Avenue. This residential development will be consistent with the development trends in the area and will preserve the residential character of the property while permitting improved utilization and development of the Subject Property. In addition, the redevelopment will eliminate a number of non-conforming lots which are included within the property that is the subject of this Application.

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

No. The property fronting along Valley Brook Road is characterized by older single family residences on lots of varying width, the majority of which are nonconforming under existing R-75 standards. Redevelopment under the existing R-75 Zoning designation is not economically feasible given the varied ownership of the properties, the differing conditions of the properties, and the cost associate with redevelopment.

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

No. The proposed development is consistent with the residential character of the area and the existing development of townhomes and apartments on nearby and adjoining properties. Further, the proposed development includes a buffer adjacent to all external property lines.

Further, existing properties to the rear along Ford Place have significant depth which provide an additional natural buffer between the development and existing residences.

- 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.**

Yes. Development trends in the area encourage infill development with less individual exterior maintenance and more clustered development focusing on central amenities. The character of the area supports ownership by young professionals and older "empty-nesters" who are seeking to eliminate maintenance responsibilities and downsize to a townhome type development.

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

No. There are no historic buildings, sites, districts, or archeological resources on the Subject Property.

- 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.**

No. Although the Subject Development will result in a moderate increase in traffic and demand for utilities in the vicinity, the development will not overly tax the use of these public facilities. The property is served by McClendon Elementary School, Druid Hills Middle School and Druid Hills High School. Local schools should not be negatively impacted by the development as it will cater to young professionals without school-aged children and empty nesters, while none of these schools are currently exceed capacity.

MAR 01 2018

EXHIBIT "B" TO REZONING AND LAND USE
CHANGE REQUEST OF ARROWHEAD INVESTORS, LLC

COMES NOW Arrowhead Investors, LLC and sets forth its constitutional objections as follows:

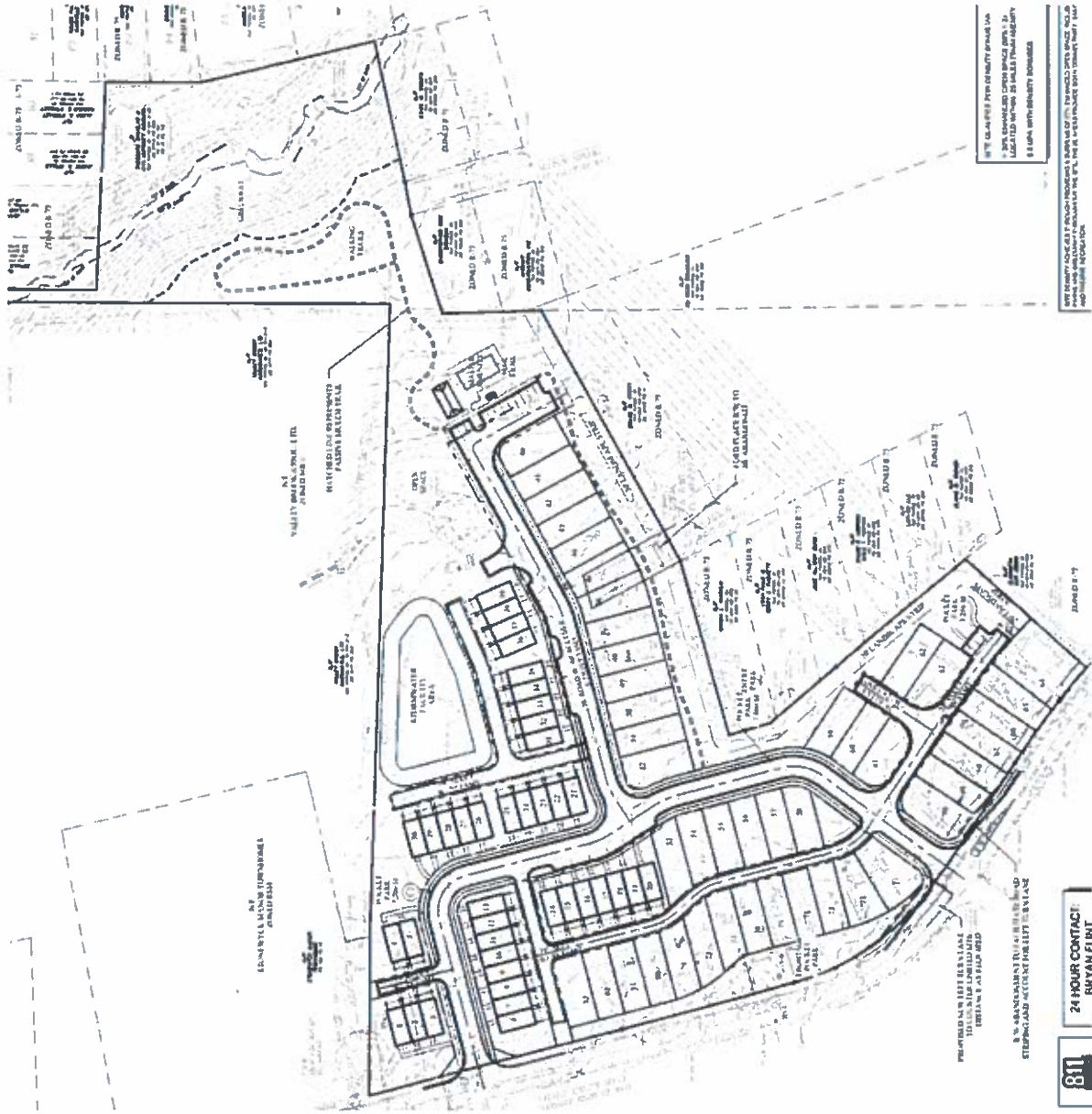
Applicant seeks a rezoning from R-75 to RSM to allow for the property to be developed for residential property with the adjacent tract described in the foregoing application. The present zoning classification of the subject property without the granting of such rezoning constitutes the taking of property without the payment of adequate compensation. Barrett v. Hamby, 235 Ga. 262, 219 S.E.2d 399 (1975). In addition, the arbitrary and capricious denial of the rezoning application would constitute a violation of due process and equal protection. Tuggle v. Manning, 244 Ga. 29, 159 S.E.2d 703 (1968). The denial of the rezoning request would not bear a substantial relation to the public health, safety, morals or general welfare. As a result, the denial of the rezoning request would be arbitrary and capricious. Sellers v. Cherokee County, 254 Ga. 496, 330 S.E.2d 882 (1985).

If the applicant's rezoning request is denied, its rights under the Fourteenth Amendment to the Constitution of the United States and under Article I, Section I, Paragraph I (Due Process) and Article I, Section III, Paragraph I (Eminent Domain) of the Constitution of the State of Georgia will be violated. Denial of the rezoning request will constitute an improper exercise of the police power.

MAR 01 2018

Z-18-22138

Site Plan



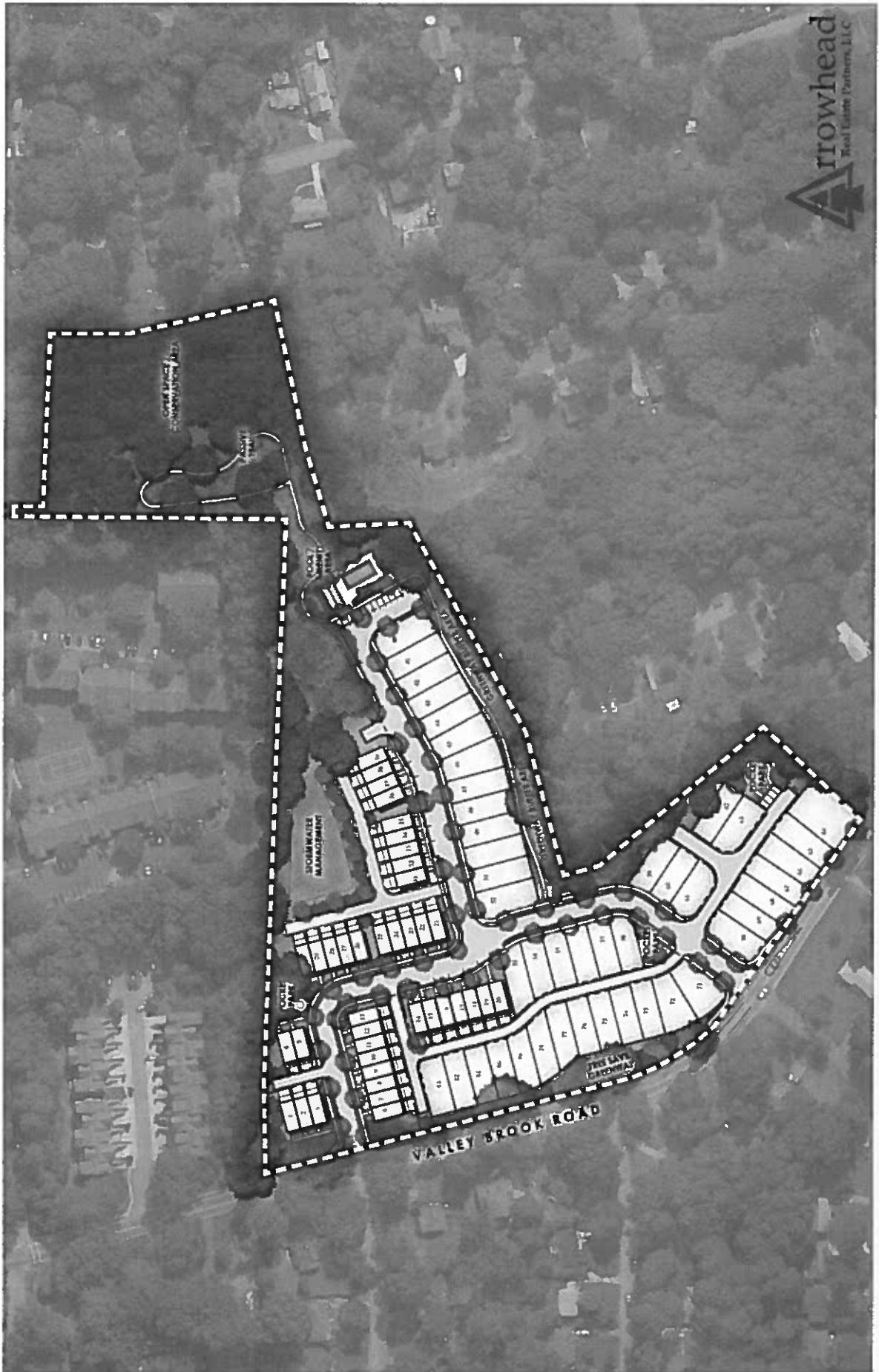
1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN ON THIS PLAN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.

2. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UTILITIES SHOWN ON THIS PLAN AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE RECORD DRAWINGS AND FIELD SURVEY DATA.

24 HOUR CONTRACT
RYAN PTINT

811

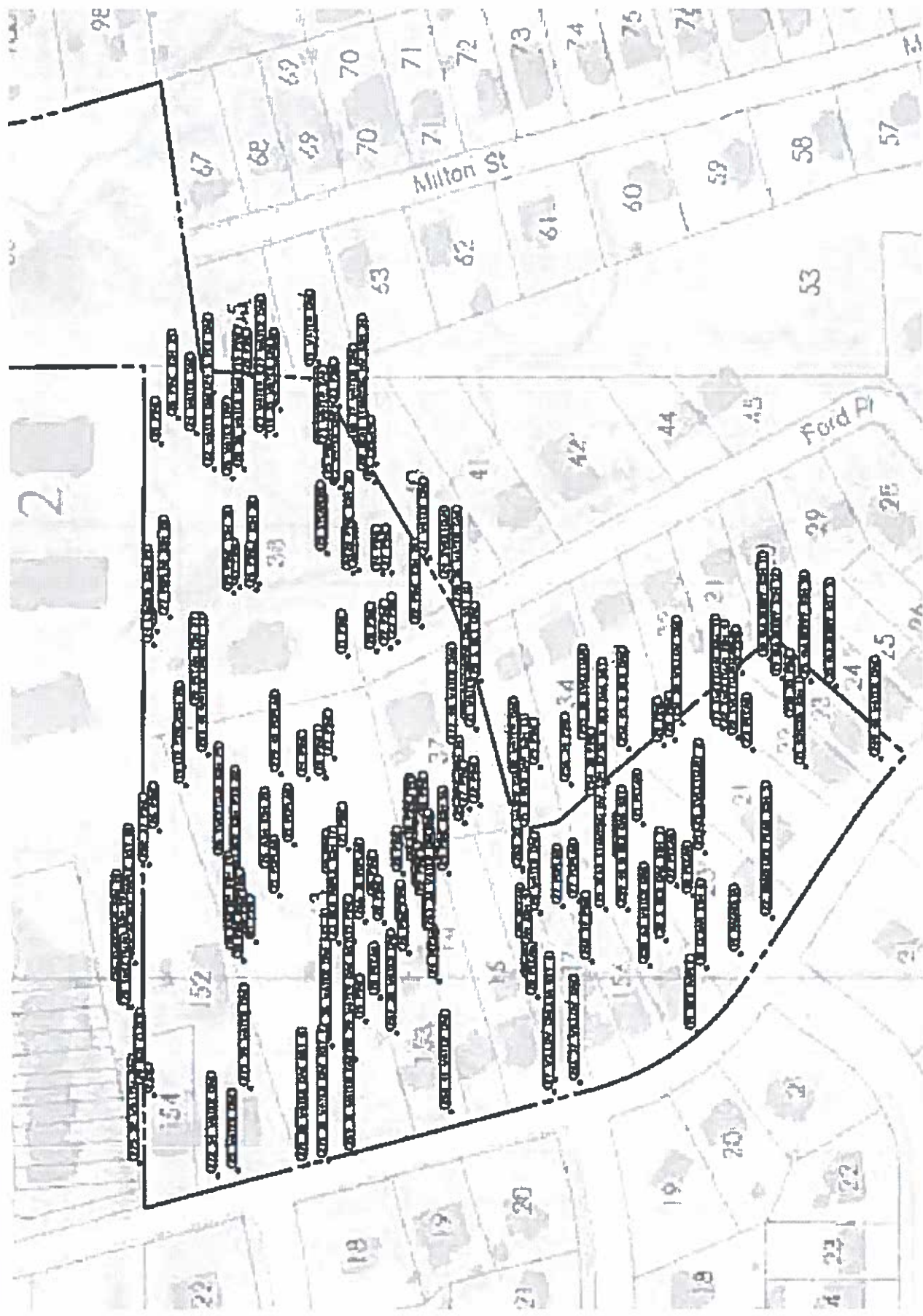
Z-18-22138



VALLEY BROOK ROAD AT FORD PLACE
A MASTER PLANNED DEVELOPMENT IN THE COUNTY OF DEKALB, GEORGIA

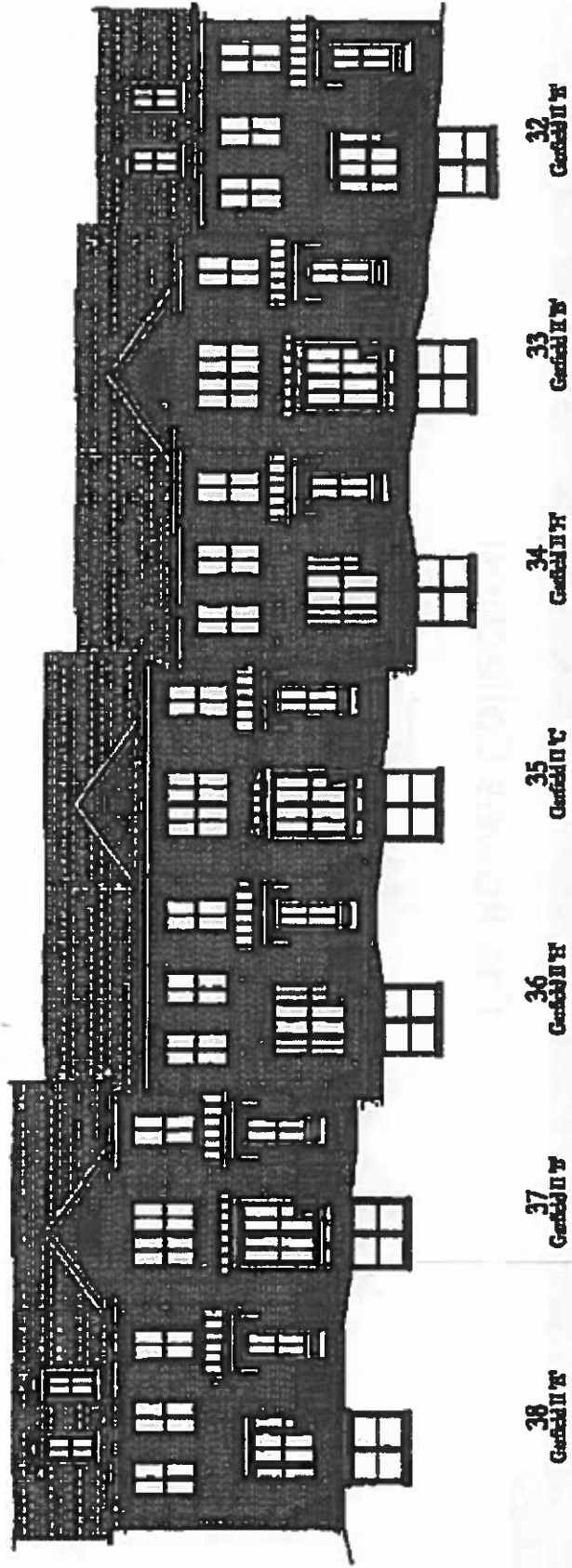
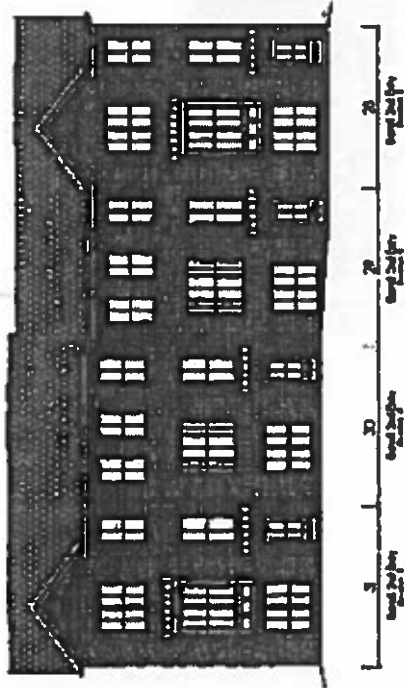
Z-18-22138

Tree Survey



Z-18-22138

The Brownstone Collection



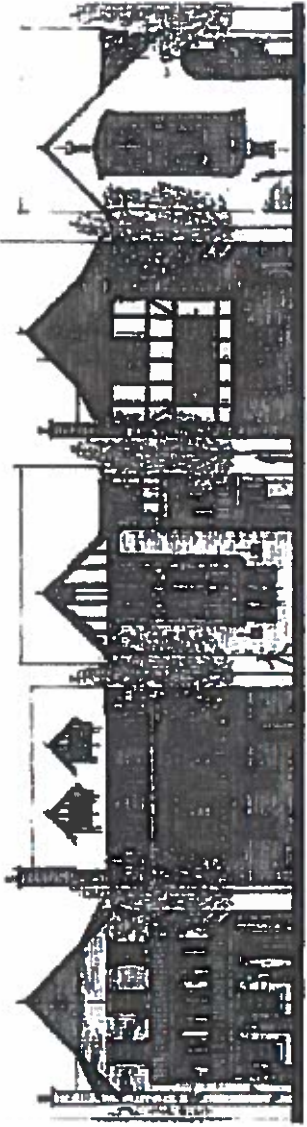
THE
PROVIDENCE
GROUP

Z-18-22138

The Rowes Collection



Three Story - Drive Under



English Cottage

English Cottage

Tudor

Tudor

Raphael Cottage

Three story - Front Garage



English Cottage

English Cottage

Tudor

Tudor

Raphael Cottage

Z-18-22138

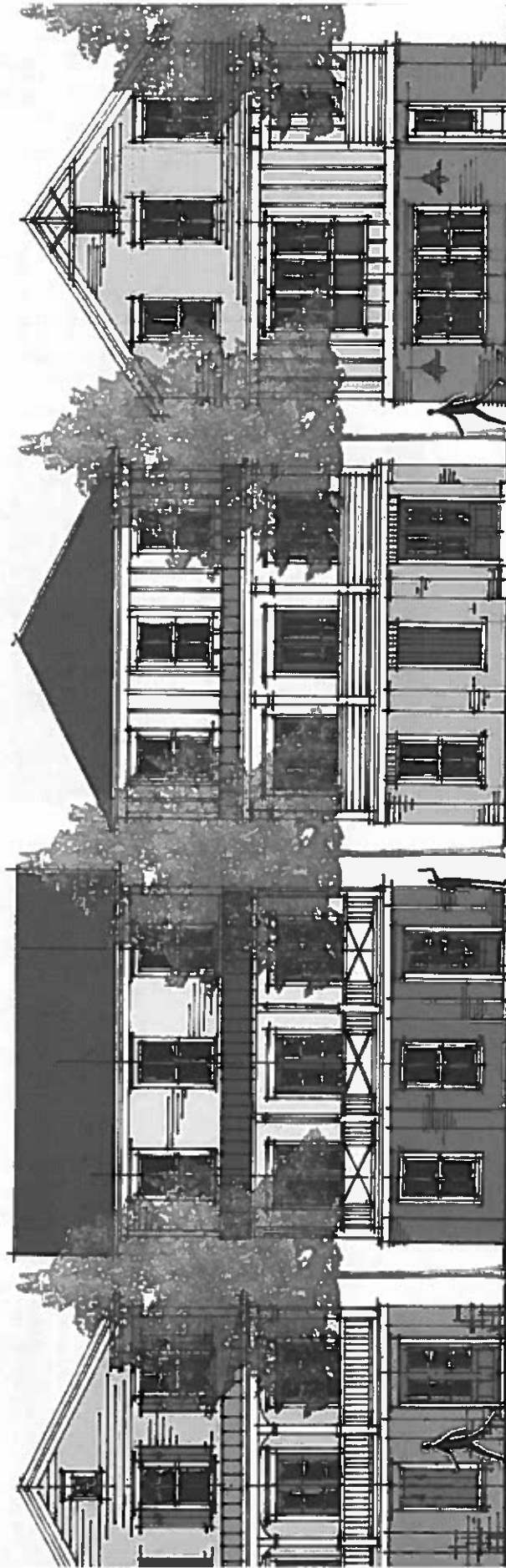


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Garnett 775 - Mercantile

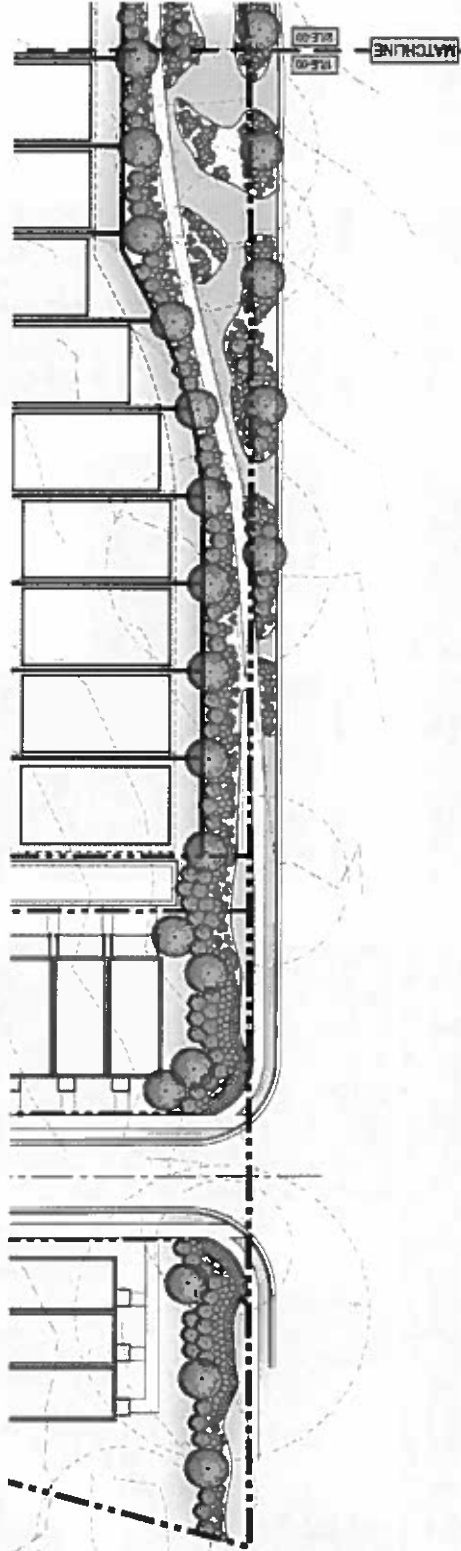
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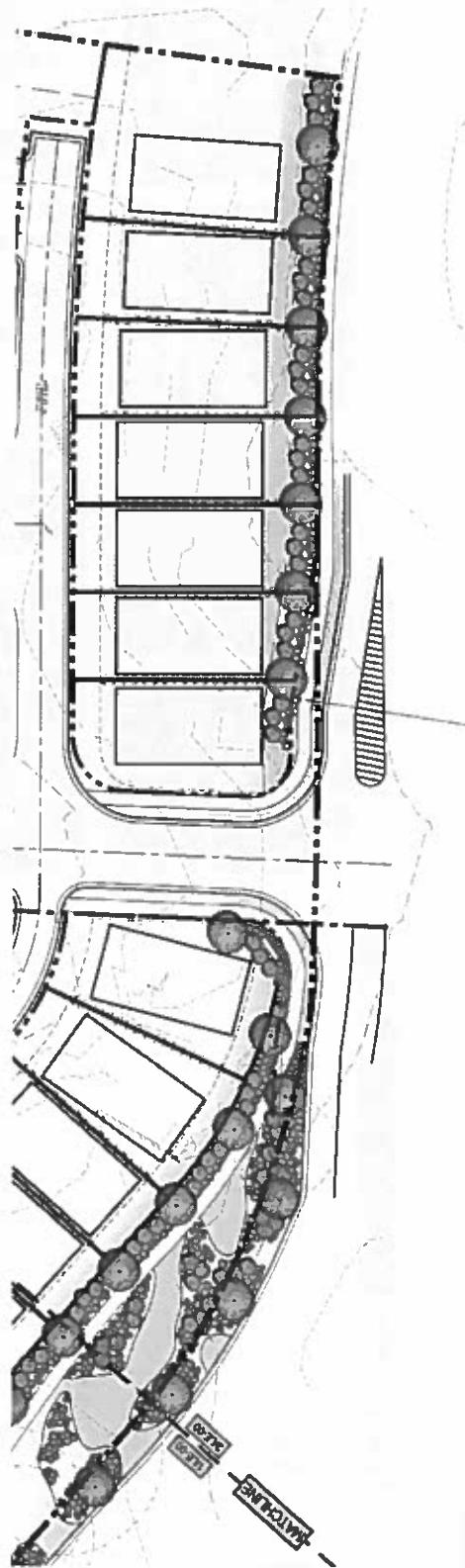
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Z-18-22138



1 LANDSCAPE PLAN - A
11-08



1 LANDSCAPE PLAN - B
11-08



360 PLANNERS & ENGINEERS
COLLABORATIVE



Arrowhead
LANDSCAPE ARCHITECTURE, LLC

VALLEY BROOK ROAD
A MASTER PLANNED DEVELOPMENT IN THE CITY OF DECATUR, GEORGIA

Z-18-22138

SYMBOL



PLANT TYPE

TREE

LARGE SHRUB

SMALL SHRUB

GROUNDCOVER

SHRUB

LARGE



Loropetalum Chinense

Pinus lauracerasus

SMALL



Mandina domestica

Dwarf Yaupon Holly

GROUNDCOVER

TURF



Bermuda grass



Fescue grass

GROUNDCOVER



Liriope Muscari



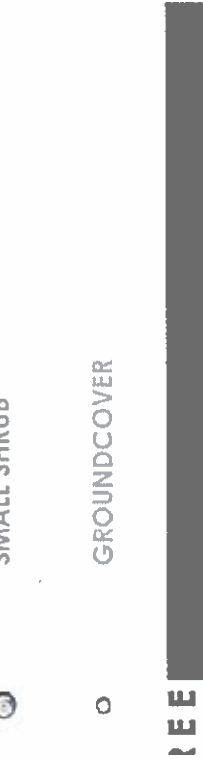
Hematocallis

TREE

CANOPY OVERSTORY



Acer Rubrum

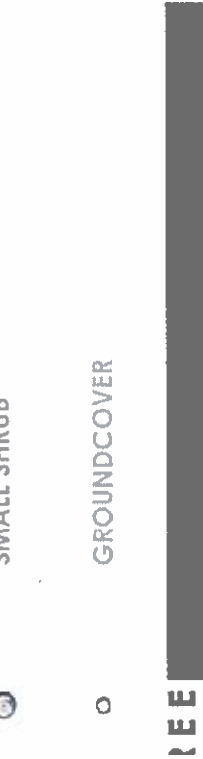


Quercus Spp.

EVERGREEN OVERSTORY



Cryptomeria Japonica



Ilex Opaca

UNDERSTORY



Cercis canadensis



Vitis Americana

SHRUB

MEDIUM



Muhlenbergia capillaris



Pteropodium Fabria

SEASONAL



Panicle



Begonia

SEASONAL



Impatiens

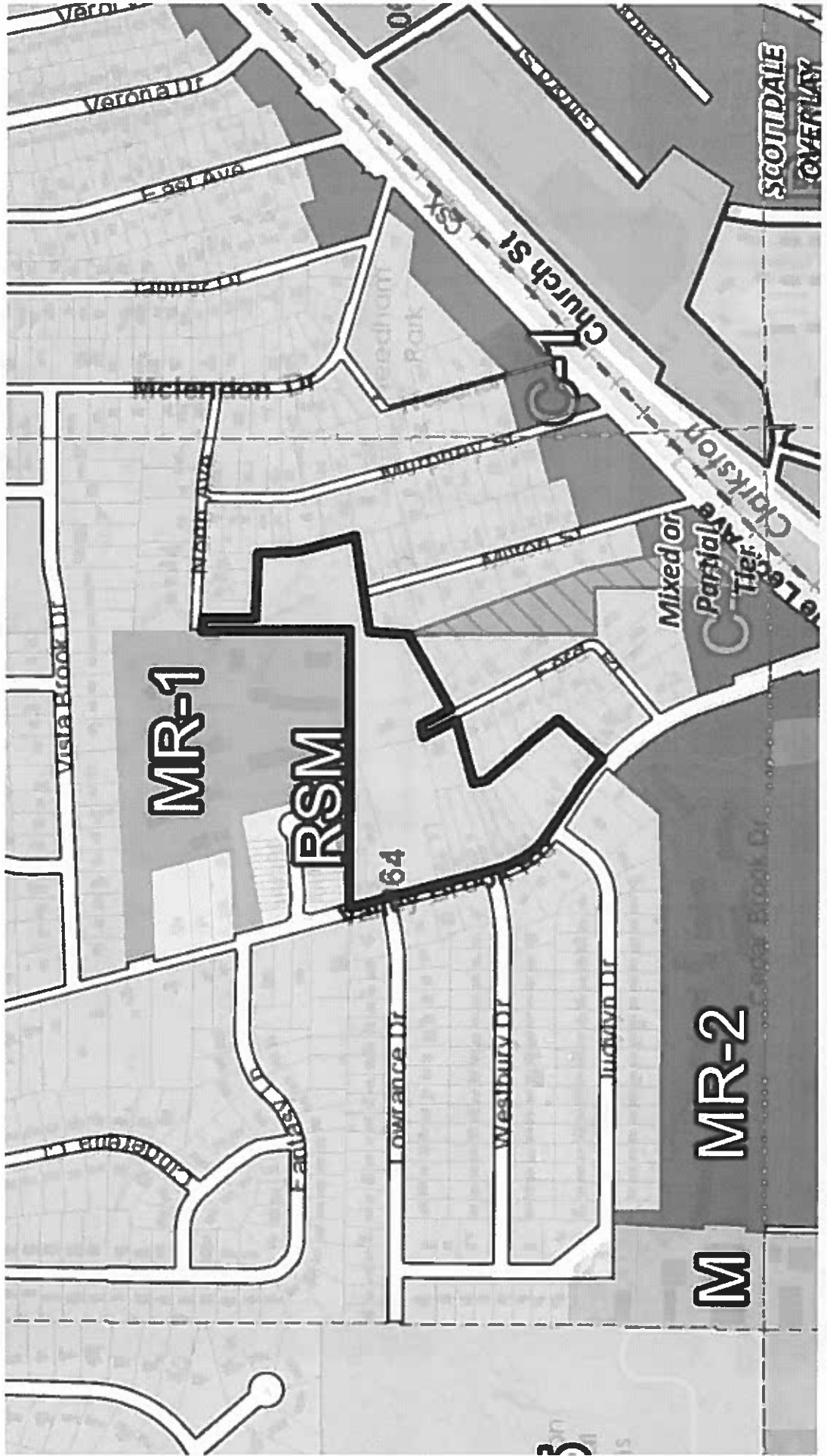
SEASONAL



Callista Holly

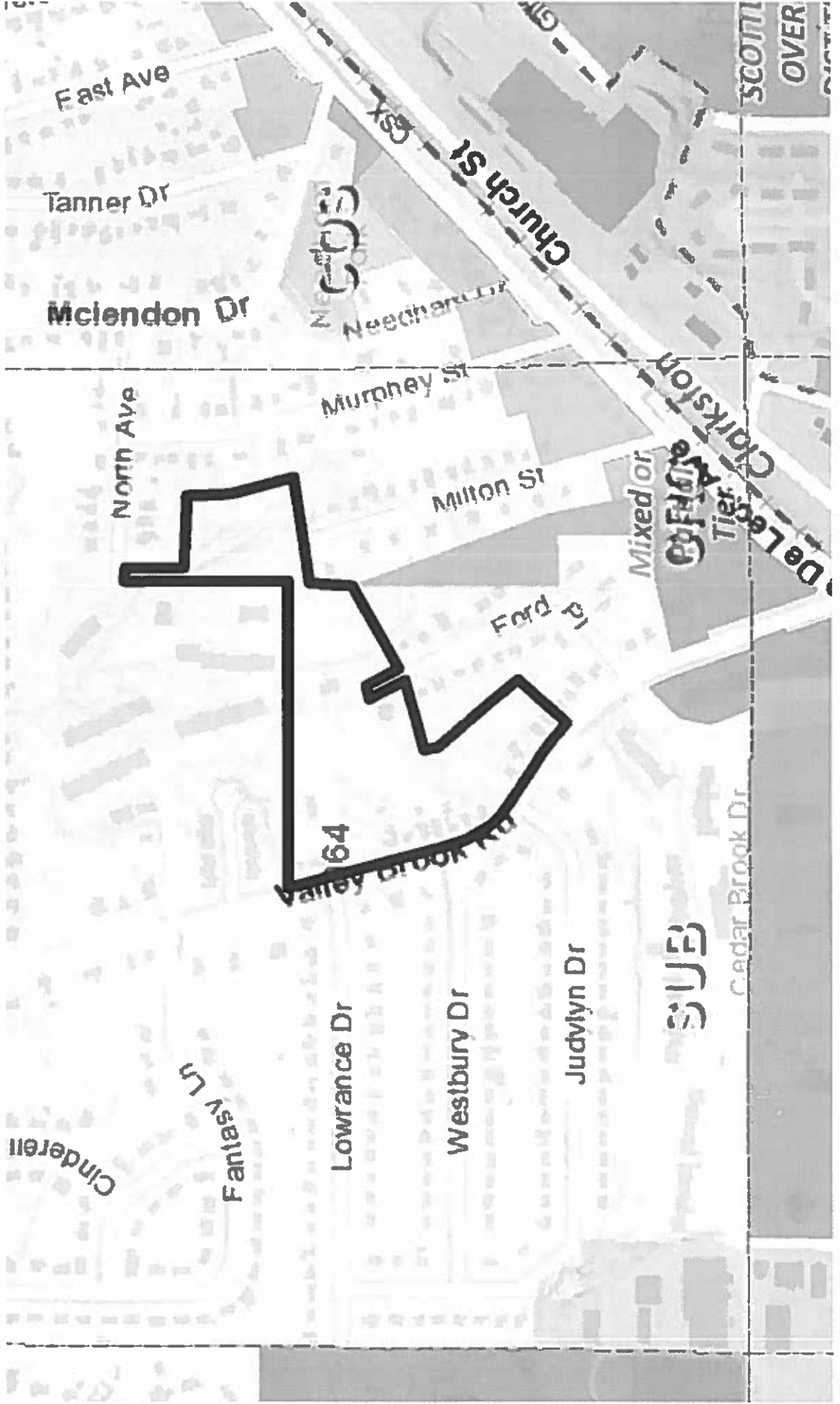
Z-18-22138

Zoning Map



N. 6 Z-18-22138

Land Use Map



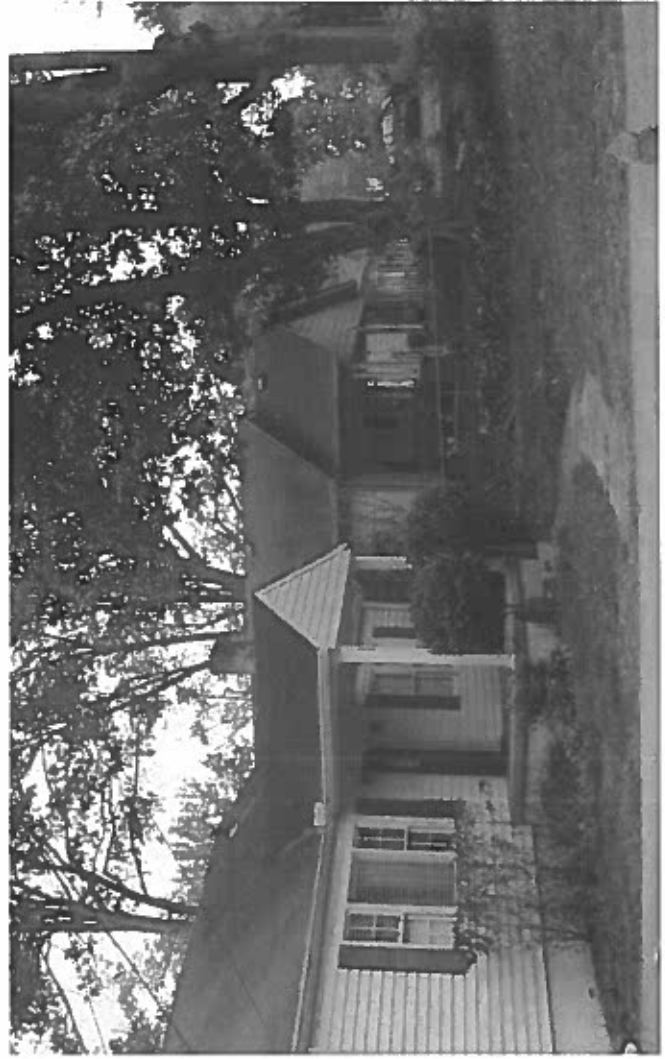
N. 6 Z-18-22138

Aerial Photo



N. 6 Z-18-22138

Site Photos



Views of Valley Brook Road frontage of subject property.

N. 6 Z-18-22138

Site Photos



Homes on opposite side of Valley Brook Road.

