



Planning Commission Hearing Date: July 8, 2025
Board of Commissioners Hearing Date: July 24, 2025

STAFF ANALYSIS

CASE NO.:	Z-25-1247521	File ID #: 2025-0625
Address:	2381 Snapfinger Road, Decatur, Georgia 30034	Commission District: 03 Super District: 07
Parcel ID(s):	15 126 05 004	
Request:	Rezone property from R-100 (Residential Medium Lot -100) zoning district to MR-1 (Medium Density Residential) zoning district to allow for townhome development.	
Property Owner(s):	Valley Consulting, LLC	
Applicant/Agent:	Valley Consulting, LLC c/o Linda Dunlavy	
Acreage:	3.3 acres	
Existing Land Use:	Vacant land	
Surrounding Properties:	North: MR-1 (Medium Density Residential-1) East: C-1 (Local Commercial), South: MR-1, C-1, R-100 (Residential Medium Lot-100) West: MR-1.	
Comprehensive Plan:	TC (Town Center) Consistent X Inconsistent	

STAFF RECOMMENDATION: Approval with Conditions.

The applicant, Valley Consulting, LLC c/o Linda Dunlavy, is seeking to rezone the subject site from R-100 (Residential Medium Lot-100) to MR-1 (Medium Density Residential) for twenty-four (24) attached townhome units. Based on feedback from Staff, the Applicant updated the site plan and submitted a revised site plan on 6/13/25. While the proposed concept remained, the site design improved to better align with the design goals of the TC (Town Center) Character Area and the *Wesley Chapel Activity Center LCI* (Livable Centers Initiative) via improved pedestrian and vehicular access and inter-parcel connections. Staff performed a conceptual review of the site plan to meet criteria of *Section 27-7.3.5 (A-H) of the Zoning Ordinance*, however, the site plan will require additional reviews prior to the permitting stage of the project.

The proposed rezoning to MR-1 and townhome development aligns with the MR-1 and townhome/multifamily zoning and development pattern in the surrounding area. The proposal is consistent with the redevelopment of properties along Snapfinger Road. Directly east of the subject site is a property rezoned in 2019 to MR-1 (Z-19-1243384) for a one hundred and twenty-four (124) townhome and single-family development. The 24-unit residential development at a density of approximately seven (7) units per acre is below both MR-1 maximum densities (8 units per acre) and the TC Character Area (60 units per acre). MR-1 zoning is a permitted zoning district in the TC Character Area, and the proposed design clusters the units in groups of four (4) and up to seven (7) units. The proposed zoning district (MR-1) is consistent with the intent of the TC, to serve as a focal point for surrounding neighborhoods, and suitable in view of the use and transition to the development adjacent to the subject site. TC promotes walkable, higher density developments that support community interaction through a variety of development designs, uses, and preservation of green space (*DeKalb 2050 Unified Plan, Pg. 35*). Additionally, the site lies within the *Wesley Chapel Activity Center LCI*, which emphasizes street connectivity

within and between new developments. These key policy goals are reflected in the most recent submission on 6/13/25.

Site Plan Conceptual Review (Revised “Zoning Exhibit for 2381 Snapfinger” dated 6/13/25):

The site plan appears to comply with most of Section 27-2.11.1 – *Dimensional Requirements* for MR-1. However, since the site plan has been revised, the applicant will need to state compliance with all MR-1 zoning requirements at the permitting stage of the project, including but not limited to the following:

- Provide tabular data to show compliance with minimum parking requirements, minimum building setback and lot frontage requirements, minimum open space, and minimum unit size.
- Staff recommends the Applicant correspond with the Fire Review Division and Sanitation Division to ensure appropriate access to the rear units (19-24) by way of the cul-de-sac and/or alley provided.
- The portion of the pedestrian walkway along the northern boundary line appears to encroach into the transitional buffer. However, Per *Section 5.4.5 Transitional Buffers B 6. A pedestrian walkway, a maximum width of five (5) feet, may be in the buffer to provide pedestrian access to the adjoining property. Where a pedestrian walkway is provided, a gate shall be installed in the required screening fence. This walkway may have to be modified and/ or removed as noted in Condition #3.*

Design and Connectivity Considerations:

- New streets require internal landscape strips per *Section 5.4.3. - Streetscape Elements and Dimensions A1.*
- Staff recommends more consideration of enhanced open space surrounding the detention pond located in the northern portion of the site, in addition to compliance with *Section 5.4.6 Screening (E)* which requires screening around detention facilities, incorporating walking paths and/or a pocket park.

The proposal appears to be consistent with the maximum densities allowed by MR-1 and the TC Character Area, demonstrates appropriate compatibility, interconnected design, and supports the intent of the LCI. Upon review of 27-7.3.5 (A-H), Staff recommends a ***“Approval with the following conditions”***:

1. Facades facing a street must comply with Section 27-5.7.6 (A-M) –Single Family Attached, particularly I (Facades) regardless of renderings submitted in the rezoning application (Z-25-1247521).
2. The site plan is conceptual (Revised “Zoning Exhibit for 2381 Snapfinger” dated 6/13/25) however, the road and access by alley shall be maintained or improved.
3. The applicant shall construct a pedestrian walkway along the southern boundary line of the property, subject to the approval of all applicable review authorities. If the walkway is determined to be infeasible or denied during the permitting process, the applicant may revise the site plan to remove or relocate the walkway, subject to review and approval by the Planning Director to ensure consistency with the intent of the approved plan and overall pedestrian connectivity.
4. The building elevations shall vary in style and design, staggered to have articulation throughout the development.
5. There shall be no more than twenty-four (24) townhome units in the proposed development.
6. The community will be subject to CCRs (covenants, conditions, and restrictions) which will provide, among other things, that no more than four (4) of the units shall be rented out and no such rentals may be for less than a period of one (1) year. Any rental of units must be approved by the HOA and then only on a “hardship” basis to be defined by the CCR’s.
7. Approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Planning Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by each entity.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Lorraine Cochran-Johnson

Interim Director
Cedric G. Hudson, MCRP

ZONING COMMENTS – JULY 2025

N1-2025-0624 SLUP-25-1247517 (1101 N. Hairston Road): N. Hairston Road is classified as a Major Arterial.

N2-2025-0625 Z-25-1247521 (2381 Snapfinger Road): Snapfinger Road is classified as a local roadway. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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).

N3-2025-0626 SLUP-25-1247527 (5083 Biffle Road): Biffle Road is classified as local. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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). No poles may remain within the limits of the path/sidewalk on any street.

N4-2025-0627 Z-25-1247528 (3803 & 3815 Glenwood Road): Glenwood Road, Roadway classified is Minor Arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. Farris Drive is classified as local roads. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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).

N5-2025-0628 Z-25-1247529 (3265 Northeast Expressway): Northeast Expressway is classified as a Collector. Land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N6-2025-0629 Z-25-1247470; and, N7-2025-0630 SLUP-25-1247471 (7566 Union Grove Road): Union Grove Road is classified as a minor arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov).

N8-2025-0631 SLUP-25-1247516 (1816 Enid Drive): Enid Drive is classified as a local roadway.

N9- 2025-0632 SLUP-25-1247522 (3600 Preakness Drive): Preakness Drive is classified as a local roadway.

N10-2025-0633 SLUP-25-1247526 (4106 Creek Court): Creek Court is classified as a local roadway.

N11-2025-0634 SLUP-25-1247530 (2854 Clifton Church Road): Clifton Church Road is classified as a minor arterial.



5/30/2025

To: 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.

N1-2025-0624 SLUP-25-1247517: 1101 N. Hairston Road, Stone Mountain, GA 30083
Review general comments

N2-2025-0625 Z-25-1247521: 2381 Snapfinger Road, Decatur, Ga 30034
See general comments

N3-2025-0626 SLUP-25-1247527: 5083 Biffle Road, Stone Mountain, GA 30088
See general comments

N4-2025-0627 Z-25-1247528: 3803 & 3815 Glenwood Road, Decatur, GA
See general comments

N5-2025-0628 Z-25-1247529: 3265 Northeast Expressway, Chamblee, GA 30341
See general comments.

N6-2025-0629 Z-25-1247470: 7566 Union Grove Road, Lithonia
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N7-2025-0630 SLUP-25-1247471: 7566 Union Grove Road, Lithonia, GA 30058
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N8-2025-0631 SLUP-25-1247516: 1816 Enid Drive, Lithonia, GA 30058
Septic system onsite. **Note:** DeKalb Public Health prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N9-2025-0632 SLUP-25-1247522: 3600 Preakness Drive, Decatur, GA 30034
See general comments

N10-2025-0633 SLUP-25-1247526: 4106 Creek Court, Stone Mountain, GA 30083
See general comments

N11-2025-0634 SLUP-25-124753: 2854 Clifton Church Road, Atlanta, GA 30316
See General Comments

N12-2025-0635 TA-25-1247540: 3221 Glenwood Road, Decatur, GA
See general comments



**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**

- **Fire Safety**



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: 15-25-1047501 Parcel I.D. #s: 15-106 05 004
 Address: 2381 Snodinger Road
Decatur, Ga. 30034

Adjacent Roadway (s):

(classification) (classification)

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

Capacity (TPD) _____
 Latest Count (TPD) _____
 Hourly Capacity (VPH) _____
 Peak Hour. Volume (VPH) _____
 Existing number of traffic lanes _____
 Existing right of way width _____
 Proposed number of traffic lanes _____
 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: I did not see any traffic engineering concerns at this time.

Signature: Jennifer Russell



**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

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

Case No.: _____ Parcel I.D. #: _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

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

Water Treatment Facility: _____ adequate ____ inadequate ____

Sewage Capacity: _____ (MGPD) Current Flow: _____ (MGPD)

COMMENTS:

Signature: _____



**MARTA July 2025
Case Comments**

N5-2025-0628 Z-25-1247529 2381 Snapfinger Road, Decatur, GA 30034

This property is adjacent to MARTA bus routes on nearby Rainbow Rd and Wesley Chappel Rd. Development should include pedestrian connectivity to these routes.

N4-2025-0627 Z-25-1247528 3803 & 3815 Glenwood Road, Decatur, GA 30032

MARTA supports this rezoning due to proximity to transit access on Glenwood Rd. The constructed development should include direct pedestrian access to Glenwood Rd to ensure residents can take advantage of transit services and should coordinate with MARTA during design.

N5-2025-0628 Z-25-1247529 3265 NE Expressway, Chamblee, GA 30341

MARTA supports this rezoning as this project is located adjacent to MARTA service. However, it is critical that the developer accommodate direct pedestrian access to Northeast Expressway frontage so that residents can access transit service. Developer should coordinate with MARTA to place amenity pad.

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Applicant Name: Valley Consulting LLC c/o Linda Dunlavy, Dunlavy Law Group LLC

Applicant Email Address: ldunlavy@dunlavylawgroup.com

Applicant Mailing Address: 245 North Highland Avenue, NE, Suite 230 #905, Atlanta, GA 30307

Applicant Phone Number: 404-664-0895

Owner Name: Valley Consulting, LLC

(If more than one owner, attach list of owners.)

Owner Email Address: clintonavalley@gmail.com

Owner Mailing Address: 3626 Heritage Estates, Stonecrest Georgia 30038

Owner Phone Number: 404-661-8131

Subject Property Address: 2381 Snapfinger Road , Decatur Georgia 30034

Parcel ID Number(s): 15 126 05 004

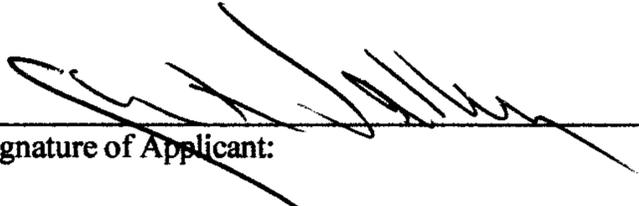
Acreage: 3.346 Commission District(s): 3 and 7 Super District: _____

Existing Zoning District(s): R-100 Proposed Zoning District(s): MR-1

Existing Land Use Designation(s): TC Proposed Land Use Designation(s): TC (if applicable)

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: X Agent: _____ Clinton A. Valley

Signature of Applicant: 

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: March 26, 2025

TO WHOM IT MAY CONCERN:

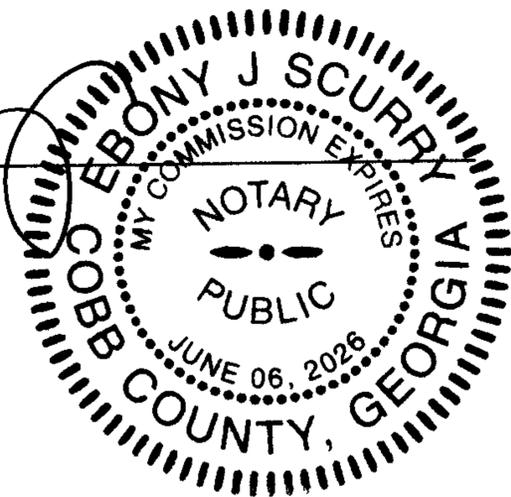
I/WE: Clinton A. Valley of Valley Consulting LLC
Name of Owner(s)

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

Linda Dunlavy of Dunlavy Law Group, LLC
Name of Agent or Representative

to file an application on my/our behalf.

[Signature]
Notary Public



Clinton A. Valley
Owner [Signature]

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: NO * *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

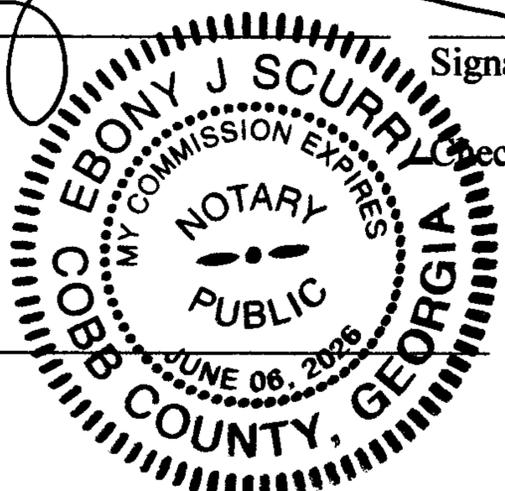
- 1. The name and official position of the local government official to whom the campaign contribution was made.
- 2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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.

[Signature]
Notary

[Signature]
Signature of Applicant /Date

Check one: Owner Agent



June 06, 2026
Expiration Date/ Seal

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

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: X No: _____ *

On November 7, 2024 Dunlavy Law Group, LLC contributed \$500 to LaDena Bolton-District 7 Comm. 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.

Gloria Ann Woodward Glasser [Signature] 3-31-25
Notary Signature of Applicant /Date

Gloria Ann Woodward Glasser
NOTARY PUBLIC
DeKalb County, GEORGIA
My Commission Expires 08/18/2026

Check one: Owner _____ Agent X

Expiration Date/ Seal

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

Record and Return to:
Lueder, Larkin & Hunter, LLC
5900 Windward Parkway, Suite 390
Alpharetta, GA 30005
File No.: GA-CG-25-0028-PUR

LIMITED WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DEKALB
APN/Parcel ID: 15 126 05 004

THIS INDENTURE, made this 14th day of February, 2025, between

Piedmont Capital Lending, LLC

as party or parties of the first part, hereinafter called Grantor, and

Valley Consulting, LLC

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).

W I T N E S S E T H: That Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt 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, the following described property, to wit:

See Exhibit A attached hereto and made a part hereof.

Subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property against the claims of all persons owning, holding, or claiming by, through and under the said Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

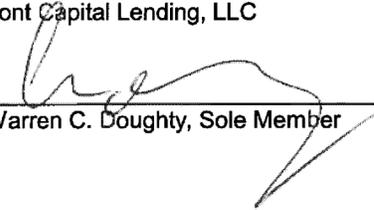
Signed, sealed and delivered in the presence of:

GRANTOR:

Piedmont Capital Lending, LLC



Unofficial Witness

By:  (SEAL)
Warren C. Doughty, Sole Member



Notary Public
My Commission Expires: 4/18/28
[Notary Seal]



EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 126 of the 15th District, DeKalb County, Georgia, containing 3.339 acres as shown on plat of survey prepared for John H. Santiago and Decatur Federal Savings and Loan Association by B. J. Goble, Georgia Registered Land Surveyor No. 1081, dated September 27, 1988; and being more particularly described as follows: Beginning at an iron pin found on the southwesterly right of way of Snapfinger Road (60 foot right of way) (fka Decatur-Flat Shoals Road), 940.6 feet northwesterly as measured along the old location of Snapfinger Road from a point where said right of way of Snapfinger Road intersects the north side of Rainbow Drive; running thence south 81 degrees 59 minutes 48 seconds west, a distance of 790.66 feet to an iron pin found; running thence north 01 degree 18 minutes 01 seconds east, a distance of 199.83 feet to an iron pin found; running thence north 82 degrees 23 minutes 46 seconds east along property now or formerly owned by Sarah A. Sprayberry, a distance of 703.36 feet to an iron pin set on the southwesterly right of way of Snapfinger Road; running thence south 23 degrees 57 minutes 44 seconds east along the southwesterly right of way of Snapfinger Road, a distance of 200.00 feet to an iron pin found and the point of beginning.

LETTER OF APPLICATION

and

Other Materials Required by
DeKalb County Zoning Ordinance

for

Rezoning of the Subject Property from R-100(single-family residential) to MR-1 (medium density residential townhomes with conditions)

Of

VALLEY CONSULTING, LLC

To Allow For

24 townhomes located on +/- 3.346 acres
Tax Parcel 15-126-05-004

2381 Snapfinger Road

Submitted for Applicant by:

Linda I. Dunlavy
Dunlavy Law Group, LLC
245 North Highland N.E. Suite 230, #905
Atlanta, GA 30307
(404) 371-4101 Phone
(404) 371-8901 Facsimile
ldunlavy@dunlavylawgroup.com

I. INTRODUCTION

This Application seeks rezoning of 2381 Snapfinger Road (Subject Property), an undeveloped parcel of land on the west side of Snapfinger Road north of Rainbow Drive, for the development of a townhome community to be known as the “Sweet Valley Townhomes”. The Applicant proposes to develop the +/- 3.346 acres with a maximum of 24 townhomes (approximately 7.17 units per acre). *See proposed site plan included herein.* The Applicant proposes to offer different design models with the opportunity for custom touches. *See sample elevation included herein.* To achieve this, the Subject Property needs to be rezoned from its current designation of R-100 to MR-1.

II. FACTUAL BACKGROUND

The Subject Property is currently zoned R-100 (single-family residential), a zoning district requiring, among other things, minimum lot areas of 15,000 square feet and not permitting attached single-family dwellings such as townhomes. It is located immediately to the south of property rezoned in 2019 (Z-19-1243385) to MR-1 with conditions for the development of a community comprised of 124 townhomes and 26 single-family detached residences at a density of +/-8.70 units per acre.¹ It is immediately west and across the road from the rear of the Wesley Club Apartments community zoned C-1 and east of Rainover Estates, an older single-family R-100 subdivision. It is immediately adjacent to the I-20 Overlay Tier 3 to the south and Tier 2 to the west. Further to the south of the Subject Property are largely undeveloped MR-1 parcels and C-1 parcels at the intersection of Wesley Chapel Road and Rainbow Drive. These latter properties are all within Tier 3 of the I-20 Overlay. *See Overlay map.* Tier 3 allows for a

¹ While this property has yet to be developed, it is the Applicant’s understanding that it is in the process of sketch plat review.

height of four stories and a maximum density of 40 upa. The Subject Property is also within the Wesley Chapel Activity Center LCI study area. *See study report of 2011.* The land use designation for all properties within the immediate vicinity of the subject property is Town Center, a character area which includes shopping centers, gas stations, religious and educational institutions and a range of personal services establishments, such as Love and Graces Christian Academy, New Beginnings Worship Center, Rainbow Learning Academy, Rainbow Elementary School and the Wesley Chapel Library. *See attached Land Use Map.*

The Wesley Club Apartments at 4103 Wesley Club Drive were built in 1972 and are comprised of 257 apartment units on 13.3 acres (19.32 upa). It is a covenant restricted low-income housing development, whose construction was financed in part by the issuance of bonds by the DeKalb County Housing Authority. West of the Subject Property across Kelly Chapel Road are the Rainover Estates, Shadowbrook , and Rainbow Drive R-100 subdivisions developed in the mid-60s to the early 80s along with few larger lot residential properties at the intersection of Rainbow Drive and Kelly Chapel Road. *See included photos of Subject Property and its surrounds.*

The Applicant purchased the Subject Property out of foreclosure in February of 2025. with the intent of trying to develop the Subject Property for a townhome community due to the Town Center character area designation for the Subject Property. The creation of a modest townhome community would allow for a logical transition from the zoned MR-1 property to the north and the R-100 properties to the southwest. The homes will be Southern Farmhouse in design, 22 feet wide and 50 feet deep, a minimum of 2000 square feet, with high-end finishes and materials. The 24 homes will be contained within three separate buildings of no more than 9 units each oriented along a new road running along the ~~southern~~ northern length of the Subject

Property. Reasonable efforts will be made to utilize green building techniques throughout the community including energy efficient insulation, lighting, and plumbing, earth friendly building materials, electric car chargers, energy efficient glass packages and solar hook ups. It is anticipated that they would initially be marketed at \$350,000+ upon completion. The community would be served by a public road from Snapfinger Road or a private road built to public road specifications and gated. Open space with benches and swings will be provided in the community. To assure community stability, to the extent permitted by the Fair Housing Act, restrictions would be placed on rentals of units in the HOA documents. Storm water management facilities will be located at the western end of the parcel.

The Applicant offers this Letter of Application along with supporting documentation including a survey, a conceptual site plan, sample elevations, various County maps, photographs of the Subject Property and its surrounds, and more. The Applicant submits that the application information and the material herein demonstrate that the application meets the standards for rezoning set forth in the Zoning Ordinance addressed in more detail below.

II. RELEVANT ZONING ORDINANCE PROVISIONS

Sections 7.3.5 of the Zoning Ordinance sets forth “standards and factors governing review” of rezoning applications by decision makers. Those factors and standards are as follows:

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 property or 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 property or 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 buildings, sites, districts, or archaeological resources.

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.

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

The Applicant submits that, as required, it can satisfactorily address all these factors and standards and addresses them in detail below.

III. ZONING FACTORS/STANDARDS ANALYSIS

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

The Subject Property is designated in the 2050 Comprehensive Land Use Plan (“LUP”) as a Town Center character area. This designation is intended to protect existing neighborhoods from incompatible land uses while allowing for continued growth and investment. Town Centers are intended to serve as concentrated nodes of development and activity. Preferred uses in the Town Center character area specifically include town home communities and permits MR-1 zoning of property. Future development in these areas “should provide better pedestrian and community connectivity and be designed in a way that preserves

and enhances existing green space. This designation allows for detached single-family homes, townhomes, cottages, conservation villages and hamlets of up to 8 units per acre. *See 2050 Comprehensive Land Use Plan, pages 28-50.*

One of the articulated listed “opportunities” of the LUP is to “concentrate future development and density within activity centers (and thereby) help protect existing single-family areas.” The proposed rezoning would avail itself of that identified opportunity and further the articulated goals of:

- **New Development**-focus new development and density in existing activity centers near transit stations and high-capacity corridors.
- **Single Family Neighborhoods**-continue to protect existing, stable, single-family neighborhoods, while identifying locations for appropriate infill development.
- **Density transitions** -Manage height and density transitions between densely developing areas and surrounding lower intensity residential neighborhoods.
- **Diverse Housing and Development**-encourage more diverse housing and development types to meet the changing needs of residents and communities.

See 2050 Comprehensive Land Use Plan Update, page 5. Finally, housing opportunities note that “new and diverse housing types will help the County meet market demands and support continued growth.” *See 2050 Comprehensive Land Use Plan, page 8.*

The zoning proposal is not only in conformity with the policies and intent of the Town Center Character Area but many of its elements further the goals set forth in the Comprehensive Land Use Plan. The density does not exceed eight units per acre (it is at 7.17 units per acre); the Applicant proposes a mixture of contemporary and more traditional housing, thereby offering a diversity of product for future residents. Three-bedroom models will be offered. The community created will be walkable and connected to the larger area along Snapfinger Road. Sidewalks will be provided along the frontage of Snapfinger Road and internal to the site; green space will be saved and utilized for passive recreation and enjoyment. *See site plan.* Green building

techniques will be incorporated throughout the development thereby promoting environmental sustainability and resilience.

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

The proposed town home community is clearly suitable in view of the use and development of adjacent and nearby property. The adjacent properties are all zoned for residential use—medium or low-density residential zonings. The density of the proposed development is 7.17 units per acre, below the 8 unit per acre base max for an MR-1 zoning district. This density is consistent with the approved development to the north where a density of 8.7 units per acre was approved. *See Z-19-1243385 materials and conditions included herein.* The proposed zoning would provide a logical transition in densities from north to south and east to west.

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

While theoretically, development of the Subject Property as zoned might yield between 4 and 6 single-family homes, such development would be incompatible with the Town Center character area designation for the property and likely not marketable when sandwiched between higher density communities to the north and south and the Wesley Club apartment complex to the east. As such, Applicant submits that there is no reasonable economic use as zoned when compared to similarly situated properties within the same zoning classification.

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

The proposed development provides for a 30-foot transitional buffer to the southwest where it directly adjoins single family residential properties. It provides for natural screening to the south and north. These characteristics provide for separation between the proposed townhome community and the existing adjoining properties. This screening and buffering will serve to protect existing neighbors' privacy and quiet enjoyment of their property. There will be no significant adverse effects on the existing use or usability of adjacent properties. On the contrary, the proposed zoning provides for a logical step down in density from the property to the immediate north to the R-100 parcels to the southwest and the from the Wesley Club apartments to the east.

The Applicant is willing to agree to a condition of zoning to include in the CCRs for the townhome community provisions which would limit the number of rentals at any given time to no more than a total of 4 units, to prohibit short term/vacation rentals; and to require a minimum of a 12-month lease for those units that are rented . This is significantly more than any known rental controls in the surrounding communities.

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.

As noted above, the property immediately to the north of the Subject Property is zoned for up to 124 town homes and 26 detached residences. It and other properties fronting Snapfinger Road are in the I-20 Overlay, Tier 2, an Overlay with considerably more density allowed than in the older residential subdivisions to its west. The Town Center designation for this property and others in the immediate vicinity will invite increased density and mixture of

uses which will serve to change the conditions in this area. Housing options for single-family homes are needed in the County. Residents, according to the 2050 Comprehensive Land Use Plan, want more housing choices; they want to attract younger families and professionals and increase the diversity of housing options. The townhomes proposed by the Applicant do this—the only other options offered in the immediate vicinity are large lot aging single family detached homes and the low-income apartment complex of Wesley Club. This type of housing is not for everybody. The proposed development helps meet the needs of home buyers looking for alternatives to the high maintenance large lot subdivisions available throughout this community and is more compatible with the synergy desired through a Town Center designation. The proposed development will allow buyers to secure housing close to services and amenities.

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

Applicant is not aware of any historic buildings, sites, districts or archaeological resources in the vicinity of 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.

A traffic study is not required for such a small community. However, using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th edition 2021, for Single-Family Attached Housing (LUC 215), it is estimated that Daily vehicle trips for this 24-unit community would generate a maximum of 12 vehicle trips at a.m. peak hours and 14 at p.m. peak hours. The contribution of trips to the adjoining roadways will be minimal and will not

necessitate any road improvements. Public water is available at the Subject Property in the Snapfinger Road right-of-way and public sewer is available either on the Wesley Club property or in the Kelly chapel right-of-way. The DeKalb County schools serving the Subject Property are Rainbow Elementary School, Chapel Hill Middle School, and Southwest DeKalb High school. This project should not generate (using standard school planning numbers generate more than 4 or 5 additional students at each level. The marketing will be largely to young singles and families with and without children. But even if all homes are occupied by families with children, the development will not impose an excessive burden on the schools. All of these schools, according to the DeKalb County Schools enrollment and capacity statistics at <https://www.dekalbschoolsga.org/operations/planning/> are under capacity. Rainbow ES has a capacity of 648 students with only 333 enrolled; Chapel Hill MS has a capacity of 11140 with only 611 enrolled; and Southwest DeKalb HS has capacity of 1922 with only 1230 enrolled.

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

The zoning proposal will not be adverse to the environment or surrounding natural resources. There are no stream buffers, flood plain, or other sensitive environmental features on the Subject Property. The clustering of townhomes in buildings of 6-9 units will allow for the provision of green space and open space throughout the community. Moreover, the Applicant is taking careful steps to incorporate green building elements throughout the community to lessen environmental impacts such as solar roof tiles, electrical car chargers, earth friendly building materials, glass packages, and energy efficient insulation, lighting, and plumbing fixtures.

V. CONCLUSION

Based on the foregoing, the Applicant respectfully requests that the Board of Commissioners approve rezoning of the Subject Property from R-100 to MR-1 to allow for the Applicant's proposed 24-unit townhome with the following conditions:

- There shall be no more than 24 townhome units in the proposed development.
- The building elevations shall vary in style and design. The building elevations shall be staggered to have articulation throughout. Front facades shall contain a mixture of a minimum of two materials and textures, including hardiplank, batten board siding, stacked stone, brick, cedar shingles or fiber cement, and/or such other materials and textures approved by the Planning & sustainability Department which are complementary to a craftsman style single-family detached bungalow home. The use of vinyl siding is strictly prohibited.
- No more than 4 of the units shall be rented out and no such rentals may be for less than a period of one year.
- Development of the Subject Property shall be in general conformity with the site plan submitted with the zoning application.
- Driveways to individual units shall be no less than 18 feet in length.

The Applicant attended a pre-application meeting. *Form enclosed.* Applicant also conducted a community pre-submittal meeting on April 9, 2025, via Zoom. *See included meeting summary and notices to community.* The Applicant is amenable to additional reasonable conditions proposed through these community meetings or by staff should further conditions be requested.

Respectfully submitted this 15th day of April, 2025.


Linda I. Dunlavy
Georgia Bar No. 339596
Attorney for Applicant
DUNLAVY LAW GROUP, LLC

(404) 371-4101 Telephone
(404) 664-0895 Cell phone
ldunlavy@dunlavylawgroup.com

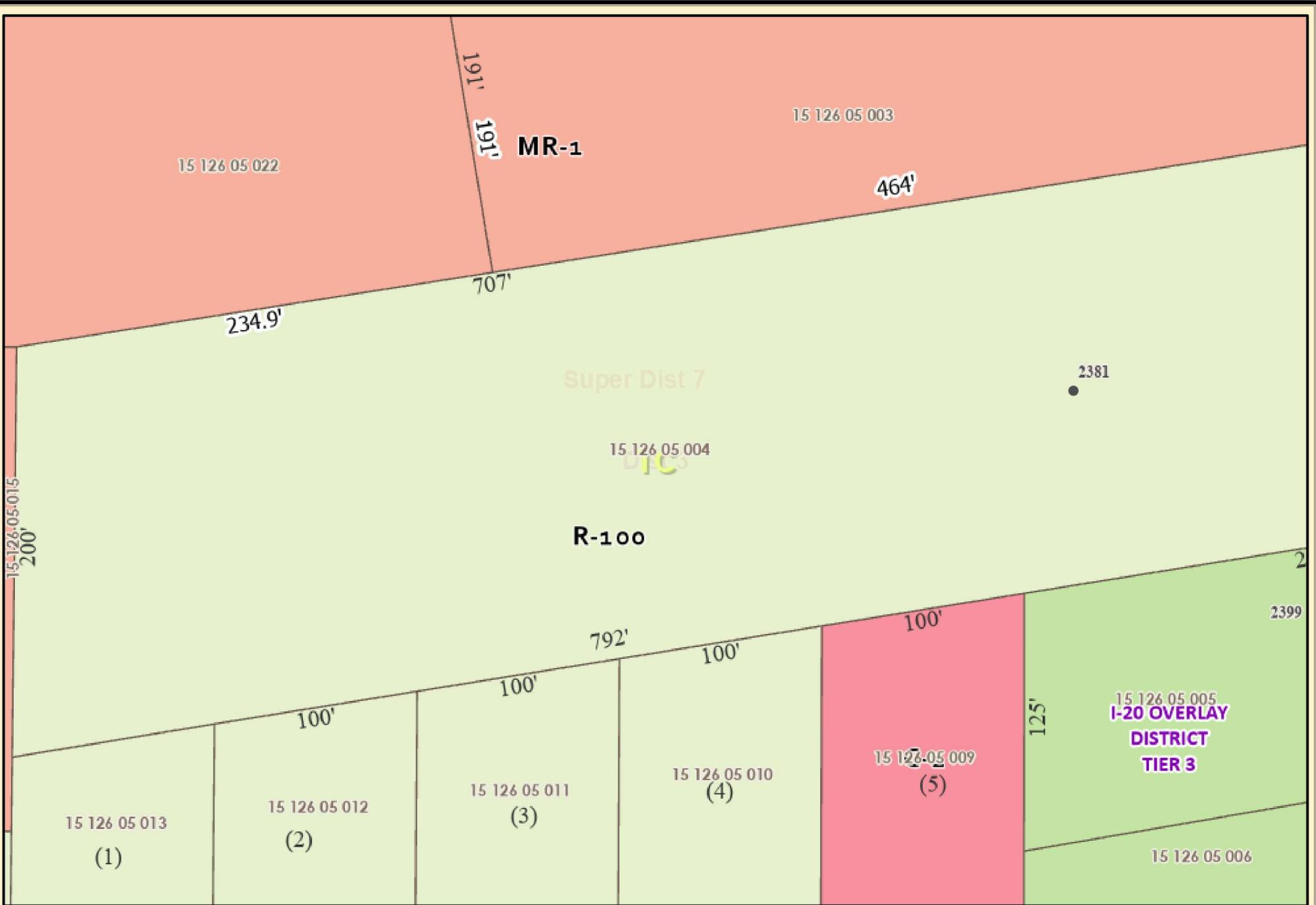
CONSTITUTIONAL OBJECTIONS

The Applicant respectfully submits that any decision of the Board of Commissioners which would preclude the rezoning of this property from R-100 (Single Family Dwelling District) to MR-1 (Medium density Residential District) to allow for the development of the 24-unit townhome community proposed would be unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, an attempt by the Board of Commissioners to impose greater restrictions upon the manner in which the property will be developed than presently exist in the Code of Ordinances, such as by way of approving the Rezoning Applications, but conditioning said approval in such a way that the proposed number of units could not be developed, would be equally unlawful. Such conditioning or restrictions would constitute an arbitrary and unreasonable use of the power delegated to the Board because they could bear no substantial relation to the public health, safety, morality, or general welfare of the public and would substantially harm the Property Owner and deprive it of reasonable, investment backed expectations based upon the current Codes of the County. Finally, any use of the power delegated to DeKalb County to deny the Rezoning applications or overly condition it would be a manifest abuse of its discretion.

Finally, the failure to rezone the Subject Property would result in the taking of property

without just and adequate compensation or due process of law in violation of Article I, Section I, Paragraph I and Article I, Section III, Paragraph I (a) of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution.



DeKalb County Parcel Map

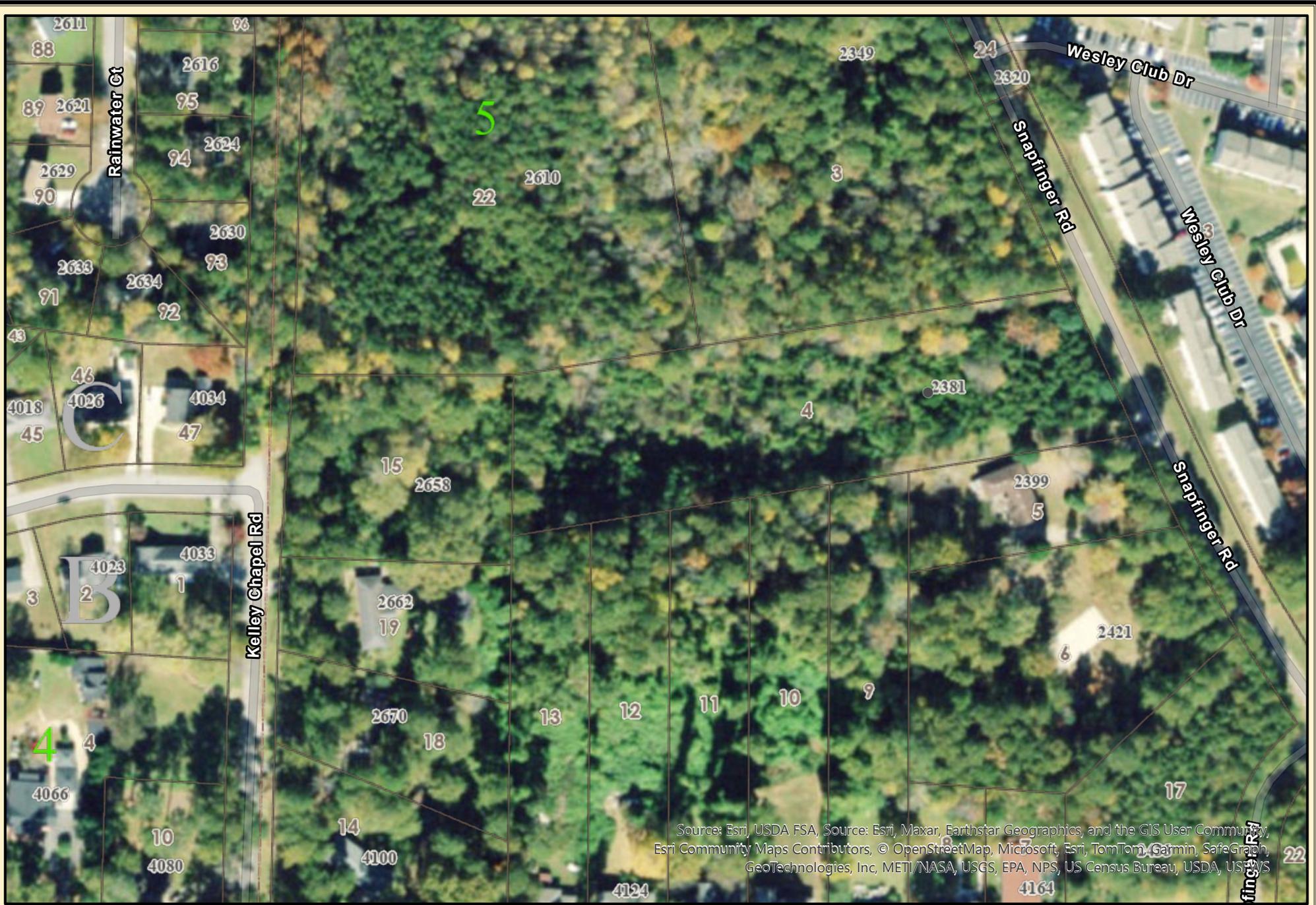


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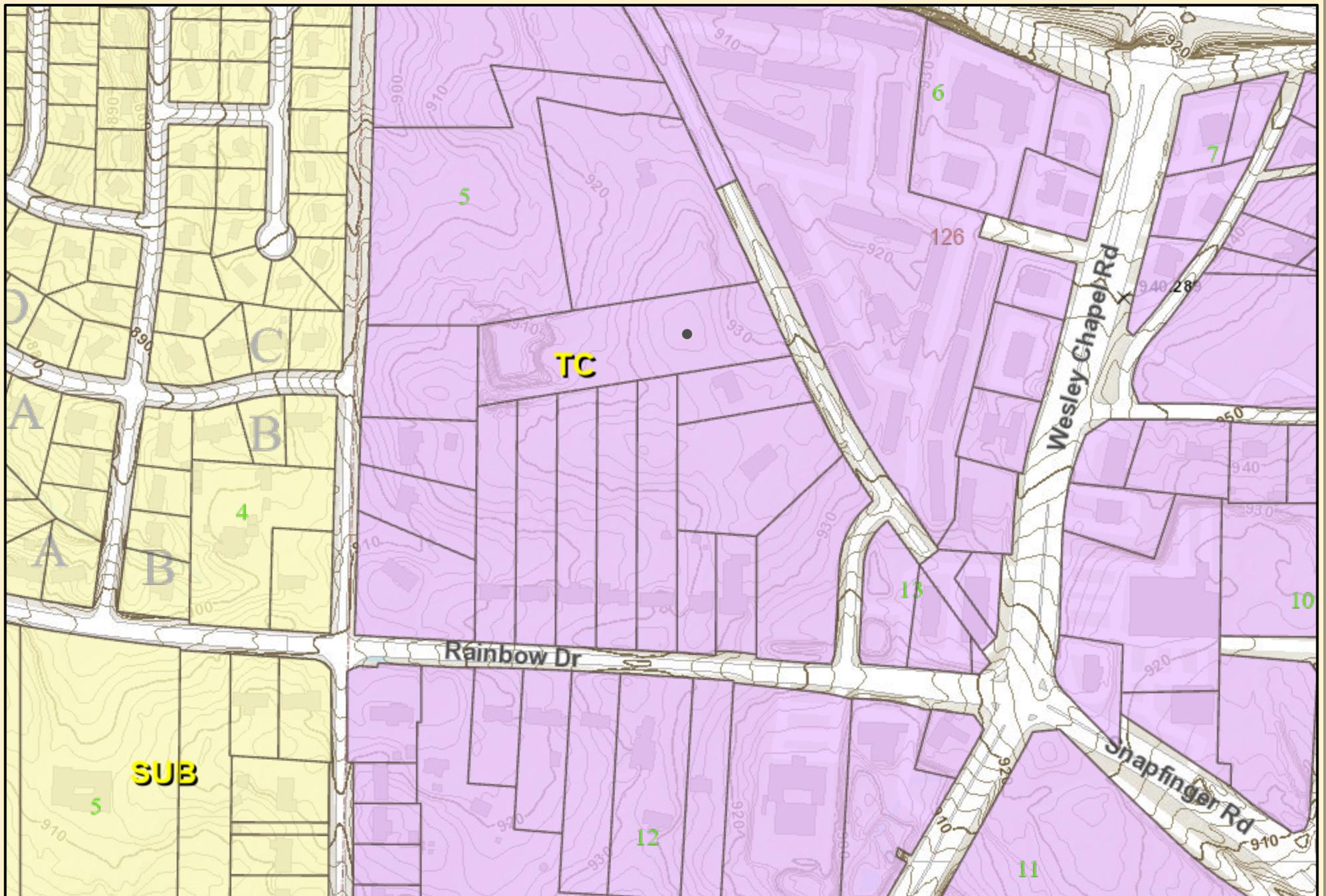


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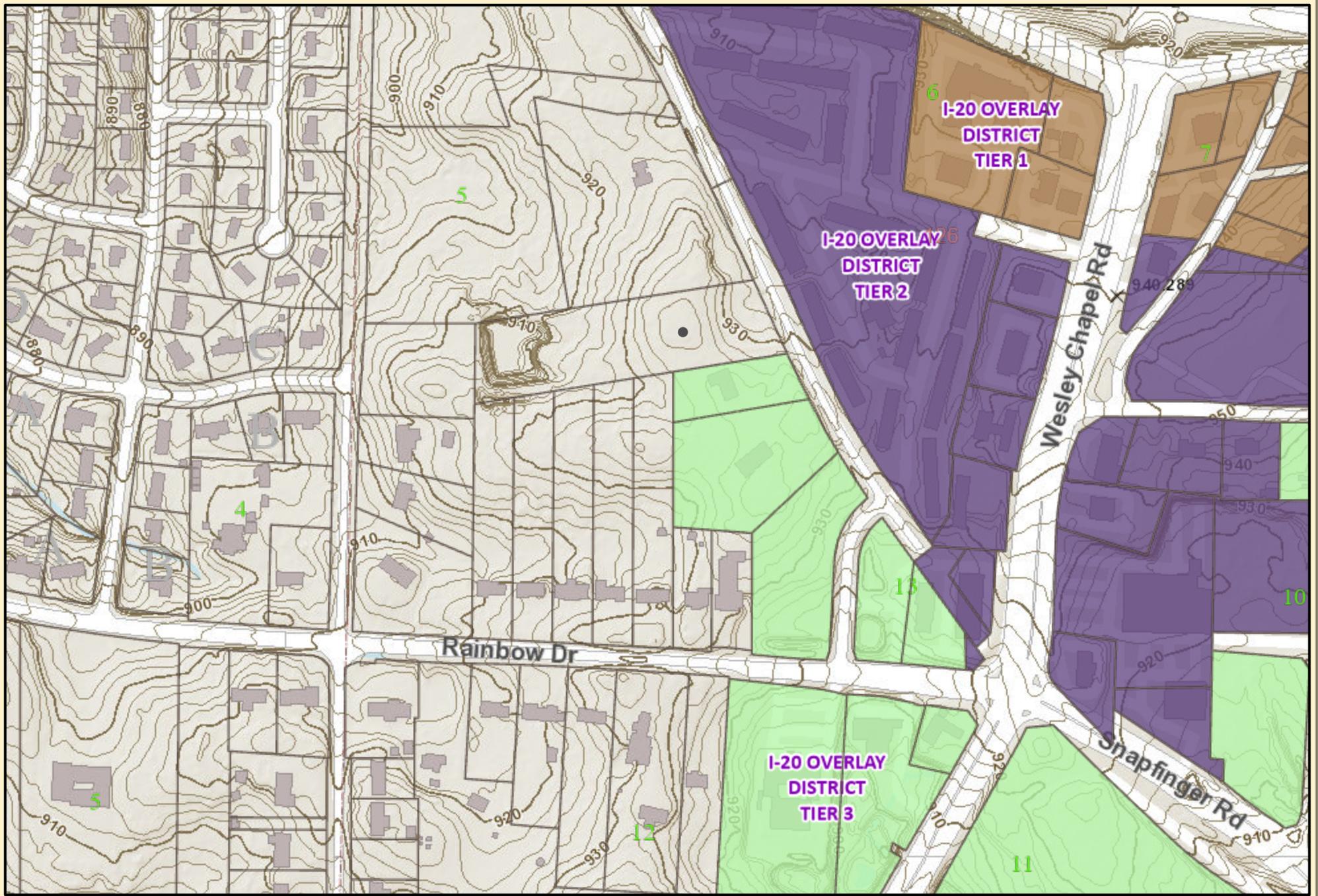


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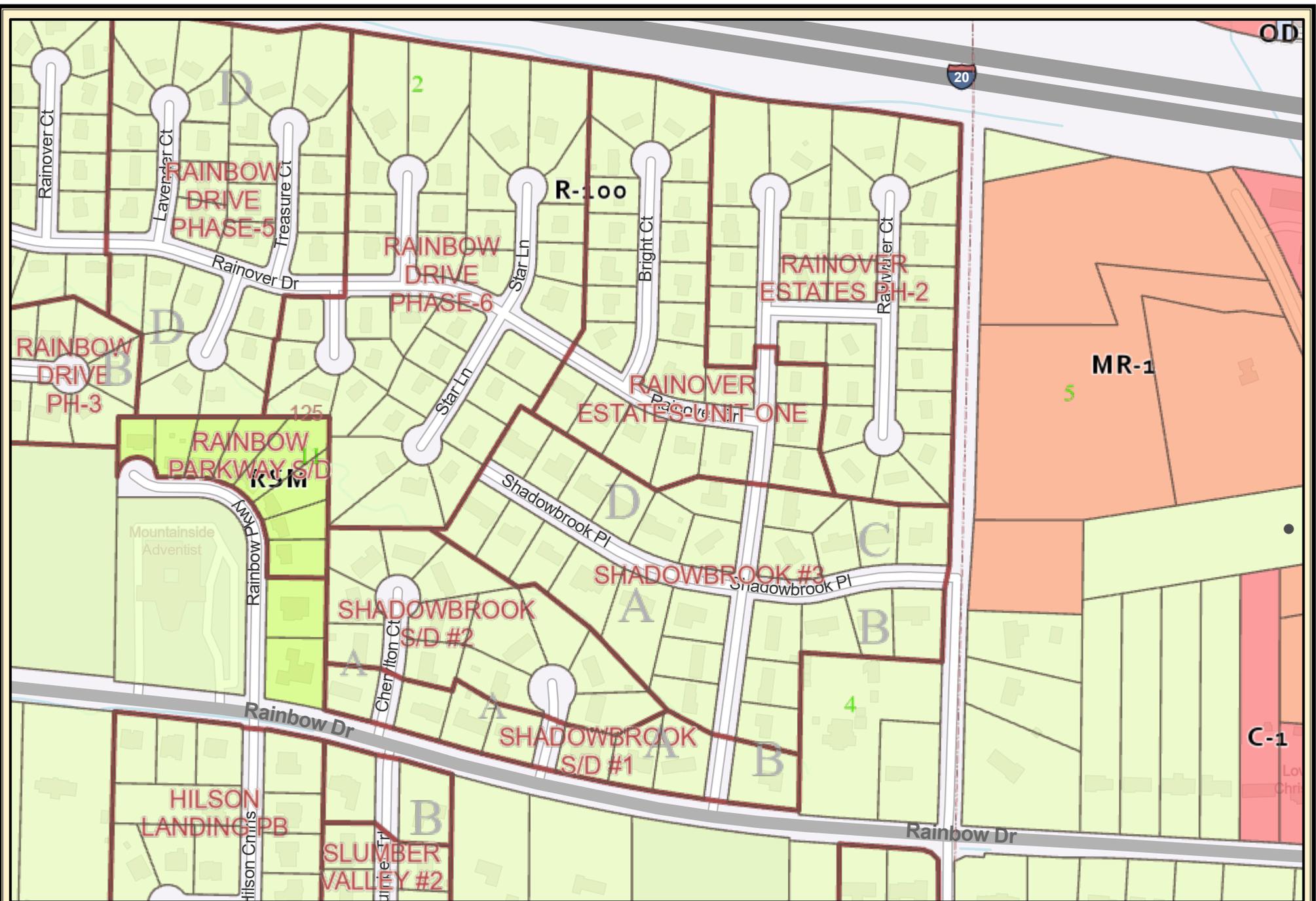


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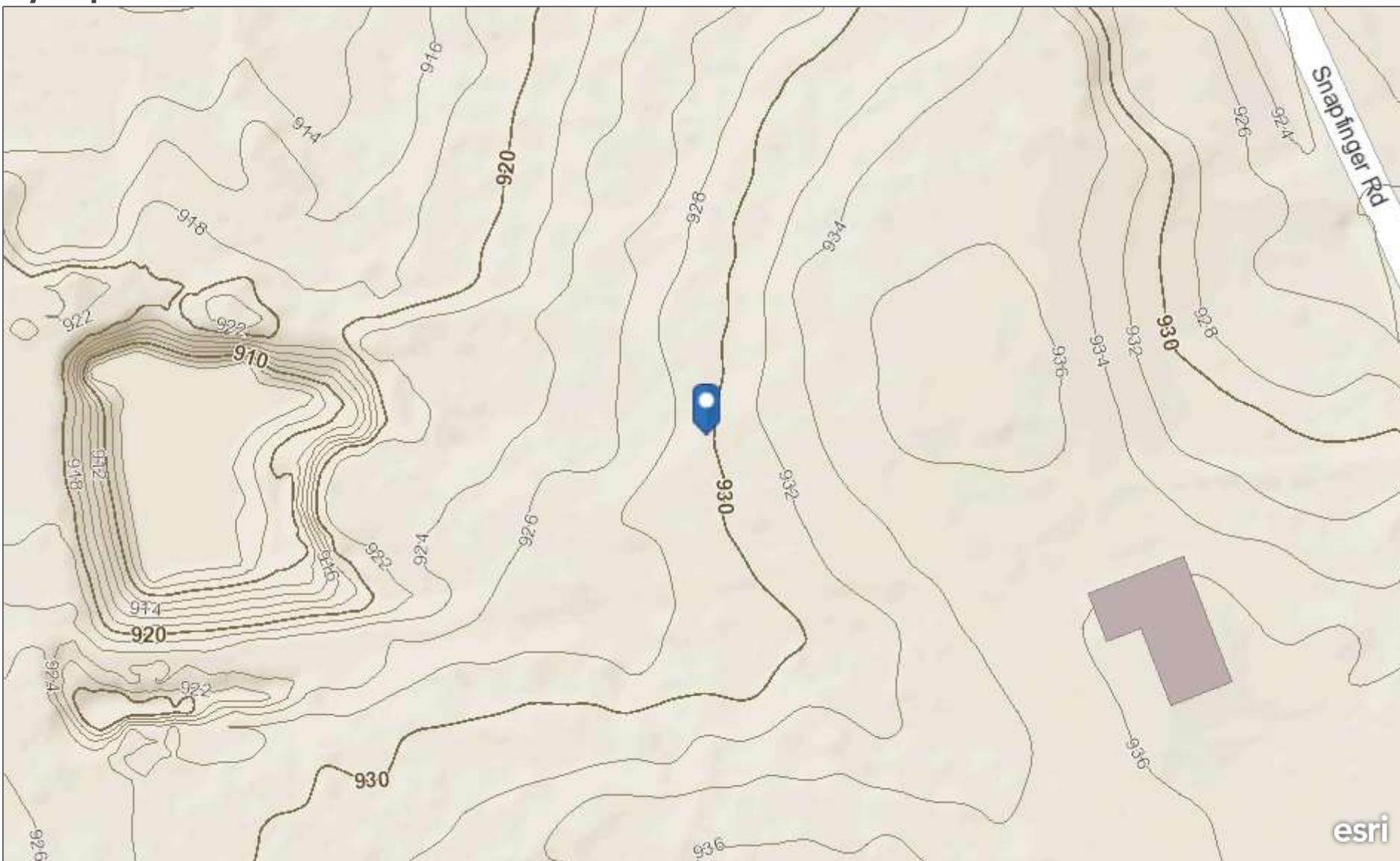
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My Map



100ft

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2381 Snapfinger and surrounds





Government Services Center
178 Sams Street
Decatur, GA 30030
www.dekalbcountyga.gov/planning
404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer
Lorraine Cochran-Johnson

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric G. Hudson, MCRP

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: _____ Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes ____ No ____

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes ____ No ____

Existing Land Use: _____ Proposed Land Use: _____ Consistent ____ Inconsistent ____

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

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____
 Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
 Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
 Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
 Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
 Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

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

Comments: _____

Planner: _____ Date: _____

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



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DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric G. Hudson

PRE-APP FORM ADDITIONAL COMMENT PAGE, IF NEEDED

APPLICANT: _____

ADDRESS/PARCEL: _____

COMMENTS: _____

PLANNER: _____



2381 SNAPFINGER ROAD

A Modest Townhome Community

“Sweet Valley Townhomes”

About Us

We are a small family owned and operated company developing single-family homes since 1981. We have a particular interest in promoting the availability of affordable work force housing. We care about providing the highest quality product while also promoting housing accessibility to essential workers.



Anthony

Clinton and Martha Valley
Clinton is a university professor, church pastor and president of his HOA.
Martha is a retired special education teacher.

Cameron

Live and work in DeKalb County
Director of
Community Relations

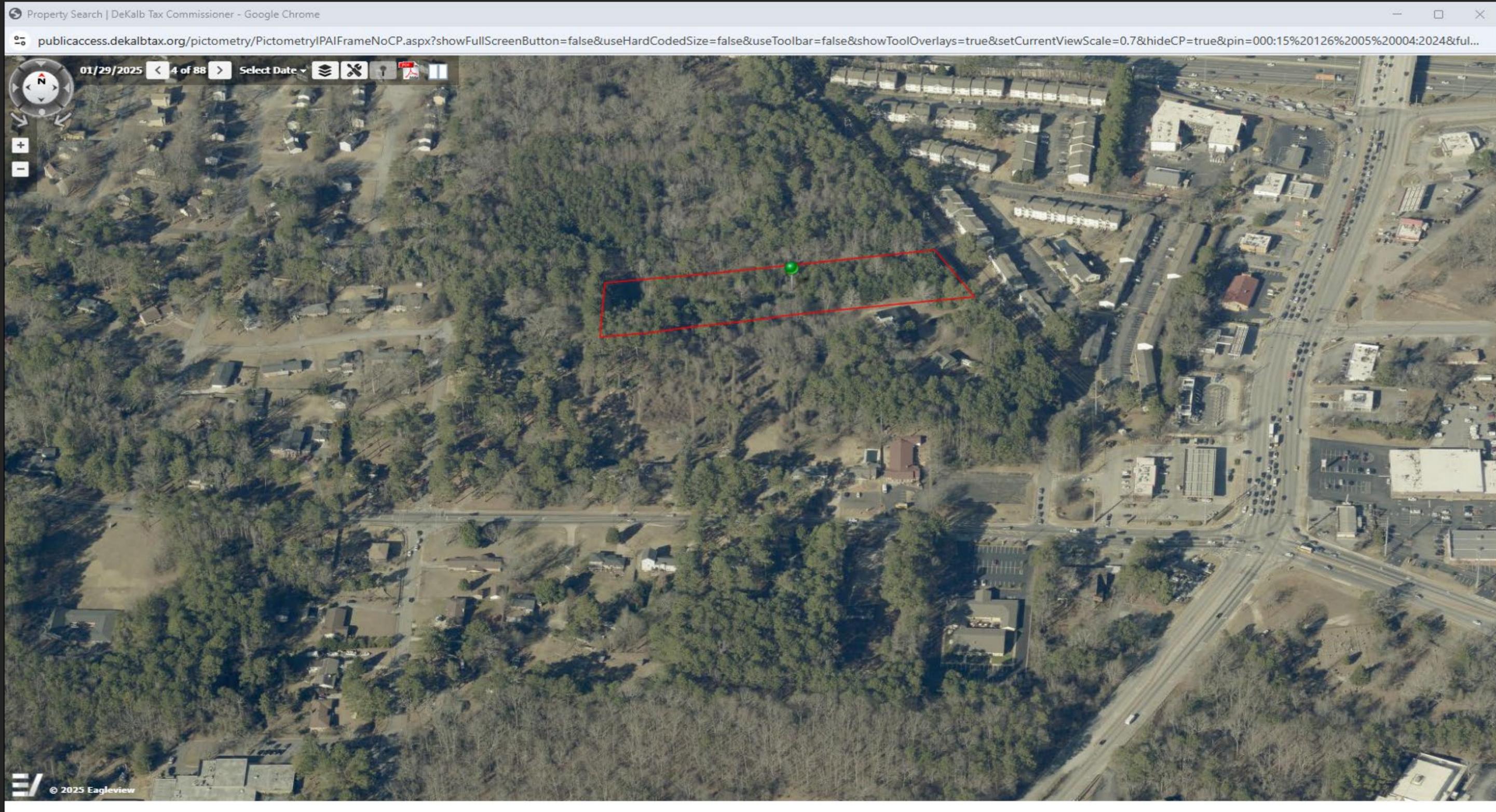
Our Project

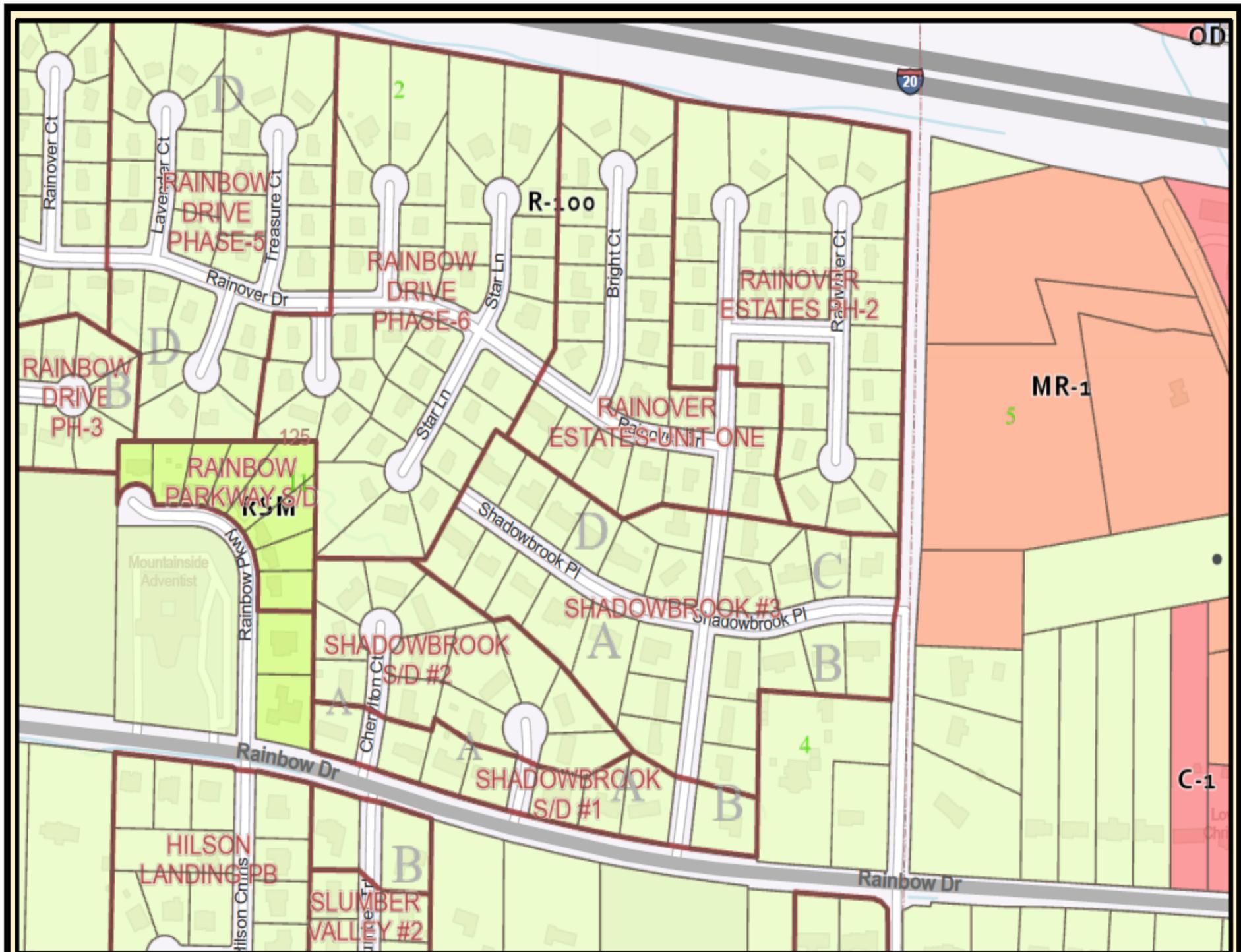
Estimated Price Range
\$\$350,000 +

- 24 attached homes - 3 Beds + 2 Baths + 1 Car Garage + Rooftop Living Space (optional)
- 3.346 acres of land
- Less than 8 upa/7.17
- Benches, open space for resident recreation.



2381 Snapfinger Road and surrounds





DeKalb County Parcel Map

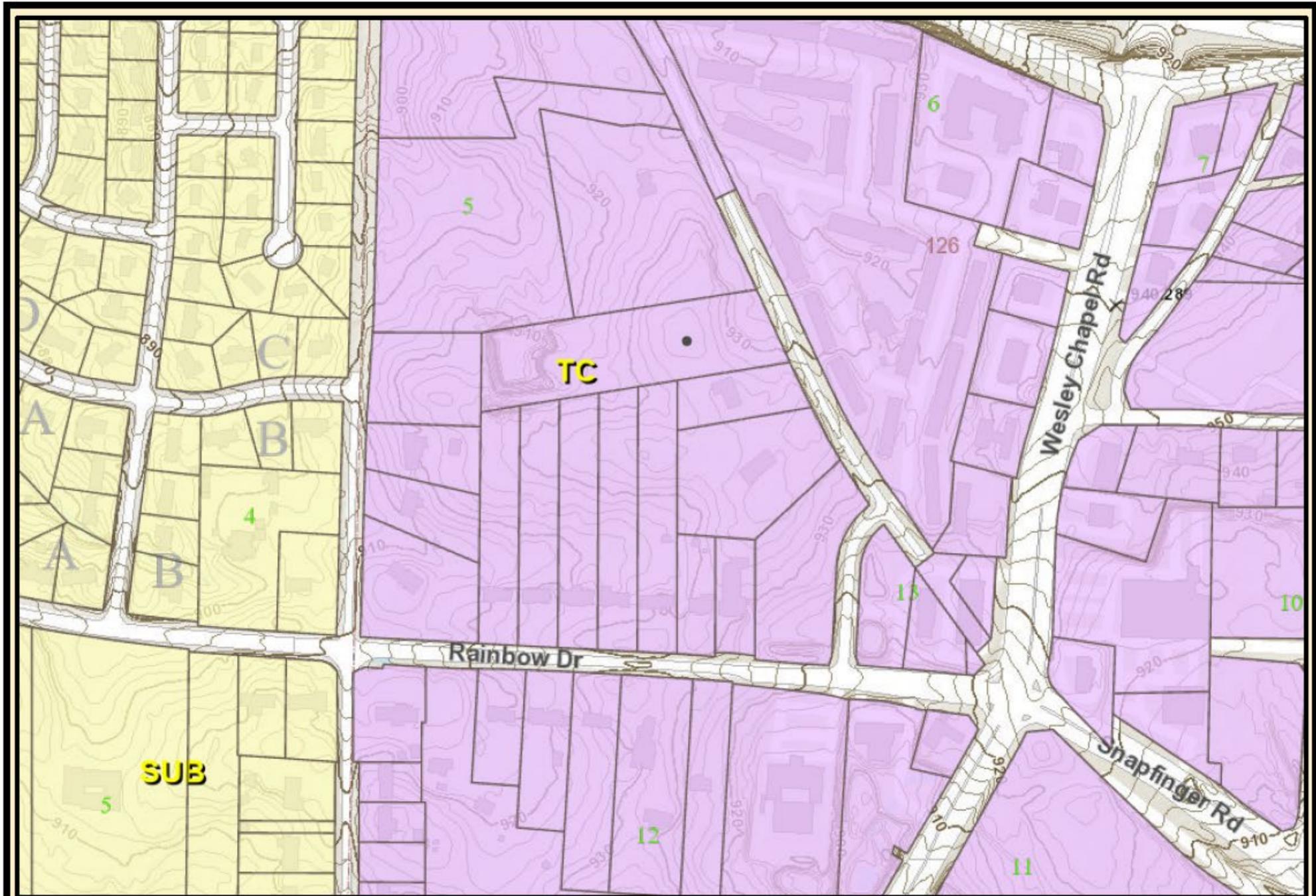


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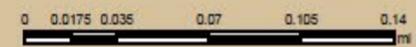


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Vertical toolbar containing navigation and editing tools such as pan, zoom, and print.



DeKalb County Parcel Map



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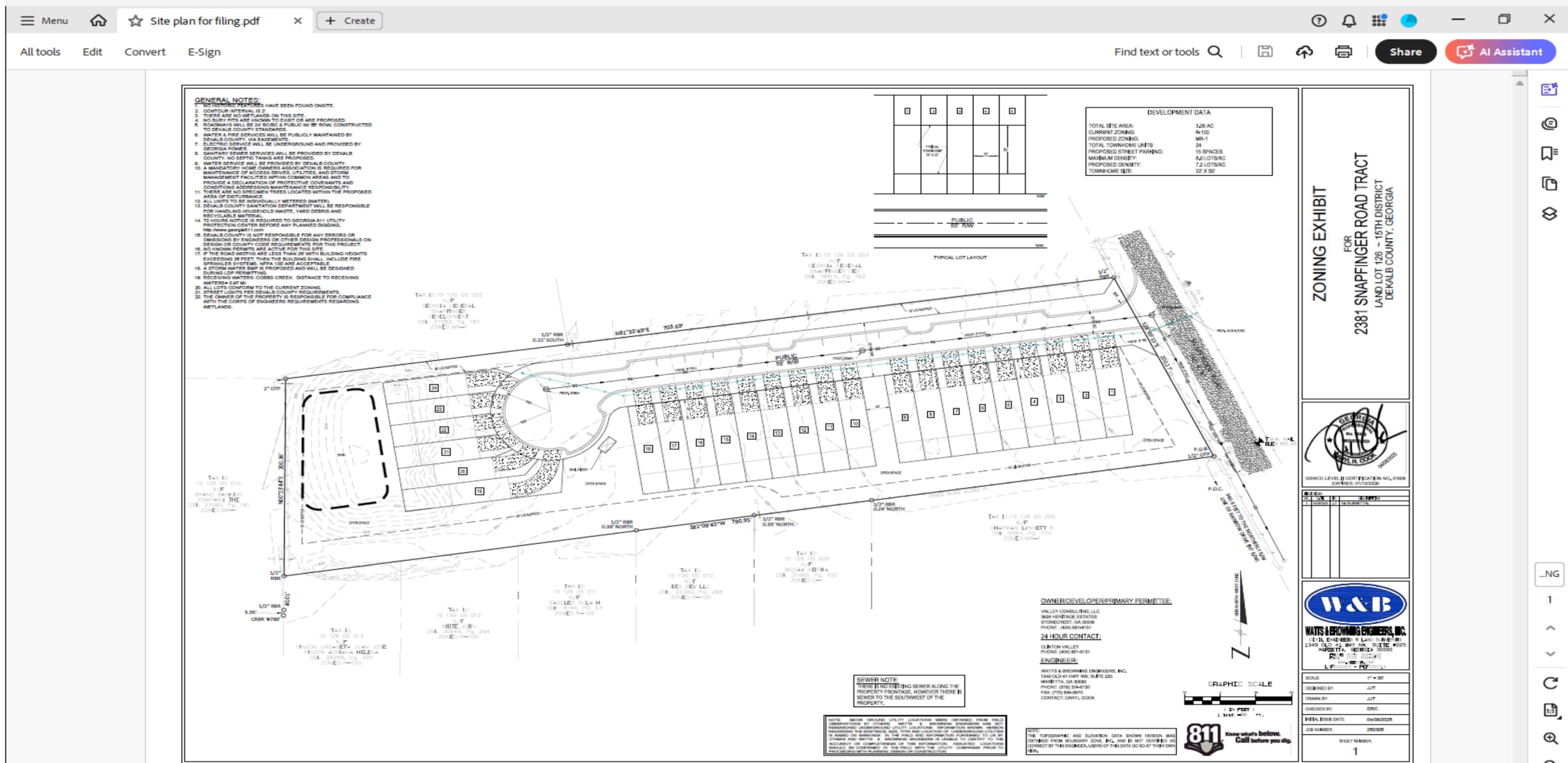
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Nearby Development Compared to Proposed Project

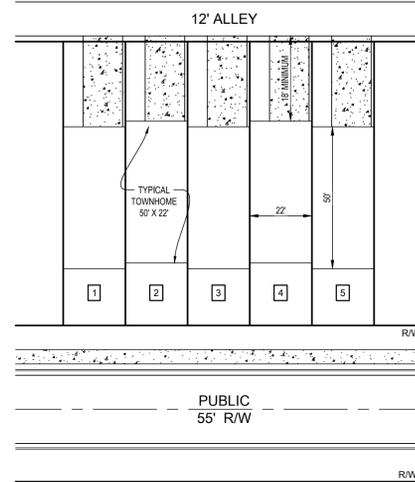
- Wesley Club Apartments to east zoned C-1 and developed with 247 units on 13.3 acres. 19.32 upa. In the I-20 Overlay
- Rainover Estates and Shadowbrook to west. R-100 subdivisions.
- Georgia Snapfinger to north zoned MR-1 in 2019. approved for 124 townhomes and 26 single family homes. 8.7 units per acre . Z-19-1243385.
- MR-1, C-1 and R-100 to south—all within Town Center designation and some within I-20 Overlay
- Our project seek to rezone from R-100 to MR-1 to allow for 24 units at 7.17 upa

Site plan--concept



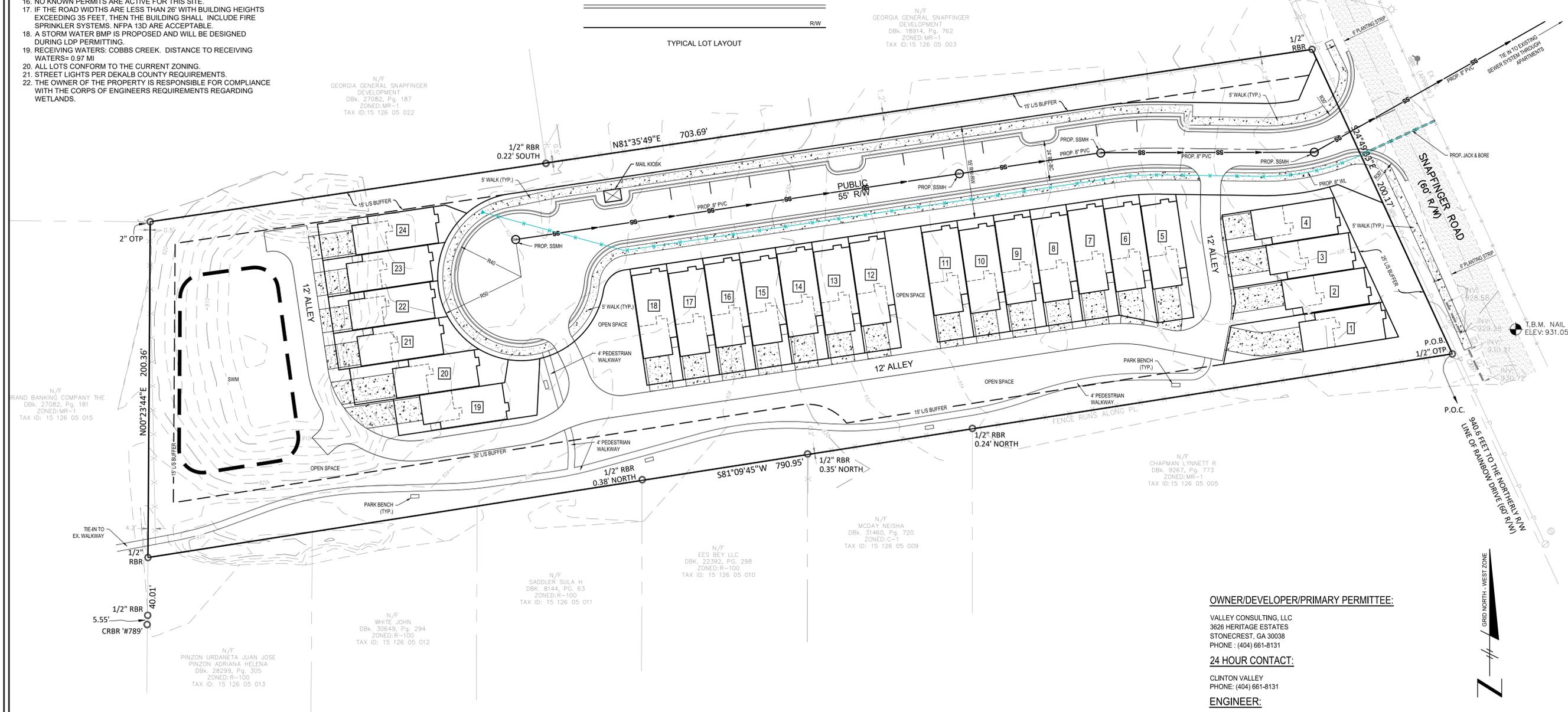
GENERAL NOTES:

1. NO HISTORIC FEATURES HAVE BEEN FOUND ONSITE.
2. CONTOUR INTERVAL IS 2'.
3. THERE ARE NO WETLANDS ON THIS SITE.
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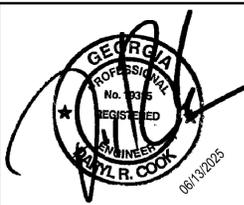


****REVISED PLAN****

DEVELOPMENT DATA	
TOTAL SITE AREA:	3.35 AC
CURRENT ZONING:	R-100
PROPOSED ZONING:	MR-1
TOTAL TOWNHOME UNITS:	24
PROPOSED STREET PARKING:	13 SPACES
MAXIMUM DENSITY:	8.0 LOTS/AC
PROPOSED DENSITY:	7.2 LOTS/AC
TOWNHOME SIZE:	22' X 50'



ZONING EXHIBIT
 FOR
2381 SNAPPINGER ROAD TRACT
 LAND LOT 126 ~ 15TH DISTRICT
 DEKALB COUNTY, GEORGIA



GSWCC LEVEL II CERTIFICATION NO. 31908
EXPIRES: 01/12/2028

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	04/08/2025	JJT	1st SUBMITTAL
2	04/16/2025	JJT	CLIENT COMMENTS
3	06/13/2025	JJT	REVISE LAYOUT

WATTS & BROWNING ENGINEERS, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 1349 OLD 41 HWY NW, SUITE #225
 MARIETTA, GEORGIA 30060
 PHONE: (678) 324-6192
 FAX: (770) 694-6870
 WWW.WBENGR.COM
 LSF000429 - PEF000714

SCALE:	1" = 30'
DESIGNED BY:	JJT
DRAWN BY:	JJT
CHECKED BY:	DRC
INITIAL ISSUE DATE:	04/08/2025
JOB NUMBER:	250305
SHEET NUMBER:	1

OWNER/DEVELOPER/PRIMARY PERMITTEE:

VALLEY CONSULTING, LLC
 3626 HERITAGE ESTATES
 STONECREST, GA 30038
 PHONE : (404) 661-8131

24 HOUR CONTACT:

CLINTON VALLEY
 PHONE: (404) 661-8131

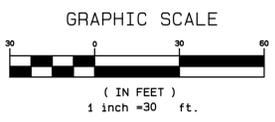
ENGINEER:

WATTS & BROWNING ENGINEERS, INC.
 1349 OLD 41 HWY NW, SUITE 225
 MARIETTA, GA 30060
 PHONE: (678) 324-6192
 FAX: (770) 694-6870
 CONTACT: DARYL COOK

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Approved plan to north of Subject Property

MEMORANDUM

All tools Edit Convert E-Sign Find text or tools Share AI Assistant

VICINITY MAP - NOT TO SCALE
 LAND LOT(S): 126 DISTRICT: 15TH
 DEKALB COUNTY
 DATE: JUNE 16, 2019

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEMA FLOOD PLAIN AS PER FEMA MAP NO. 1306X0151, DATED MAY 26, 2013.

811 CALL BEFORE YOU DIG

Site Zoning Plans for SNAPPINGER ROAD TRACT
 3610 SNAPPINGER ROAD
 DEKALB COUNTY, GA
 LAND LOT 126 DISTRICT 15TH
 PARCEL ID: P15 00 015 015 001 6 022

Developer:
 Georgia General Snappinger Development, LLC
 Contact No. 770-232-0000

Site Zoning
 Scale: 1" = 50'
 NORTH

DESIGNED BY: DW
CHECKED BY: JJ
PROJECT #:

33
42
SITE ZONING CYRUIT

LOT	AREA	PERMITS	REMARKS
1	5,000 sq ft	1	RESIDENTIAL
2	5,000 sq ft	1	RESIDENTIAL
3	5,000 sq ft	1	RESIDENTIAL
4	5,000 sq ft	1	RESIDENTIAL
5	5,000 sq ft	1	RESIDENTIAL
6	5,000 sq ft	1	RESIDENTIAL
7	5,000 sq ft	1	RESIDENTIAL
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97	5,000 sq ft	1	RESIDENTIAL
98	5,000 sq ft	1	RESIDENTIAL
99	5,000 sq ft	1	RESIDENTIAL
100	5,000 sq ft	1	RESIDENTIAL

D. 3 LP-19-1243384
D. 4 Z-19-1243385

Colored Site Plan

Conditions proposed by the applicant

- 1) The building elevations shall vary in style and design. The building elevations shall be staggered to have articulation throughout. Front facades shall contain a mixture of a minimum of two materials and textures, including hardiplank, batten board siding, stacked stone, brick, cedar shingles or fiber cement, and/or such other materials and textures approved by the Planning & sustainability Department which are complementary to a craftsman style single-family detached bungalow home. The use of vinyl siding is strictly prohibited.
- 2) No more than 4 of the units shall be rented out and no such rentals may be for less than a period of one year
- 3) Development of the Subject Property shall be in general conformity with the site plan submitted with the zoning application.
 - 4) There shall be no more than 24 townhome units in the proposed development.
- 5) Driveways to individual units shall be no less than 18 feet in length.

Important Dates

2025-26 DeKalb County Zoning Calendar													
For Rezoning, Major Modifications, Land Use Plan Amendments, Special Land Use Permits & Zoning Ordinance Text Amendments													
Community Meeting Deadline	Filing Deadline	Withdrawal Request/ Refund Deadline	CC Sign Posting Deadline	Community Council Meetings - via Zoom					PC/BoC Sign Posting Deadline	Planning Commission Public Hearings - via Zoom @ 6:00 p.m.		Board of Commissioners Public Hearings - In Person @ 5:30 p.m.	
				CC-1 5:30 p.m.	CC-2 6:30 p.m.	CC-3 6:00 p.m.	CC-4 5:30 p.m.	CC-5 6:30 p.m.		Regular Meeting	Backup Meeting	Regular Meeting	Backup Meeting
12/09/24	12/16/24	12/30/24	01/26/25	02/19/25	02/11/25	02/12/25	02/18/25	02/10/25	02/02/25	03/04/25 *** Land Use	03/06/25	03/27/25	4/01/2025 or As Needed
02/10/25	02/17/25	03/03/25	*03/30/25 04/30/25	04/16/25	04/08/25	04/09/25	04/15/25	04/14/25	04/06/25	05/06/25	05/08/24	05/22/25	5/27/2025 or As Needed
04/14/25	04/21/25	05/05/25	05/25/25	06/18/25	06/10/25	06/11/25	06/17/25	06/09/25	06/08/25	07/08/25	07/10/25	07/24/25	7/29/2025 or As Needed
06/09/25	06/16/25	06/30/25	07/27/25	08/20/25	08/12/25	08/13/25	08/19/25	08/11/25	08/10/25	09/09/25 *** Land Use	09/11/25	09/25/25	09/30/2025 or As Needed
08/11/25	08/18/25	09/02/25	09/28/25	10/15/25	10/14/25	10/08/25	10/21/25	10/13/25	10/07/2025	11/06/25	N/A	11/20/25	N/A
10/13/25	10/20/25	11/03/25	12/23/25	12/17/25	12/09/25	12/10/25	12/16/25	12/08/25	12/07/25	01/06/26	01/08/26	01/22/26	1/27/2026 or As Needed

***New Future Land Use Map Amendment applications shall only be heard in March and September. SLUP applications and Land Use applications with companion rezoning applications shall be heard together (consecutively) on the agenda.

Please find all meeting agendas, including a link to the join the meeting on our website: <https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>

*Revised 12.31.2024 to reflect correction of "CC sign posting date from 04.30.25 to 03.30.25"

The End



Follow up contact details

Linda Dunlavy

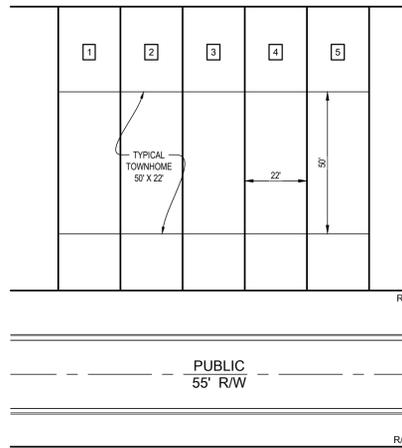
Dunlavy Law Group LLC

ldunlavy@dunlavylawgroup.com

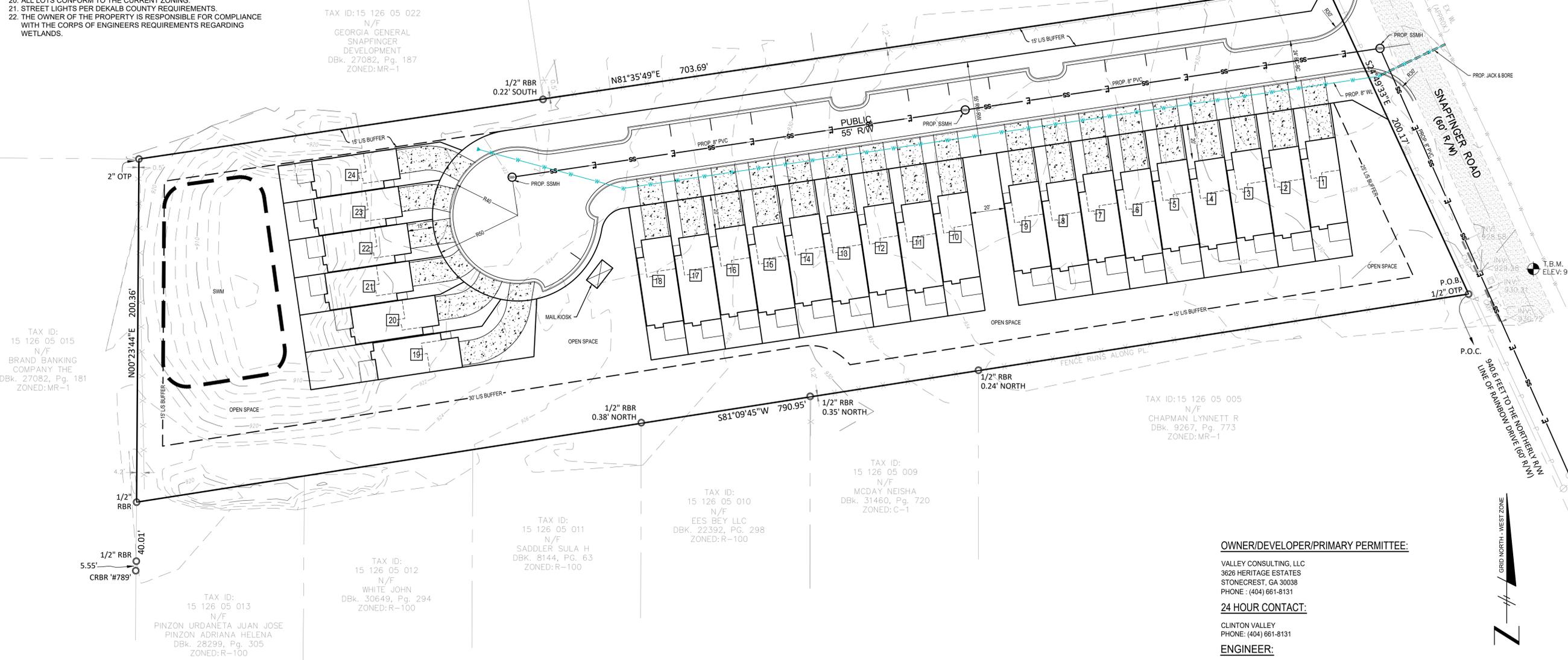
404-664-0895 (cell phone)

GENERAL NOTES:

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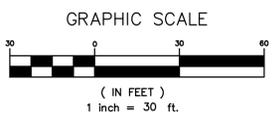
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24 HOUR CONTACT:

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ENGINEER:

WATTS & BROWNING ENGINEERS, INC.
1349 OLD 41 HWY NW, SUITE 225
MARIETTA, GA 30060
PHONE: (678) 324-6192
FAX: (770) 694-6870
CONTACT: DARYL COOK



ZONING EXHIBIT
FOR
2381 SNAPFINGER ROAD TRACT
LAND LOT 126 ~ 15TH DISTRICT
DEKALB COUNTY, GEORGIA



GSWCC LEVEL II CERTIFICATION No. 31908
EXPIRES: 01/12/2028

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WWW.WENGR.COM
LSF000429 - PEF000714

SCALE:	1" = 30'
DESIGNED BY:	JJT
DRAWN BY:	JJT
CHECKED BY:	DRC
INITIAL ISSUE DATE:	04/08/2025
JOB NUMBER:	250305



DeKalb County Government

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

Agenda Item

File #: 2019-4075
File Status: Preliminary Item

11/19/2019

Public Hearing: YES NO **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 3 & 7

Application of Georgia General Snapfinger Dev c/o Battle Law to rezone property from R-100 (Residential Medium Lot-100) to MR-1 (Medium Density Residential-1) for a mixed residential development, at Kelley Chapel Road and Snapfinger Road.

PETITION NO: D4. Z-19-1243385

PROPOSED USE: Single-Family Townhomes and Detached Homes

LOCATION: 2658 Kelley Chapel Road and 2317, 2349, & 2610 Snapfinger Road, Decatur.

PARCEL NOS.: 15-126-05-003, -015, -021, & -022

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application Z-19-1243385 of Georgia General Snapfinger Dev c/o Battle Law to rezone property from R-100 (Residential Medium Lot-100) to MR-1 (Medium Density Residential-1) for a mixed residential development consisting of 132 single-family attached townhomes and 24 single-family detached homes at a density of 9.05 units per acre. The property is located on the east side of Kelley Chapel Road and the west side of Snapfinger Road, at 2658 Kelley Chapel Road and 2317, 2349, and 2610 Snapfinger Road, Decatur. The property has approximately 1,067 feet of frontage along the east side of Kelley Chapel Road (including the abandoned right-of-way) and 847 feet of frontage along the west side of Snapfinger Road and contains 17.24 acres.

RECOMMENDATIONS:

COMMUNITY COUNCIL: (10/9/19) NO VOTE TAKEN. (8/14/19) DENIAL.

PLANNING COMMISSION: (11/5/19) APPROVAL WITH CONDITIONS. (9/10/19) FULL CYCLE DEFERRAL.

PLANNING STAFF: (11/5/19) APPROVAL WITH CONDITIONS. (9/10/19) FULL CYCLE DEFERRAL.

STAFF ANALYSIS: (11/5/19) The proposed development would result in a suitable transition of residential

densities and housing types in relation to the Wesley Club Apartments to the east and the Rainover Estates single-family residential neighborhood to the west., consistent with the Wesley Chapel Livable Centers Initiative (LCI) Study. The companion application for a land use map amendment would re-designate the property to a Town Center activity center. If constructed in accordance with the Staff-recommended conditions for streetscaping and pedestrian connections, the development would be consistent with the following Town Center policies: “Improve street character with consistent signage, lighting, landscaping, and other design features. (No. 9) and “Design shall be pedestrian-oriented with walkable connections between different uses. (No. 19) By providing both single-family detached and attached (townhome) housing types, the zoning proposal is consistent with Housing Policy No. 9 to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.” The proposal is not expected to adversely affect the use or usability of adjacent or nearby property. Therefore, the Department of Planning and Sustainability recommends “Approval with conditions”

PLANNING COMMISSION VOTE: (11/5/19) Approval with Conditions, 7-0-0. A. Atkins moved and J. West seconded for approval with Staff's conditions, with a correction to a typographic error in Condition No. 10 and with three additional conditions requested by the applicant. **(9/10/19) Full Cycle Deferral, 8-0-1.** V. Moore moved and E. Patton seconded for a full cycle deferral as per the staff recommendation. A. Atkins abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (10/9/19) No quorum. Members in attendance did not discuss or take a vote on this deferred case because the applicant did not present changes to the proposal. **(8/14/19) Denial 6-2-4.** The Board thought that the density of the proposed development is too high, that it would generate too much traffic, and that the units would not be maintained in good condition.

RECOMMENDED CONDITIONS

Z-19-1243385

Rezoned from R-100 (Residential Medium Lot-100) to MR-1 (medium Density Residential-1)

November 8, 2019

1. The proposed development shall consist of a maximum of 124 single-family attached townhomes and 26 single-family detached homes at a maximum density of 8.7 units per acre.
2. Open space and enhanced open space shall be provided at the square footages and locations shown on the site plan titled, "Site Zoning Plans for Snapfinger Road Tract", prepared by AEP, dated 10-21-19. Enhancements to the linear park on the former Snapfinger Road right-of-way shall be subject to approval by staff of the Planning Division.
3. Landscaping and streetscaping (including street trees, open space enhancements in parks, and between Units 123 - 137 and Units 138 - 150 and between Units 89 - 106 and Units 107 - 122) shall substantially comply with the colored site plan titled, "Snapfinger Road", prepared by AEP, stamped as received by the Department of Planning and Sustainability on October 22, 2019.
4. Applicant shall make roadway/streetscaping improvements on Snapfinger Road from the entrance to the proposed development to Wesley Club Drive (the entrance to the Wesley Club Apartments), which shall be constructed to current county standards, including: a 24-foot pavement, a header curb, a six-foot landscape strip back of curb planted with street trees at least 30 feet on center, a five-foot sidewalk adjacent to the interior edge of the landscape strip, and street lights. The roadway/streetscaping improvements shall be subject to approval by the county Transportation Division.
5. Pedestrian crossings shall be marked across the west entrance to the development, across the east turnaround entrance to link sidewalks on either sides of the refuge triangles in the turnaround, and across street intersections to connect sidewalks on opposite sides of the street.
6. Driveways to individual units shall be at least 20 feet long as measured from edge of sidewalk to garage, to prevent parked vehicles from blocking pedestrian crossings. Pedestrian crossings shall be provided across residential driveways by continuing the sidewalk paving material across the intervening driveway or by otherwise marking the crossing.
7. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.

8. 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.
9. Final lot layout shall be subject to sketch plat approval in accordance with DeKalb County Ordinances, Chapter 27 (Zoning Code) and Chapter 14 (Land Development Code).
10. **At no time shall more than 35% of the homes located within the subdivision be rental units.** Additionally, the leasing of non-owner occupied units for short term rentals of less than six months shall be strictly prohibited. The rental restrictions shall be detailed in the Declaration of Restrictive Covenants recorded for the community, a copy of which shall be delivered to DeKalb County simultaneously with the recording of the Final Subdivision Plat.
11. The enhanced open space shall include a dog park.
12. Applicant shall work cooperatively with the County Arborist to ensure that native trees and shrubs are planted within the required landscaped areas.
13. The single-family detached units shall be craftsman style bungalow homes. The single-family attached units shall have front facades that contain a mixture of a minimum of two materials and textures, including hardiplank, batten board siding, stackstone, brick, cedar shingles or fiber cement, and/or such other materials and textures approved by the Planning & sustainability Department which are complementary to a craftsman style single-family detached bungalow home. The use of vinyl siding is strictly prohibited.



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: November 5, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: November 19, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-19-1243385 **Agenda #:** D. 4

Location/Address: 2658 Kelley Chapel Road, Decatur **Commission District:** 3 **Super District:** 7

Parcel ID(s): 15-126-05-003, -015, -021, -022

Request: Rezone property from R-100 (Residential Medium Lot-100) to MR-1(Medium Density Residential-1) for a mixed residential development consisting of 124 single-family attached townhomes and 26 single-family detached homes at a density of 8.7 units per acre.

Property Owner(s): Georgia General Snapfinger Development, LLC

Applicant/Agent: Georgia General Snapfinger Development, LLC c/o Battle Law, P.C.

Acreage: 17.24 acres

Existing Land Use: Two single-family homes

Surrounding Properties: To the north: Interstate 20; to the northeast and east: the Wesley Club multifamily residential development; to the southeast: vacant, wooded land; to the south, southwest, west, and northwest: single-family detached homes

Adjacent Zoning: **North:** I-20 **South:** R-100 **East:** HR-2 **West:** R-100 **Northeast:** HR-2 **Northwest:** R-100
Southeast: R-100 **Southwest:** R-100

Comprehensive Plan: SUB (Suburban) **Consistent** **Inconsistent** (See LP-19-1243384)

Proposed Density: 8.7 units/acre	Existing Density: .12 units/acre
Proposed Units: 150	Existing Units: 2
Proposed Open Space: Information not provided	Existing Open Space: (estimated) 98%

Companion Application: The applicant has filed a companion application (LP-19-1243384) to amend the 2035 Future Land Use Map from SUB (Suburban) to TC (Town Center).

Zoning History: In June, 2007, the Board of Commissioners denied an application to rezone the subject property from R-100 (Residential Medium Lot-100) to RM-75 (a pre-2015 multifamily residential zoning classification that allowed up to 18 units per acre). The Board of Commissioners also denied a companion application to amend the Future Land Use Map from LDR (Low Density Residential) to HDR (High Density Residential).

SITE AND PROJECT ANALYSIS

The subject property is a 17.24-acre tract of land located approximately 1,000 feet southwest of the Interstate 20 - Wesley Chapel Road interchange. Approximately 225 feet of the west side of the property fronts on a paved stub of Kelley Chapel Road that extends just beyond Kelley Chapel Road's intersection with Shadowbrook Place, a local collector street that connects with neighborhoods to the west. The remainder of the western frontage is on abandoned Kelley Chapel Road right-of-way, which forms a 34-foot wide boundary between the subject property and the rear yards of properties located in the Rainover Estates single-family residential subdivision to the west. The east side of the property fronts on Snapfinger Road. The Wesley Club Apartments, a multifamily development with a density of 19 units per acre, is located across Snapfinger Road from the subject property.

The site is densely wooded. Although the site plan indicates the footprints of homes on two of the four parcels that comprise the site, the County's aerial photographs indicate that these homes have been demolished or partially destroyed.

The I-20-Wesley-Chapel Road interchange is the focal point of a Town Center character area that includes several shopping centers and a range of service-oriented establishments and religious and educational institutions, as well as several gas stations, primarily on Wesley Chapel Road. It is also one of the major interchanges in the I-20 Overlay District. Snapfinger Road separates the subject property from the Town Center and I-20 Overlay District.

The property is included in the study area of the Wesley Chapel Livable Centers Initiative (LCI) Study, which proposes a four- to two-lane residential street through the subject property to connect the Town Center land uses north of I-20 with the educational land uses approximately 1600 feet south of the subject property (the Wesley Chapel Library, Rainbow Elementary School, and South DeKalb High School). The study townhomes to the east of this street and single-family residential to the west. Mixed use development would be located to the west of Wesley Chapel Road. The study thus plans for a transition of densities and intensities of land uses from Wesley Chapel Road to the single-family residential neighborhoods to the west of the subject property.

Revised Proposal

The proposal was deferred full cycle from the October zoning cycle and has been revised during the deferral period. The number of units has been reduced from 156 units to 150 units and the density has been reduced from 9.05 to 8.7 units per acre. The revised proposal consists of 124 single-family attached townhome units (formerly, 132 units) and 26 single-family detached homes (formerly 24 homes). The single-family lots would be located on the west side of the site, on the side of the site that is closest to the single-family residential lots of the Rainover Estates subdivision. Building lengths have been reduced and contain four to eight units each (reduced from six to ten units each). Each townhome unit would have a front-entry, two-car garage.

The revised proposal involves vehicular access from the Kelley Chapel Road stub and via a turnaround on Snapfinger Road (formerly, access was at three points on Snapfinger). The reduction in the number of units and provision of a roundabout at the Snapfinger Road entrance reduced the required number of access points. The north-south internal street on the west side of the site is proposed to be a public street. The applicant has verbally described a plan to petition for abandonment of the portion of the Snapfinger Road R-O-W to the north of a proposed turnaround entrance that fronts the site and to swap this right-of-way with the proposed north-south public street. A linear park is proposed to replace the Snapfinger Road right-of-way north of the turnaround entrance. An 8-foot privacy fence would be installed along what is now the east side of the right-of-way. The park and fence are intended to buffer the proposed development from the Wesley Club Apartments. Staff has recommended a condition for streetscaping on the section of Snapfinger Road south of the turnaround entrance to Wesley Club Drive (the entrance to the adjoining Wesley Club Apartments).

The site plan shows that the wooded area at the north end of the site, next to I-20, would remain undeveloped. A 4,000 square foot “tot lot” playground is located next to this undeveloped area.

Access and Transportation Considerations:

Snapfinger Road and the Kelley Chapel Road dead-end are both two-way local streets that connect the property to Rainbow Drive to the south. Kelley Chapel Road ends in a stub that intersects with Shadowbrook Place, a local street that provided access to the single family residential neighborhood to the west. The Kelley Chapel Road-Rainbow Drive intersection is improved with turn lanes, traffic signals, and pedestrian crossings.

Snapfinger Road intersects with Rainbow Drive approximately 300 feet west of the Rainbow Drive-Wesley Chapel Road intersection, where Rainbow Drive has been widened to accommodate turning movements in and out of the commercial properties located on all four sides of the intersection. A Quik Trip service station on the northwest corner of the intersection generates numerous vehicular trips and turning movements at this busy intersection. The proposed entrance to the development at the Kelley Chapel Road-Shadowbrook Place intersection is intended to relieve traffic from the development that might otherwise travel through the Snapfinger Road-Rainbow Drive intersection.

MR – 1 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)	Base: 8 units/acre W/Bonuses: 12 units/ac.	8.7 units/acre	Yes w/density bonus
DENSITY BONUSES	Sidewalks and/or road improvements beyond project site.	Improvements on Snapfinger Road beyond the project site to the Snapfinger Road driveway entrance of the Wesley Club apartments (20% greater than base = + 1.6 units)	Yes
MIN. OPEN SPACE /ENHANCED OPEN SPACE (Applicable if project is > 5 ac. or ≥ 36 d.u.s)	Open space: min. 20% of total site acreage = 3.44 ac. Enhanced O.S.: min. 10% of total site acreage = 15,019 s.f.	Approx.. 24.9% = approx.. 4.55 acres Approx. 16,000 s.f.	Yes Yes
MIN. TRANSITIONAL BUFFER	30-foot buffer along north and south property lines	30-foot buffer along north and south property lines	Yes
MIN. LOT AREA	S-F detached: 5,000 s.f. S-F attached: Not applicable	5,000 – 6,669 s.f. S-F attached: Not applicable	Yes N.A.
MIN. LOT WIDTH	S-F detached: 45 feet S-F attached: Not applicable	S-F detached: 50 - 64 feet S-F attached: Not applicable	Yes N.A.
MIN LOT WIDTH- NEW CORNER LOT	60 feet	63 – 64 feet	Yes
MAX. LOT COVERAGE – S-F LOTS	60%	60%	Yes
MAX. LOT COVERAGE –TOTAL ACREAGE OF TOWNHOME PORTION	80%	80%	Yes

MR – 1 STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
REQUIRED BUILDING SETBACKS	FRONT (Town Center)	S-F detached: 0 ft. - determined by utility placement and streetscape S-F attached: : 0 ft. - determined by utility placement and streetscape	S-F detached: 10 ft. S-F attached: 20 ft.	S-F detached: Yes S-F attached: Yes
	INTERIOR SIDE	S-F detached: 3 ft. w/min. 10 ft. separation between bldgs. S-F attached: 20 ft. on sides of overall building site	S-F detached: 5 ft. for each lot (10 ft. separation) S-F attached: More than 20 ft. open space provided around s-f attached portion of site	S-F detached: Yes S-F attached: Yes
	SIDE – CORNER LOT	S-F detached: 0 ft. - determined by utility placement and streetscape S-F attached: Not applicable – no corner lots	S-F detached: 10 ft. S-F attached: Not applicable	S-F detached: Yes S-F attached: Not applicable
	REAR (W/O ALLEY)	S-F detached: 20 ft. S-F attached: 15 ft. for overall bldg. site	S-F detached: 18 ft. S-F attached: More than 15 ft. open space provided around s-f attached portion of site	S-F detached: variances required. S-F attached: Yes
MINIMUM UNIT SIZE		S-F detached: 1,200 s.f. S-F attached: 1,200 s.f.	S-F detached: 1,200 s.f. S-F attached: 1,200 s.f.	Yes Yes
MAX. BLDG. HEIGHT		S-F detached: 35 ft. S-F attached: 3 stories or 45 ft.	2 stories or 35 ft.	Yes
PARKING		S-F detached: Min. 2/unit; Max. 4/unit S-F attached: min. 1.5/unit + .25 guest pkg.; max. 3/unit + .25 guest pkg. Guest pkg: min. 30, max. 30	S-F detached: 2 garage, 2 driveway S-F attached: 1 garage, 1 driveway 30 spaces (on private drive E)	S-F detached: Yes S-F attached: Yes Yes
MAX. BLOCK LENGTH IN TOWN CENTER		500 feet	560-600 feet	Admin. waiver required
MIN. STREETSCAPE DIMENSIONS - PRIVATE DRIVES		5-ft. landscape strip and 5-ft. sidewalk on each side; street trees every 50 ft. or every other unit, whichever is less	6-ft. landscape strip and 5-ft. sidewalk; street trees every other unit for s-f attached (40 ft.), every 60 ft. for s-f detached	Admin. waiver required for street tree spacing

QUALITY OF LIFE METRICS

Open Space: approx. 4.55 acres

Linear Feet of New Sidewalks: 8,430 feet

Linear Feet of New Trails: approx.. 430 ft.

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 companion application for a land use map amendment would re-designate the property to a Town Center activity center. If constructed in accordance with the conditions for streetscaping and pedestrian connections recommended by Staff, the development would be consistent with the following Town Center policies: “Improve street character with consistent signage, lighting, landscaping, and other design features. (No. 9) and “Design shall be pedestrian-oriented with walkable connections between different uses. (No. 19) By providing both single-family detached and attached (townhome) housing types, the zoning proposal is consistent with Housing Policy No. 9 to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.”

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties: The proposed development would result in a suitable transition of residential densities and housing types in relation to the Wesley Club Apartments to the east and the Rainover Estates single-family residential neighborhood to the west, consistent with the Wesley Chapel Livable Centers Initiative (LCI) Study.

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 appears to have 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 proposal is not expected to adversely affect the use or usability of adjacent or nearby property. A 30-foot buffer would be located along the residentially-zoned property to the south. On the west, the rear yards of single-family lots would be buffered from rear yards of the homes to the west by a 34-foot wide unopened right-of way. The proposed linear park would form a buffer on the east side of the site, and the north end of the site would be reserved as natural open space.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The step-down of residential densities across the site is consistent with the transition of densities and intensities of land uses proposed in the Wesley Chapel Livable Centers Initiative (LCI) Study for the area between Wesley Chapel Road and the single-family residential neighborhoods to the west of the subject property. The proposed density of 8.7 units per acre is .7 units per acre above the base Suburban density and far below the maximum density allowed in a Town Center.

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 applicant has been working with County Transportation Division on roadway improvements that would mitigate the effect of traffic from the proposed development on the Snapfinger Road-Rainbow Drive intersection. 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. There have been no comments from reviewing departments and agencies that indicate other problems. Staff has recommended to the applicant that, if rezoning of the property is approved, a Sewer Capacity Request be submitted early in the permitting process.

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

The proposed development would not impact the environment to a greater degree than what is expected for residential development of a predominantly wooded property.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The proposed development would result in a suitable transition of residential densities and housing types in relation to the Wesley Club Apartments to the east and the Rainover Estates single-family residential neighborhood to the west., consistent with the Wesley Chapel Livable Centers Initiative (LCI) Study. The companion application for a land use map amendment would re-designate the property to a Town Center activity center. If constructed in accordance with the Staff-recommended conditions for streetscaping and pedestrian connections, the development would be consistent with the following Town Center policies: “Improve street character with consistent signage, lighting, landscaping, and other design features. (No. 9) and “Design shall be pedestrian-oriented with walkable connections between different uses. (No. 19) By providing both single-family detached and attached (townhome) housing types, the zoning proposal is consistent with Housing Policy No. 9 to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.” The proposal is not expected to adversely affect the use or usability of adjacent or nearby property. Therefore, the Department of Planning and Sustainability recommends “Approval” with the following conditions:

1. The proposed development shall consist of a maximum of 124 single-family attached townhomes and 26 single-family detached homes at a maximum density of 8.7 units per acre.
2. Open space and enhanced open space shall be provided at the square footages and locations shown on the site plan titled, “Site Zoning Plans for Snapfinger Road Tract”, prepared by AEP, dated 10-21-19. Enhancements to the linear park on the former Snapfinger Road right-of-way shall be subject to approval by staff of the Planning Division.
3. Landscaping and streetscaping (including street trees, open space enhancements in parks, and between Units 123 - 137 and Units 138 - 150 and between Units 89 – 106 and Units 107 - 122) shall substantially comply with the colored site plan titled, “Snapfinger Road”, prepared by AEP, stamped as received by the Department of Planning and Sustainability on October 22, 2019.
4. Applicant shall make roadway/streetscaping improvements on Snapfinger Road from the entrance to the proposed development to Wesley Club Drive (the entrance to the Wesley Club Apartments), which shall be constructed to current county standards, including: a 24-foot pavement, a header curb, a six-foot landscape strip back of curb planted with street trees at least 30 feet on center, a five-foot sidewalk adjacent to the interior edge of the landscape strip, and street lights. The roadway/streetscaping improvements shall be subject to approval by the county Transportation Division.
5. Pedestrian crossings shall be marked across the west entrance to the development, across the east turnaround entrance to link sidewalks on either sides of the refuge triangles in the turnaround, and across street intersections to connect sidewalks on opposite sides of the street.

6. Driveways to individual units shall be at least 20 feet long as measured from edge of sidewalk to garage, to prevent parked vehicles from blocking pedestrian crossings. Pedestrian crossings shall be provided across residential driveways by continuing the sidewalk paving material across the intervening driveway or by otherwise marking the crossing.
7. An outdoor lighting plan shall be submitted in conjunction with the application for a land disturbance permit and shall meet the standards of Sec. 5.6.1 of the DeKalb County Zoning Code.
8. 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.
9. Final lot layout shall be subject to sketch plat approval in accordance with DeKalb County Ordinances, Chapter 27 (Zoning Code) and Chapter 14 (Land Development Code).
10. At no time shall more than 35% of the homes located within the subdivision be rental units. Additionally, the leasing of non-owner occupied units for short term rentals of less than six months shall be strictly prohibited. The rental restrictions shall be detailed in the Declaration of Restrictive Covenants recorded for the community, a copy of which shall be delivered to DeKalb County simultaneously with the recording of the Final Subdivision Plat.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Building Design Examples
7. Land Use Map
8. Zoning Map
9. Aerial View
10. Site Photos

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.

Comments – Transportation Division



N8. [Based on site plan dated 7/18/19] Coordination with GDOT's MMIP projects along I-20 required prior to permitting. Coordination with MARTA I-20 east line required prior to permitting. Bring Snapfinger Road along property frontage down to apartment driveway (Wesley Club Drive) up to current county standards (24 pavement, header curb, 5-foot sidewalk, landscape strip, and street lights. Add Street Lights at entrance on Kelly Chapel Road.

N9. Hard to make zoning comments without knowing the number of trips or specific use. 25 acres- need more info. DRI? Looks like N9 is being split into a 350K sq. foot distribution center and a 300-unit apartment complex.

N10. Requires traffic Study and sight distance study. Clifton Springs is a minor arterial. Requires 40 foot right of way donation from centerline, 6-foot planting strip, 6-foot sidewalk, bike facilities and street lights. Left turn lane into facility from Clifton Springs Road. DRI with N11?

N11. Traffic Study Required. DRI with N10? 300 units- one access point? No site plans? Flat Shoals Parkway is SR 155. GDOT review and approval of access points and right of way improvements required prior to issuance of permits. Flat Shoals Parkway is classified as a major arterial. 6-foot sidewalk, bike facilities, 50 right of way dedication, and street lights required. Only Right in/right out access point allowed. Traffic study should include impacts of U-turns on neighboring intersections and determine if pavement is available too accommodate U-turns.

N12. No Comments

N13. No Comments

N14. No Comments

N15. No Comments

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DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-19-1243385 Parcel I.D. #: 15-126-05-003, 015, 021, 022
Address: 2658
Kelley Chapel Rd
Dacula, Ga.

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:

PLANS AND FIELD REVIEWED. NO PROBLEM THAT WOULD
INTERFERE WITH TRAFFIC FLOW.

Signature: Jerry White



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

D4 GA General Snappfinger Dev Z-19-1243385

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**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



**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-19-1243385

Parcel I.D. #: 15-126-05-003, 15-126-05-015, 15-126-05-021, & 15-126-05-022

Address: 2658 Kelly Chapel Road

Decatur, Georgia

WATER:

Size of existing water main: 8" DI 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: Cobb Fowler Creek Basin

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

Water Treatment Facility: Snappfinger Creek WTF () adequate () inadequate

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (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: [Handwritten Signature]

DEKALB COUNTY



Board of Health

8/15/2019

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

8/15/2019

N.5

Z-19-1243381 2019-4072 15-143-19-011

1639 Eastland Road, Atlanta, GA 30316

Amendment

- Please review comments.

N.6

Z-19-1243383 2019-4072 15-143-19-011

5065 Flat Shoals Pkwy, Decatur, Ga 33034

Amendment

- Please review comments.

N.7

LP-19-1243384 2019-4074 15-126-05-003, 15-126-05-015,15-126-05-021,15-126-05-022

2317, 2349, and 2610 Snapfinger Road, Decatur, GA

Amendment

- Please review comments.

N.8

Z-19-1243385 2019-4075 15-126-05-003, 15-126-05-015,15-126-05-021,15-126-05022

2658 Kelley Chapel Road 2317,2349 and 2610 Snapfinger Road, Decatur, GA 30034

Amendment

- Please review comments.

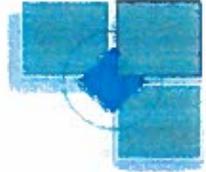




DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Date Received: _____ Application No.: 2-19-1243385
Z/CZ No. _____ Filing Fee: _____

Applicant: Georgia General Snapfinger Development LLC E-Mail: mlb@battlelawpc.com

Applicant Mailing Address: c/o Battle Law P.C. One West Court Square, Ste 750 Decatur, GA 30030

Applicant Phone: 404.601.7616 Fax: 404.745.0045

Owner(s): Georgia General Snapfinger Development, LLC E-Mail: maxieprice1@gmail.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: P.O. Box 704 Loganville, Georgia 30052

Owner(s) Phone: 770.317.3000 Fax: _____

Address/Location of Subject Property: 2658 Kelley Chapel Road, 2317, 2349 & 2610 Snapfinger Road

District(s): 15 Land Lot(s): 126 Block: 05 Parcel(s): 003, 015, 021 & 022

Acreage: 17.20 Commission District(s): 3 & 7

Present Zoning Category: R100 Proposed Zoning Category: MR-1

Present Land Use Category: SUB Proposed: IN TC MUF

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.

Georgia General Snapfinger Development, LLC
By: [Signature]

SIGNATURE OF APPLICANT / DATE

Check One: Owner Agent



Lisa M Highlan
50 Canary Ct.
Smyrna, Ga 31064

1300 West Ponce de Leon Avenue – Suites 100-500 – Decatur, Georgia – 30030
Phone: (404) 371-2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address: <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov

B Battle Law, P.C.
Commercial Real Estate & Zoning
ONE WEST COURT SQUARE, SUITE 750
DECATUR, GA 30030

What is a Community Meeting?

Community meetings are designed to inform the surrounding communities of current rezoning, and special land use permit applications. It's an opportunity for the community to learn about the proposed projects, ask questions, present concerns, and make suggestions. We take this opportunity to encourage you to come out and participate. Owner? Renter? Doesn't matter. All are welcome.

For More Info Contact Batoya Clements at:

Phone: 404-601-7616 ext. 2

Fax: 404-745-0045

Email: bdc@battlelawpc.com

You recently received a Community Meeting notice regarding a Rezoning and a Possible Land Use Amendment for property located at

2658 Kelly Lake Road

THE CORRECT ADDRESS IS
2658 Kelley Chapel Road, 2317, 2349, &
2610 Snapfinger Road

Once again this meeting will be held
Tuesday, June 25, 2019 at 6:30pm —
8:00pm

At Wesley Chapel Library
2681 Wesley Chapel Road
Decatur, GA 30034

SIGN IN SHEET

2658 Kelly Lake Road, 2317, 2349, & 2610 Snapfinger Road

COMMUNITY MEETING

Wesley Chapel Library-2861 Wesley Chapel Road

Tuesday, June 25, 2019 6:30 PM – 8:00 PM

Please print legibly

First Name	Last Name	Address	City, State	Zip Code	Phone Number	Email Address
Lakeysha	Tucker	4034 shadowbrook Pl	Decatur, GA	30034	404-543-0617	Keyshia00@hotmail.com
Gloria	Tucker				404-798-5721	
Janice	Kelsey	4066 Rainbow Dr	Decatur, GA	30034	404-284-5695	kelsey4066@comcast.net
Dan	Karski	Kelley Chapel	"	"	678-249-7881	dan.greatland@gmail.com
Terrilyn	Heath	2631 Candler Woods Dr	Decatur	30832	404-381-6006	kekefy@bellsouth.net
Arthur	Baugh	3985 Rainover Dr	Dec	30034	404-542-7237	
Treandus	Baugh	3985 Rainover Dr	Decatur	30034	404-438-4609	
Charles	Shaw					
Thomas	Allen	2586 Bright Ct. Decatur GA 30034				gme205@comcast.net
Betty	Allen	2586 Bright Ct	Decatur	30034		

I. STATEMENT OF INTENT

The Applicant, Georgia General Snapfinger Development, LLC, is the owner of the following four tax parcels with an assembled acreage of 17.23 acres (the “Subject Property”):

Tax Parcel 15 126 05 015 2658 Kelley Chapel Road

Tax Parcel 15 126 05 021 2317 Snapfinger Road

Tax Parcel 15 126 05 022 2610 Snapfinger Road

Tax Parcel 15 126 05 003 2349 Snapfinger Road

The Subject Property has a land use designation of Suburban (SUB) and is currently zoned R-100. The Applicant is seeking to develop 156 townhome units, and 25 single-family detached units on the Subject Property. In order to develop the proposed project, the Applicant is seeking to rezone the Subject Property from R-100 to MR-1. Additionally, simultaneously with the submission of this Application, the Applicant has filed an application to amend the land use designation from SUB to Traditional Neighborhood.

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant’s constitutional rights, and the Impact Analysis of this Application as required by the DeKalb County Zoning Ordinance. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

III. IMPACT ANALYSIS

- (a) Suitability of use: The proposed rezoning will permit uses that are suitable in view of the existing residential and multi-family uses on the parcels adjacent and nearby the Subject Property. The proposed rezoning will allow for the development of both

townhome and single family uses which are in line with the Wesley Chapel Activity Center small study. The Subject Property is abutted to the North by the Wesley Club apartment complex which is within the I-20 Overlay District with a land use designation of Town Center, to the South by the Rainover Estates and Shadowbrook single-family detached subdivisions zoned R-100 with a land use of SUB, to the West by I-20, and to the East by vacant land zoned R-100 and MR-1. The proposed rezoning to MR-1 will provide for a suitable transition between these existing uses. It should also be noted that with the exclusion of the Subject Property and one adjacent tract, the remaining properties with frontage on Snapfinger Road have a land use designation of Town Center, are included in the I-20 Overlay District, and are zoned MR-1. There is little to no logic in forcing the Subject Property to remain zoned R-100.

- (b) Effect on adjacent property: The proposed rezoning of the Subject Property for the development of townhomes and single-family homes will have no inverse impact on the adjacent properties. Currently, the Subject Property is undeveloped and serves as a pedestrian cut-through and dumping ground. The proposed development will alleviate these issues, as there will be more eyes on the street, and the Applicant is proposing fencing along Snapfinger Road to cut down on pedestrian cut through traffic.

Additionally, the development of the proposed project will provide an economic uplift to an area that was hit hard by the 2007/2008 housing crisis. Many homeowners are still recovering from the economic downturn. The sales price for the proposed townhome units will start at \$175,000.00 and increase as units sell. The single-family detached

homes in the area have an average value of \$135,000.00. The proposed townhomes will exceed this value, which will help to increase the surrounding home values. Diversifying the housing type in the area, is a policy goal in the Comprehensive Plan for the area, and there is no question that allowing townhomes will support this goal by providing for homeownership that is more attractive to empty nesters, and millennials who are looking for newer homes, at a great value with less maintenance.

- (c) Economic use of current zoning: The Subject Property has no use as currently zoned R-100 based on the adjacent multi-family use.
- (d) Effect on public facilities: The Subject Property is in an area with public utility availability and convenient access to major thoroughfares. The proposed rezoning will not cause excessive use of streets, transportation facilities, utilities, or schools in the area.

- (e) Environmental Impact. The approval of this Rezoning Application will not result in any adverse environmental impact.
- (f) Effect on adjoining governmental interest. The approval of this Rezoning Application will not have any adverse impact on any adjoining governmental interests. The Subject Property is located in unincorporated DeKalb County, as is not near the boundaries of any incorporated City.
- (g) Conformity with the Intent of the Comprehensive Plan or Land Use Plan: The proposed

Rezoning is consistent with the intent of the Wesley Chapel Activity Center policies, and with the Traditional Neighborhood policies, including:

- (i) Protection of Existing Residential Neighborhoods;
- (ii) Walkability;
- (iii) Infill Development;
- (iv) Connectivity; and
- (v) Sense of Place.

(h) Effect on historical buildings, etc. The approval of this Rezoning Application will not have any adverse impact on any historical buildings, sites, district or archeological resources resulting from any proposed future development of the Subject Property.

(i) Existing or changing conditions supporting approval or denial. The DeKalb County Board of Commissioners has acknowledged its commitment to the growth and development of the Wesley Chapel Corridor. The Subject Property is one of the largest assembled underdeveloped tracts within the Wesley Chapel corridor. Change in the area is coming but has been slow along the East side of the I-20 Corridor. The proposed project will support the development and redevelopment of other property within the Wesley Chapel corridor. As currently zoned R-100, there is no market for the sole development of single-family homes on the Subject Property, particularly in light of the multi-family development which is on the north side of Snapfinger Road.

Furthermore, while the small area study for Wesley Chapel shows the Subject Property

being developed for single family detached homes, it assumes that the Wesley Club Apartments will be demolished and replaced with a multifamily mixed use project and townhomes to provide for a suitable transition between the higher intensity apartment use and the existing single-family detached subdivisions off of Kelley Chapel Road. Unfortunately, this assumption is dubious as the Wesley Club Apartments is subject to Declaration of Land Use Restrictive Covenants recorded in Deed Book 19230, Page 323, DeKalb County real property records, in favor of the Georgia Housing and Finance Authority which requires the use of the Subject Property for Low Income Housing until 2021. The current owner, Wesley Club, LLC, is a subsidiary of AGPM, LLC out of Florida, which specializes in the development and maintenance of affordable housing developments. Wesley Club Apartments was acquired and rehabbed in 2002 with the use of bond financing issued by the DeKalb County Housing Authority. Therefore, the likelihood of the Wesley Club being sold and developed for market rate housing is fairly slim, as Wesley Club, LLC's current financing for the Subject Property doesn't expire until 2026. Previous discussion with the property owner suggests that they will be looking to renew the Land Use Restrictive Covenants in order to continue with their current Fannie Mae financing for the property.

With respect to the small area study, what is most stunning is that it seeks to displace affordable housing units built with federal and state funds. It should not be the County's goal and objective to displace or reduce the number of affordable housing units in the area in order to accommodate new market rate units. Affordable housing is needed and very difficult to come by, as fewer and fewer communities are supportive of affordable

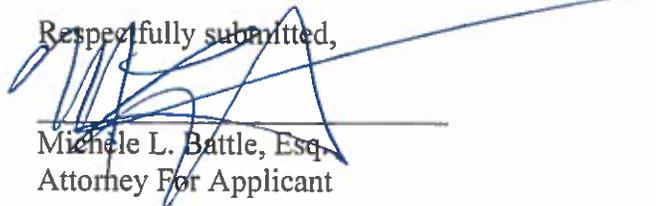
housing, yet more and more people need affordable housing. It is no secret that the County is seeking rapid rail from to the Stonecrest Mall area. In order to achieve this goal density must increase along the route to justify the rail line. The remove of 257 dwelling units would therefore be in opposition to the goal of increased density. Furthermore, it is counter intuitive to actively seek to displace those families living in Wesley Club who are most in need of direct access to public transportation. Plans already exist to provide an express lane and bus route along the I-20 Corridor, with a bus station to be located on Wesley Chapel Road. The redevelopment of the Wesley Club Apartments may be necessary if the MARTA Station is located adjacent to the site, but that does not mean that 100% of the land will be impacted, nor does it mean that the owner will elect to displace over 257 units of affordable housing in favor of a market rate mixed use project and townhomes. In all likelihood, they will simply seek to upgrade their units, or redevelop the project with newer units. Consequently, the development of the Subject Property is what will be providing a suitable transition between the Wesley Club Apartments and the existing residential subdivision starting at Kelley Chapel Road. The small area study clearly shows that townhome units provide a suitable transition between a multi-family product and a single-family detached product. The Subject Property can and should provide this transition.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights have been submitted with this Application

and are attached hereto and by this reference incorporated herein.

This 3rd day of July, 2019.

Respectfully submitted,

Michele L. Battle, Esq.
Attorney For Applicant

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The following constitutional allegations are given in order to preserve the rights of the Applicant to appeal any adverse decisions that may be rendered by DeKalb County with respect to this Application:

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

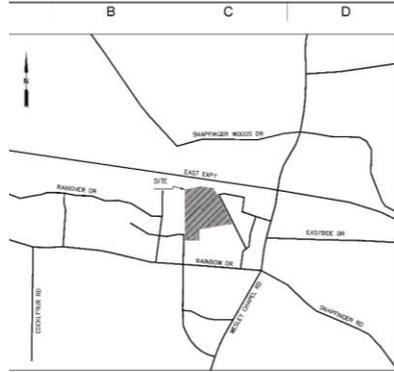
A refusal to allow the land use amendment and/or rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

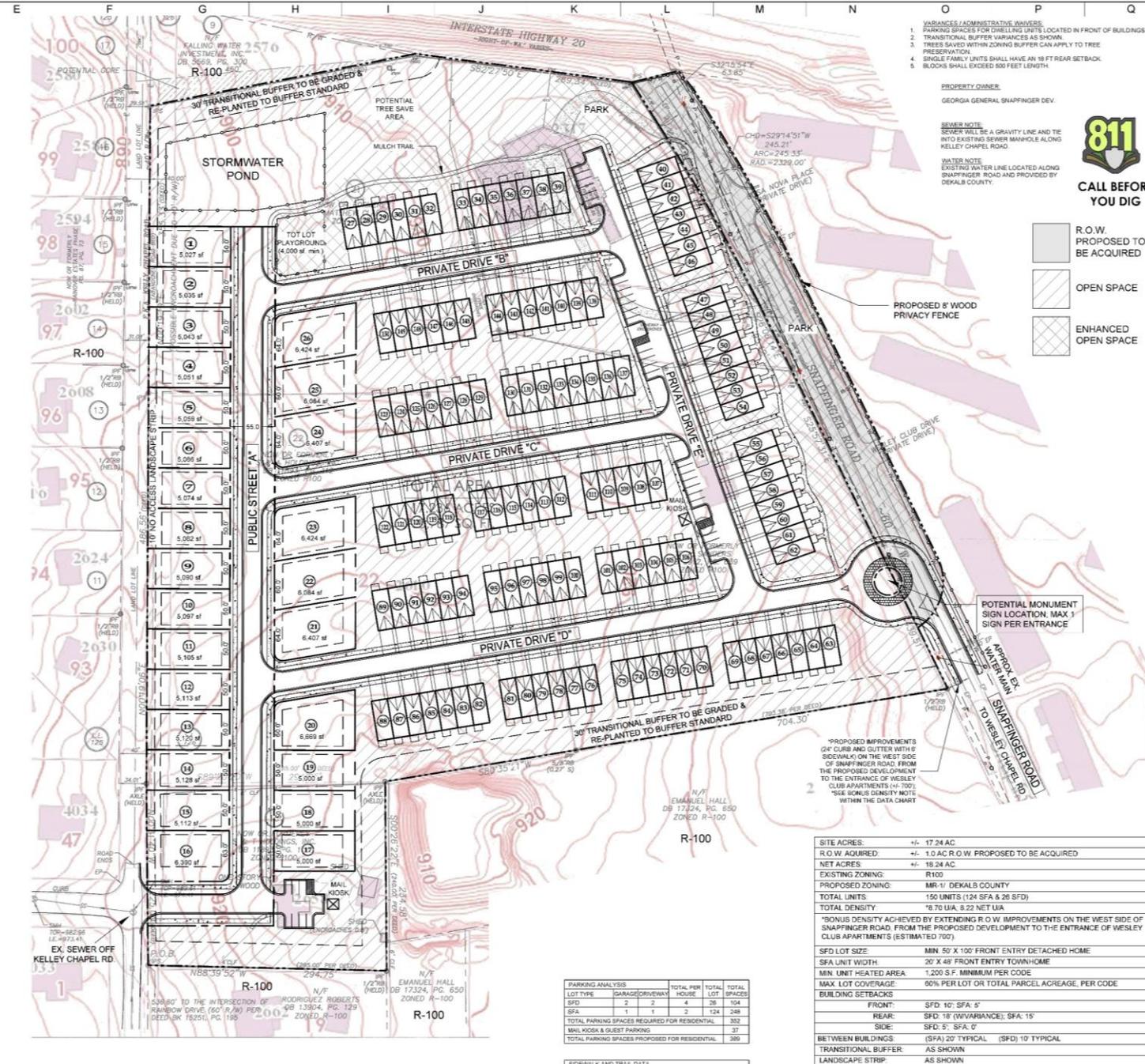
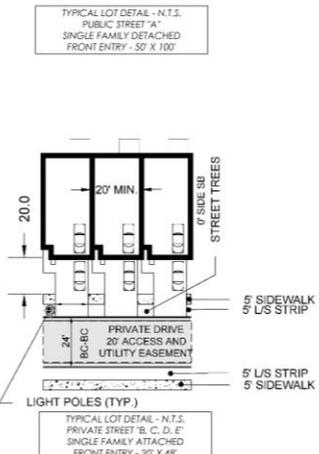
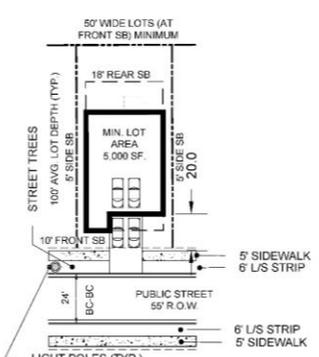
D. 3 LP-19-1243384

D. 4 Z-19-1243385

Site Plan 10-21-19



VICINITY MAP - NOT TO SCALE
 LAND LOT(S): 126 DISTRICT: 15TH
 DEKALB COUNTY
 DATE: JUNE 16, 2019
 NO PORTION OF THIS PROPERTY IS LOCATED IN
 A FEMA FLOOD PLAIN AS PER FEMA MAP NO.
 13088C0153, DATED MAY 16, 2013



- VARIANCES / ADMINISTRATIVE APPROVALS
- PARKING SPACES FOR CHILLING UNITS LOCATED IN FRONT OF BUILDINGS
 - TRANSITIONAL BUFFER VARIANCES AS SHOWN
 - TREES SAVED WITHIN ZONING BUFFER CAN APPLY TO TREE PRESERVATION.
 - SINGLE FAMILY UNITS SHALL HAVE AN 18' FT REAR SETBACK.
 - BLOCKS SHALL EXCEED 500 FEET LENGTH.

PROPERTY OWNER:
 GEORGIA GENERAL SNAPPINGFER DEV.

SEWER NOTE:
 SEWER WILL BE A GRAVITY LINE AND TIE INTO EXISTING SEWER MANHOLE ALONG KELLEY CHAPEL ROAD.

WATER NOTE:
 EXISTING WATER LINE LOCATED ALONG SNAPPINGFER ROAD AND PROVIDED BY DEKALB COUNTY.



- R.O.W. PROPOSED TO BE ACQUIRED
- OPEN SPACE
- ENHANCED OPEN SPACE

LOT TYPE	GARAGE/DRIVEWAY	TOTAL PER HOUSE	TOTAL LOT	TOTAL SPACES
SFD	2	2	4	104
SFA	1	1	2	124
TOTAL PARKING SPACES REQUIRED FOR RESIDENTIAL				332
MAIL ROOM & GUEST PARKING				37
TOTAL PARKING SPACES PROPOSED FOR RESIDENTIAL				369

SITE ACRES:	+/- 17.24 AC
R.O.W. ACQUIRED:	+/- 1.0 AC R.O.W. PROPOSED TO BE ACQUIRED
NET ACRES:	+/- 16.24 AC
EXISTING ZONING:	R100
PROPOSED ZONING:	MR-1/ DEKALB COUNTY
TOTAL UNITS:	150 UNITS (124 SFA & 26 SFD)
TOTAL DENSITY:	*8.70 U/A, 8.22 NET U/A
*BONUS DENSITY ACHIEVED BY EXTENDING R.O.W. IMPROVEMENTS ON THE WEST SIDE OF SNAPPINGFER ROAD, FROM THE PROPOSED DEVELOPMENT TO THE ENTRANCE OF WESLEY CLUB APARTMENTS (ESTIMATED 700).	
SFD LOT SIZE:	MIN. 50' X 100' FRONT ENTRY DETACHED HOME
SFA UNIT WIDTH:	20' X 48' FRONT ENTRY TOWNHOME
MIN. UNIT HEATED AREA:	1,200 S.F. MINIMUM PER CODE
MAX. LOT COVERAGE:	80% PER LOT OR TOTAL PARCEL ACREAGE, PER CODE
BUILDING SETBACKS	
FRONT:	SFD 10'; SFA 5'
REAR:	SFD 18' (W/VARIANCE); SFA 15'
SIDE:	SFD 5'; SFA 0'
BETWEEN BUILDINGS:	(SFA) 20' TYPICAL (SFD) 10' TYPICAL
TRANSITIONAL BUFFER:	AS SHOWN
LANDSCAPE STRIP:	AS SHOWN



Developer:
 Georgia General Snappingfer Development, LLC
 Contact No. 770-232-0000

Site Zoning Plans for
 SNAPPINGFER ROAD TRACT
 2810 SNAPPINGFER ROAD
 DEKALB COUNTY, GA
 LAND LOT 126, 15TH DISTRICT
 PARCEL ID: #15 126 05 03 015 021 & 022

Scale: 1" = 60'

NORTH

SITE ZONING FYH/RT

D. 3 LP-19-1243384

D. 4 Z-19-1243385

Colored Site Plan

SNAPPINGER ROAD



Received by Dept. of
Planning & Sustainability
10-22-19

D. 3 LP-19-1243384

D. 4 Z-19-1243385

Building Design Example 1



D. 3 LP-19-1243384

D. 4 Z-19-1243385

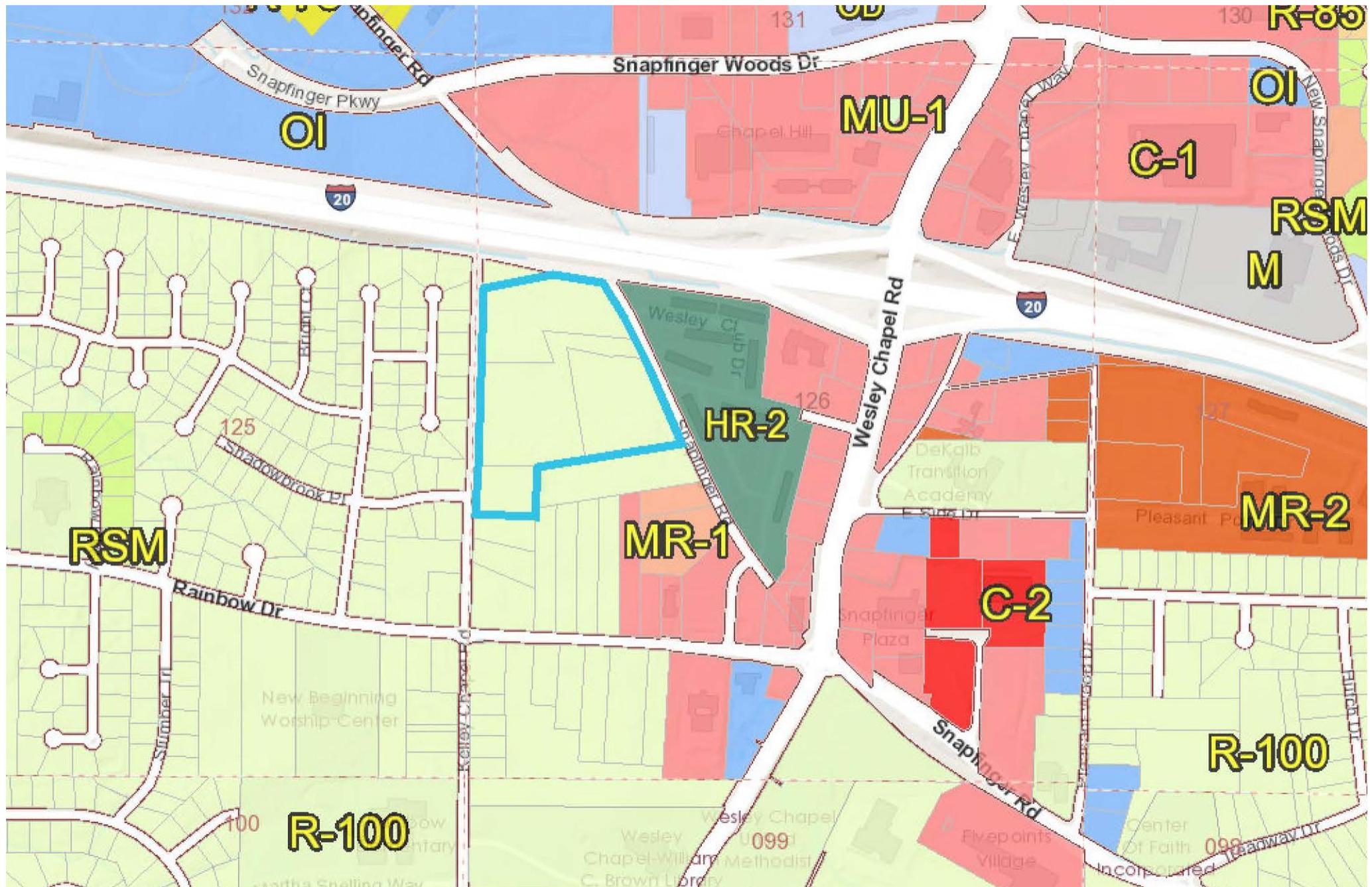
Building Design Example 2



D. 3 LP-19-1243384

D. 4 Z-19-1243385

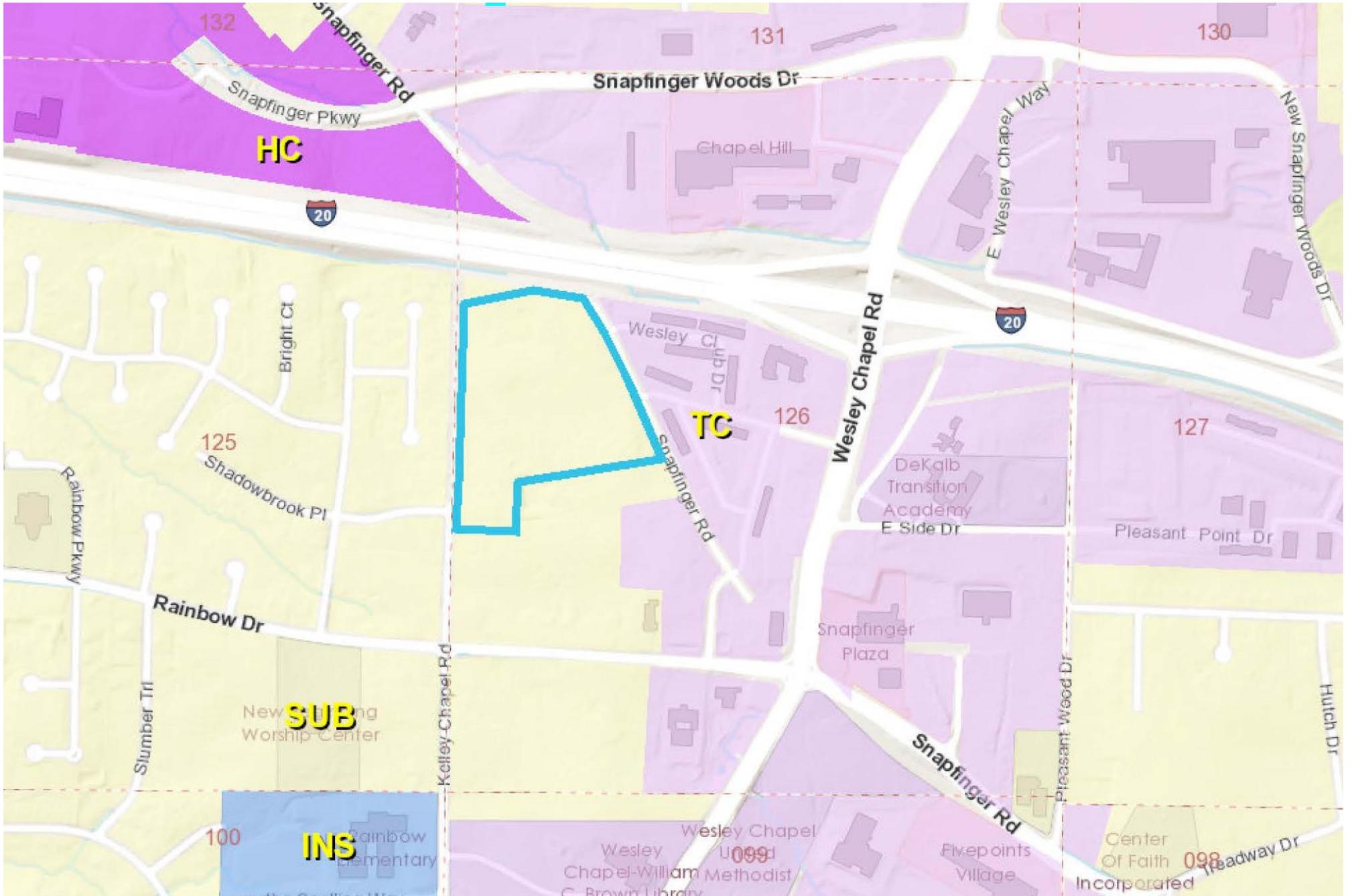
Zoning Map



D. 3 LP-19-1243384

D. 4 Z-19-1243385

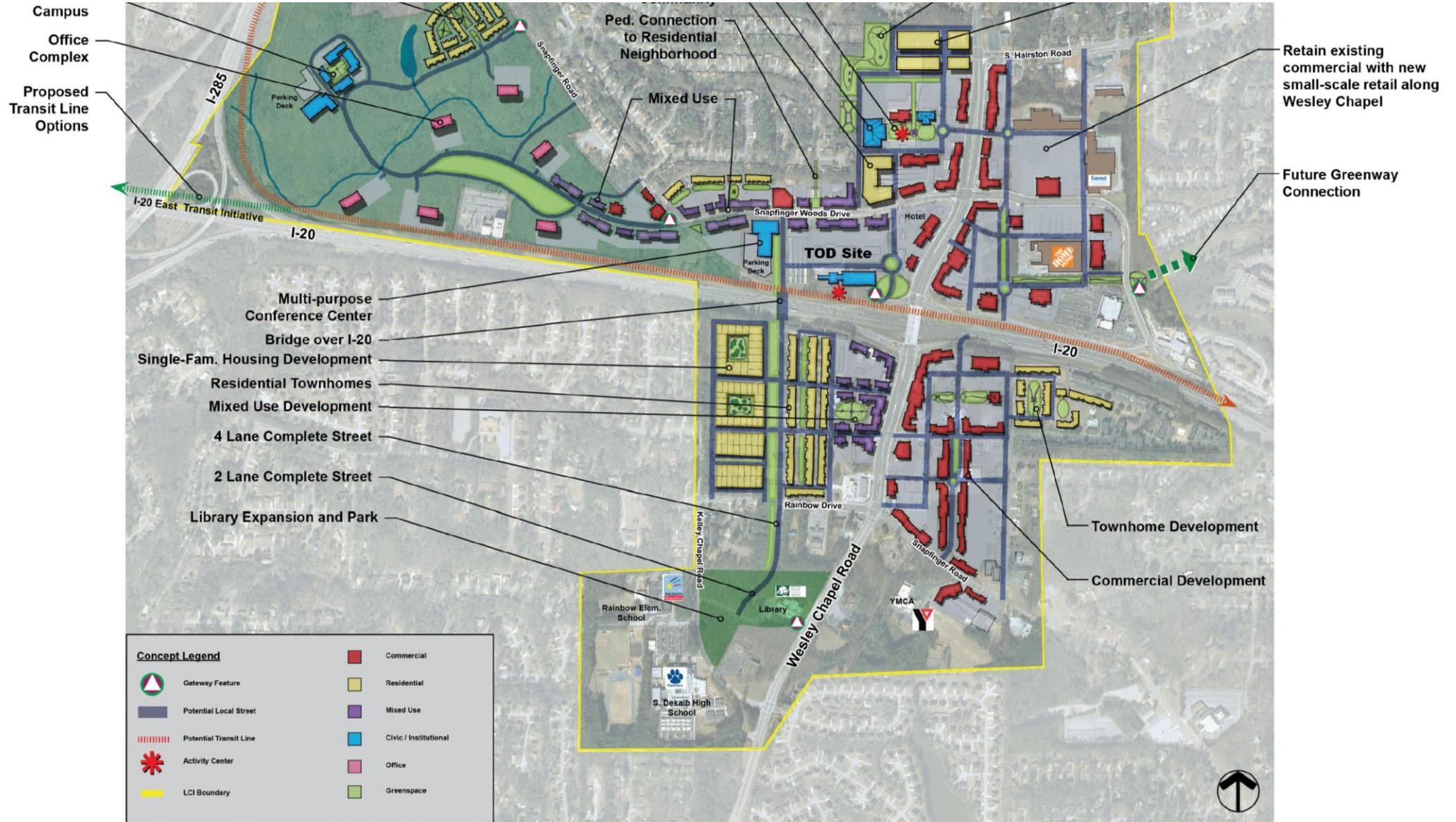
Land Use Map



D. 3 LP-19-1243384

D. 4 Z-19-1243385

Wesley Chapel LCI Plan (detail)



D. 3 LP-19-1243384

D. 4 Z-19-1243385

Aerial View



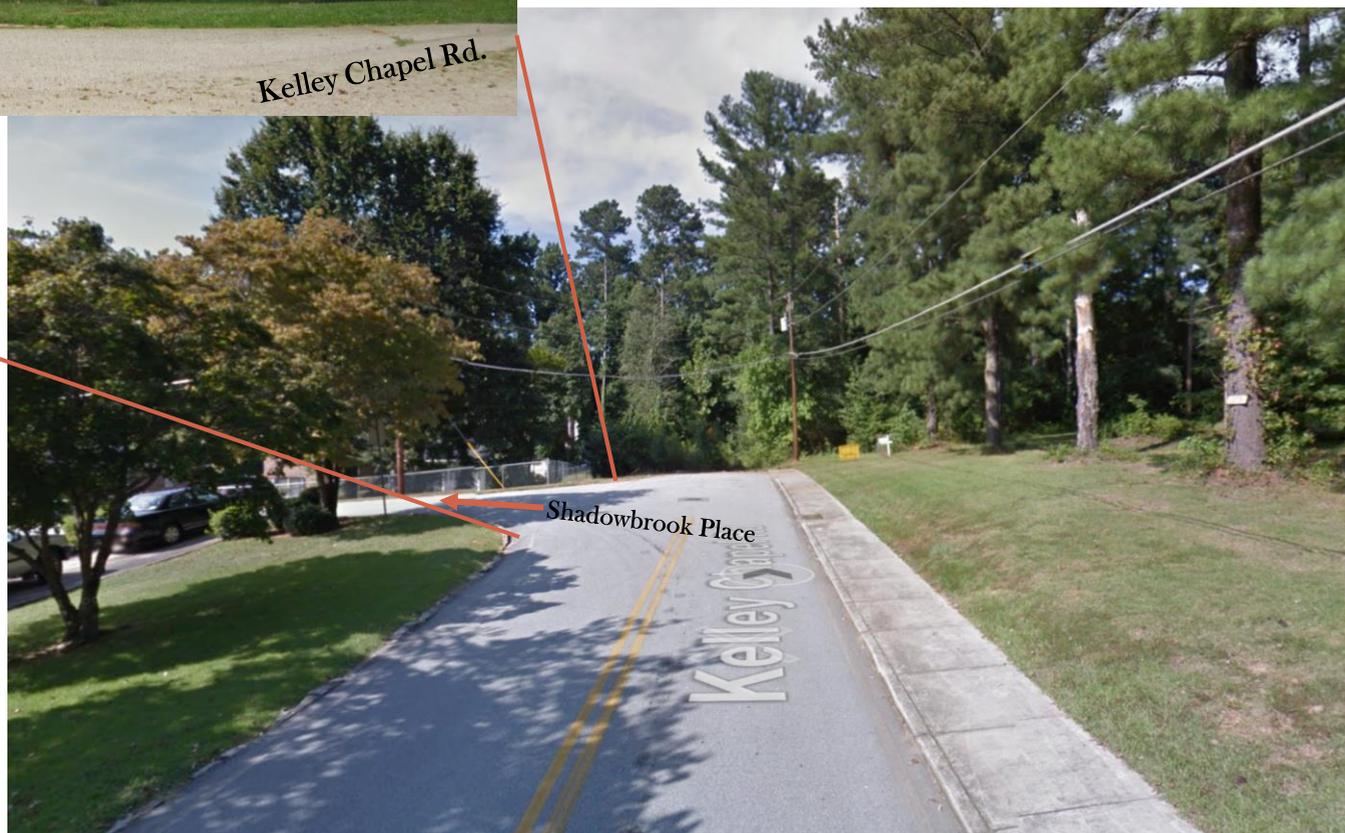
D. 3 LP-19-1243384

D. 4 Z-19-1243385

Site Photos



Kelley Chapel Road frontage and single-family homes to the west.



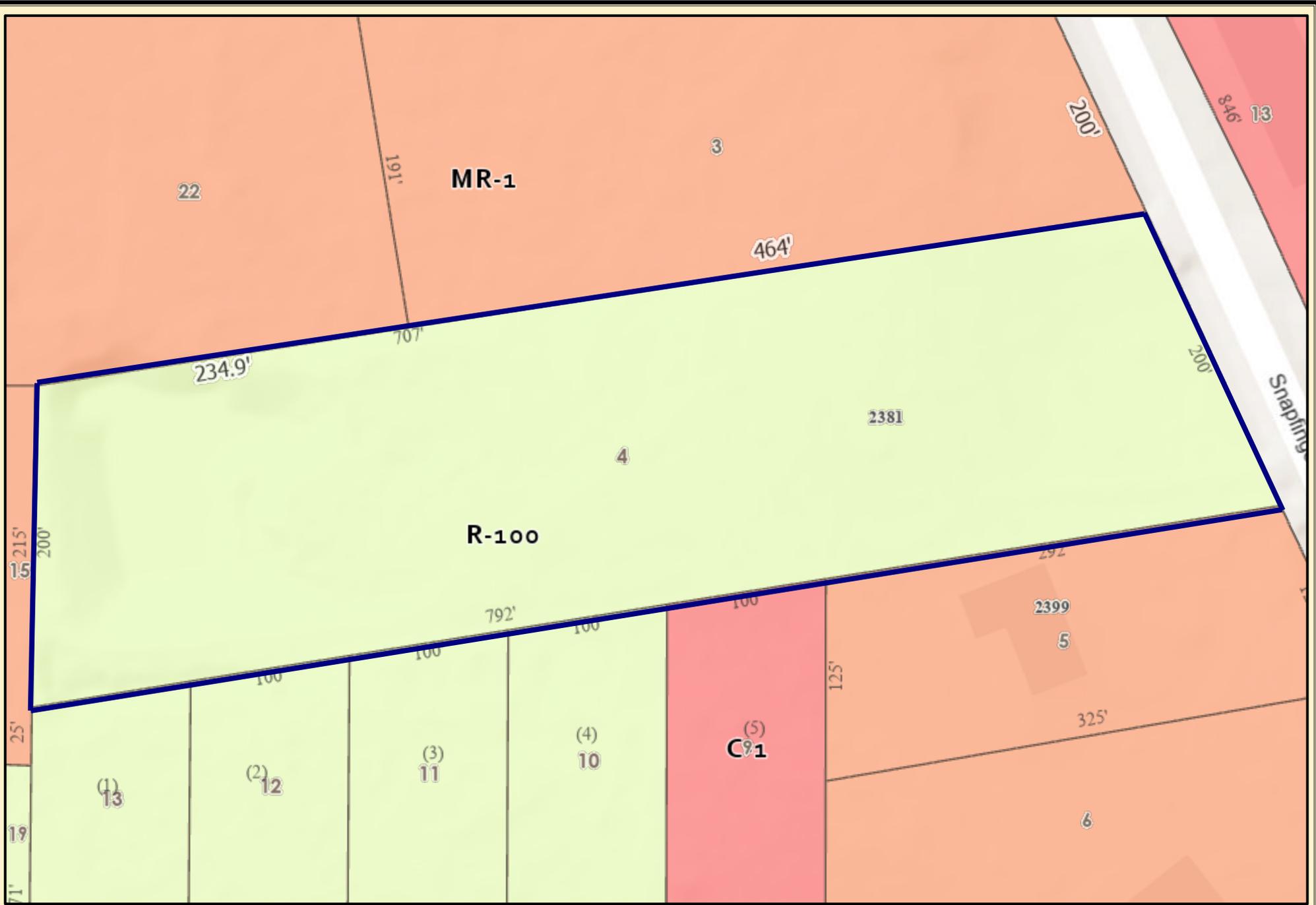
D. 3 LP-19-1243384

D. 4 Z-19-1243385

Site Photos



Snapfinger Road frontage and Wesley Club Apartments on opposite side.



DeKalb County Parcel Map



Date Printed: 6/16/2025



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