

Agenda Item

File ID: 2019-4075

Substitute

11/19/2019

Public Hearing: YES NO

Department: Planning and Sustainability

SUBJECT:

COMMISSION DISTRICTS: 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 No.: 15-126-05-003, -015, -021, & -022

Information 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.

RECOMMENDATION:

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: *2 w/c deferred*
(11/5/19) APPROVAL WITH CONDITIONS. (9/10/19) FULL CYCLE DEFERRAL.

PLANNING 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 19, 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. Developer 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. Notwithstanding the foregoing, Developer shall have the option to instead make right-of-way improvements to Kelley Chapel Road from Rainbow Drive to the entrance of the proposed development, which shall be constructed in the current right-of-way to current county standards to the extent possible, including: 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. All 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. Developer 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.
 14. Developer shall install a neighborhood safety camera system with vehicle fingerprint technology such as the Flock Safety System at the entrance points to the subdivision. The mandatory homeowners' association shall be responsible for the maintenance of the system.