

2019-3532 (N6)

Agenda Item

File ID: Z-19-1243163

~~Walk-On Item~~
Substitute

5/28/2019

Public Hearing: YES NO

Department: Planning and Sustainability

SUBJECT: Rezone – Greg Ramsey

COMMISSION DISTRICT(S): 2 & 6

Application of Greg Ramsey to rezone property from R-100 (Residential-Medium Lot-100) to RSM (Small Lot Residential Mix) to develop 21 urban single-family detached dwelling units, at 3398 Briarcliff Road.

PETITION NO: N6. Z-19-1243163

PROPOSED USE: 21 urban single-family detached homes.

LOCATION: 3398 Briarcliff Road, Atlanta.

PARCEL NO.: 18-195-09-002

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application Z-19-1243163 of Greg Ramsey to rezone property from R-100 (Residential-Medium Lot-100) to RSM (Small Lot Residential Mix) to develop 21 urban single-family detached dwelling units. The property is located on the northwest side of Briarcliff Road, approximately 229 feet east of Branch Bend, at 3398 Briarcliff Road, Atlanta. The property has approximately 668 feet of frontage on Briarcliff Road, approximately 60 feet of frontage on Continental Drive and contains 8.7 acres.

RECOMMENDATIONS:

COMMUNITY COUNCIL: FULL CYCLE DEFERRAL.

PLANNING COMMISSION: APPROVAL WITH CONDITIONS.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

STAFF ANALYSIS: The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to “. . . provide a variety of housing opportunities and choices to better accommodate the needs of residents.” It is consistent with the following natural resources policies: “Protect environmentally-sensitive areas including wetlands, floodplains, water supply

watersheds, and stream corridors.” (No. 1) “Preserve trees and other natural resources to protect the environment and aesthetically enhance communities.” (No. 4) “Encourage the preservation of open space, farmland, and natural and critical environmental areas.” (No. 6) At 2.5 units per acre, the proposed density of the development is lower than that of the surrounding neighborhoods, which are developed at R-100 densities. The comparatively low density of the proposed development is suitable in the context of the use of adjoining and nearby properties. The zoning proposal is supported by a growing recognition that continued urbanization of the County heightens the need to restore large green spaces, such as that which would be provided in the proposed development, to the County’s natural resource inventory. Moreover, urbanization has led to traffic congestion and has deteriorated levels of service on arterials such as Briarcliff Road, which is documented in the 2014 Comprehensive Transportation Plan as having a PM peak-hour level of service “F” for most of its distance between North Druid Hills Road and Shallowford Road. The need to alleviate congestion on Briarcliff Road supports the proposal in that it lowers the allowed density of the property and proposes a way to distribute traffic onto the network of neighborhood streets that feed into Briarcliff Road. There has been no indication from reviewing agencies and divisions that the proposed development would overburden the public transportation, school, or utility infrastructure. Therefore, the Department of Planning and Sustainability recommends “Approval with conditions”.

PLANNING COMMISSION VOTE: Approval with Conditions, 9-0-0. A. Atkins moved and J. West seconded for approval as recommended and conditioned by Staff.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Full cycle deferral, 6-0-0. The Community Council Board recommended full cycle deferral to allow time for the applicant to address comments by neighbors, who objected to access from Continental Drive. Neighbors also objected to removal of trees for construction of the proposed development.

Zoning Conditions

Z-19-1243163

Rezone Property from R-100 (Residential-Medium Lot-100) to
RSM (Small Lot Residential Mix)

May 22, 2019

1. The subject property shall be developed in substantial conformity with the lot layout, allocation and distribution of open space, and location of amenities shown on the site plan titled, "Zoning Plan for the Pendergrast Historic Farm", prepared by JVG Civil Engineering, dated 4/8/2019, revised 2/27/19, 3/7/19, and 5/24/19, and stamped as received by the Department of Planning and Sustainability on May 24, 2019.
2. The buildable area of the property shall be comprised of Area A and Area B1 shown on the Project Open Space Exhibit on the site plan described in Condition No. 1. A minimum of 60% of said buildable area of the property shall be open space and shall be enhanced with recreational amenities and gardens. (Area B2 depicted on the Project Open Space Exhibit shall be considered non-buildable because it is comprised of a 75-foot stream buffer and an area between the stream buffer and the western edge of the site that is inaccessible for development.)
3. A mandatory homeowners' association will be established to manage the common open space and the proposed gardener/caretaker dwelling unit.
4. Prior to issuance of the final plat for the proposed development, a permanent conservation easement will be placed on the common open space depicted on the site plan as Area B1 and Area B2, which shall allow use of the open space only for gardening, recreation, woodland conservation, and similar and related uses of a non-commercial nature, and which shall be held by an entity other than the homeowners' association. Documents for the conservation easement shall be filed with the County Clerk and referenced on the final plat as both a verbal citation and an outline on the plat of Areas B1 and B2.
5. No vehicular through-circulation shall be allowed between Briarcliff Rd and Continental Drive.
6. The primary storm water detention facility shall be installed underground.
7. The primary means of ingress and egress by construction-related vehicles only will be from Briarcliff Road. After construction is completed, the construction drive will be restored to a path that is usable only for pedestrians and for groundskeeping or gardening equipment.

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. Each member of the homeowners' association shall be allowed to sponsor up to two members who shall have pedestrian access to the trails shown on the site plan described in Condition No. 1. The sponsored members shall reside on property located within $\frac{1}{4}$ mile of the subject property. Sponsored members shall apply for membership in the homeowners' association and shall not be refused membership if they live within one-quarter mile of the subject property, but may be terminated from membership if they violate any rule of the homeowners' association (other than the rule that qualifies members as a result of residing on the property) that is also applicable to members who qualify by virtue of residing on the subject property.
10. The homeowners' association shall operate an urban garden as defined in Section 27-9.1.3 of the DeKalb County Code, but which shall not be subject to the requirements of Section 4.2.55. The urban garden shall operate for the first five years that occur after issuance of the final certificate of occupancy. Operation of the urban garden and distribution of the produce shall be subject to agreement by the members of the homeowners' association. Changes to the requirements of the agreement shall be made only by majority vote of all members of the homeowners' association.



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: May 7, 2019, 6:30 P.M.
Board of Commissioners Hearing Date: May 28, 2019, 6:30 P.M.

STAFF ANALYSIS

with corrections to zoning compliance table

Case No.: Z-19-1243163 **Agenda #:** N. 6

Location/Address: 3398 Briarcliff Road **Commission District:** 2 **Super District:** 6

Parcel ID(s): 18-195-09-002

Request: To rezone property from R-100 (Residential-Medium Lot-100) to RSM (Small Lot Residential Mix) to develop 21 urban single-family detached dwelling units.

Property Owner(s): Walter, Jeff, and David Pendergrast

Applicant/Agent: Greg Ramsey

Acreage: 8.7 acres

Existing Land Use: A single-family residence.

Surrounding Properties: Single-Family Residential

Adjacent Zoning: North: R-100 South: R-100 East: R-100 West: R-100 Northeast: R-100
 Northwest: R-100 Southeast: R-100 Southwest: R-100

Comprehensive Plan: Suburban Consistent Inconsistent

Proposed Density: 2.4 units/acre	Existing Density: .11 units/acre
Proposed Units: 21	Existing Units: One
Proposed Lot Coverage: 30%	Existing Lot Coverage: (Estimated) less than 5%

SITE AND PROJECT ANALYSIS

The subject property is a 8.7-acre tract of land that is developed with a single-family detached house. DeKalb County records indicate that the house was constructed in 1946. The application describes the property as a remnant of a farm that has been owned by three generations of the Pendergrast family. The property has approximately 668 feet of street frontage on Briarcliff Road, a two-lane minor arterial, and approximately 60 feet of frontage on Continental Drive, a dead-end local street. The center of the property has been cleared for lawns around the house, a swimming pool behind the house, and a tennis court to the southwest side of the house. The remainder of the property is wooded with mature trees. The topography of the property slopes in a northeast to southwest direction. A branch of North Fork Peachtree Creek crosses the southwest side of the property.

Vehicular access to the property is provided by a driveway from Briarcliff Road. Neither the Briarcliff Road frontage nor the Continental Drive frontage have sidewalks or other forms of streetscaping.

The proposal is to redevelop the property with a twenty-one unit "conservation community" that clusters the homes in the northern portion of the site, so that the majority of the property can be left substantially in its existing or natural state. The site plan shows large areas around the perimeter of the site that would remain wooded. Cleared areas in the center of the site would be used for gardens, a water feature, community gathering spaces, and amenities, including a "Green" (i.e., a common lawn), a plaza, a lap pool, and a club house.

While twenty of the units would be clustered at the northern end of the site, one unit would be located near Briarcliff Road. It is intended to provide a home for a gardener or caretaker. A driveway from Briarcliff Road would provide vehicular access to only this home.

Primary vehicular access to the site would be provided at the north end of the property, via Continental Drive. The twenty homes at the north end of the site would front on a private drive that would be designed to allow both pedestrian access to the homes as well vehicular access to ground floor garages and/or carports. The site plan includes an unpaved trail that would allow for pedestrian circulation throughout the project site.

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, "Standards and factors governing review of proposed amendments to the official zoning map" states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

- A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:** The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to "... provide a variety of housing opportunities and choices to better accommodate the needs of residents." It is consistent with the following natural resources policies: (No. 1) "Protect environmentally-sensitive areas including wetlands, floodplains, water supply watersheds, and stream corridors." (No. 4) "Preserve trees and other natural resources to protect the environment and aesthetically enhance communities." (No. 6) "Encourage the preservation of open space, farmland, and natural and critical environmental areas."
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:** At 2.5 units per acre, the proposed density of the development is lower than that of the surrounding neighborhoods, which are developed at R-100 densities. The comparatively low density of the proposed development is suitable in the context of the use of adjoining and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:** The property to be affected by the zoning proposal has reasonable economic use as currently zoned for single-family detached homes at R-100 densities; however, this conclusion does not negate the reasonableness of the proposal to rezone the property.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:**
Because vehicular ingress and egress is proposed only from Continental Drive, the proposed development will result in an increase in vehicular trips on Continental Drive. However, impacts on individual properties may have to be weighed against the impacts to the larger community of developing the property with ingress and egress at Briarcliff Road, and the benefits to the larger community of developing the property at almost half the density that would be allowed under its current zoning classification.
- 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 zoning proposal is supported by a growing recognition that continued urbanization of the County underscores the need to restore large green spaces, such as that which would be provided in the proposed development, to the County's natural resource inventory. At the same time, urbanization has led to traffic congestion and has deteriorated levels of service on arterials such as Briarcliff Road, which is documented in the 2014 Comprehensive Transportation Plan as having a PM peak-hour level of service "F" for most of its distance between North Druid Hills Road and Shallowford Road. The need to alleviate congestion on Briarcliff Road supports the proposal in that it lowers the allowed density of the property and proposes a way to distribute traffic onto the network of neighborhood streets that feed into Briarcliff Road.

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

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

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The Department of Public Works Traffic Engineering Division has commented that the proposed development would not impair traffic flow on surrounding streets. The Land Development Division has commented to the effect that the proposed development exceeds the minimum for recommended quantities of undisturbed area necessary to properly manage stormwater runoff and water quality. There has been no indication that the proposed development would overburden sewer and water facilities.

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

The 2035 Comprehensive Plan identifies shrinking green spaces due to development as a continuing trend. It asserts a goal to "Preserve trees and other natural resources to protect the environment." (Natural Resource Policy No. 4) The proposal under consideration offers an opportunity to exceed levels of tree preservation and natural resource conservation that are typically proposed when a property is rezoned for a single-family subdivision.

Compliance with District Standards:

RSM STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. UNITS/ACRE	Base: 4; with bonuses up to 8 units/acre	2.5 units/acre	Yes
MIN. OPEN SPACE /ENHANCED OPEN SPACE (Applicable if project is > 5 ac. or ≥ 36 units)	20%/10%	70%/70%	Yes
MIN. LOT AREA	1,350 square feet	2,000 – 4,000 square feet	Yes
MIN. LOT WIDTH	25 feet	30 – 60 feet	Yes
MAX. LOT COVERAGE (of total parcel acreage)	70%	30%	Yes

RSM STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE	RSM STANDARD
BUILDING SETBACKS	FRONT W/O ALLEY (Suburban Char. Area) Units 15, 17, 18, 19, & 20	Min. 20 ft.	15 feet	ZBOA variances will be necessary.
	FRONT W/ALLEY	Min. 10 feet	10 feet	Yes
	INTERIOR SIDE	3 ft. w/min. 10 ft. between bldgs.	3 ft. w/min. 10 ft. between bldgs.	Yes
	REAR W/O ALLEY Units 15, 17, 18, 19, & 20	20 feet	12 feet	Yes
MINIMUM UNIT SIZE	1,100 square feet	1,600 – 3,000 square feet for all units except Gardener/Caretaker dwelling unit, which will be min. 1,100 square feet.	Yes	
MAX. BLDG. HEIGHT	3 stories or 45 feet, whichever is less when stories are measured in feet	35 – 45 feet	Yes	
PARKING	Min. 2 spaces per unit = min. 42 spaces total.	Min. 2 spaces per unit and 15 guest parking spaces	Yes	
MIN. STREETSCAPE DIMENSIONS – OVERALL SITE (BRIARCLIFF RD FRONTAGE)	10-ft. landscape strip and 6-ft. sidewalk; street trees 50 feet on center.	None provided.	An administrative variance will be necessary.	
MIN. STREETSCAPE DIMENSIONS - PRIVATE DRIVES	5-ft. landscape strip and 5-ft. sidewalk on each side; street trees 50 feet on center or for every unit, whichever distance is less.	Shared vehicular/pedestrian street with no landscape strip or street trees.	ZBOA variances will be necessary.	
TRANSITIONAL BUFFERS	20-ft. buffer & screening fence required along northeast and northwest property lines next to R-100 properties.	20-foot buffer & no screening fence at buffer line	ZBOA variance may be necessary.	
PARKING	Urban s-f detached – min. 2, max. 4 spaces per unit = min. 42, max. 84	57 spaces	Yes	

QUALITY OF LIFE METRICS

Open Space: 6.23 acres (71.6%)

Linear Feet of New Sidewalk or Trails: over 2,500 linear feet.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to "... provide a variety of housing opportunities and choices to better accommodate the needs of residents." It is consistent with the following natural resources policies: "Protect environmentally-sensitive areas including wetlands, floodplains, water supply watersheds, and stream corridors." (No. 1) "Preserve trees and other natural resources to protect the environment and aesthetically enhance communities." (No. 4) "Encourage the preservation of open space, farmland, and natural and critical environmental areas." (No. 6) At 2.5 units per acre, the proposed density of the development is lower than that of the surrounding neighborhoods, which are developed at R-100 densities. The comparatively low density of the proposed development is suitable in the context of the use of adjoining and nearby properties. The zoning proposal is supported by a growing recognition that continued urbanization of the County heightens the need to restore large green spaces, such as that which would be provided in the proposed development, to the County's natural resource inventory. Moreover, urbanization has led to traffic congestion and has deteriorated levels of service on arterials such as Briarcliff Road, which is documented in the 2014 Comprehensive Transportation Plan as having a PM peak-hour level of service "F" for most of its distance between North Druid Hills Road and Shallowford Road. The need to alleviate congestion on Briarcliff Road supports the proposal in that it lowers the allowed density of the property and proposes a way to distribute traffic onto the network of neighborhood streets that feed into Briarcliff Road. There has been no indication from reviewing agencies and divisions that the proposed development would overburden the public transportation, school, or utility infrastructure. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

1. The subject property shall be developed in substantial conformity with the lot layout, allocation and distribution of open space, and location of amenities shown on the site plan titled, "Zoning Plan for the Pendergrast Historic Farm", prepared by JVG Civil Engineering, dated 9/12/17, revised 2/27/19 and 3/7/19, and stamped as received by the Department of Planning and Sustainability on March 7, 2019.
2. A mandatory homeowners association will be established to manage the common open space.
3. A permanent conservation easement will be placed on the common open space which shall allow use of the open space only for gardening, recreation, woodland conservation, and similar and related uses of a non-commercial nature.
4. No vehicular through-circulation shall be allowed between Briarcliff Rd and Continental Drive.
5. The primary storm water detention facility shall be installed underground.
6. The primary means of ingress and egress by construction-related vehicles will be from Briarcliff Road.
7. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

Attachments:

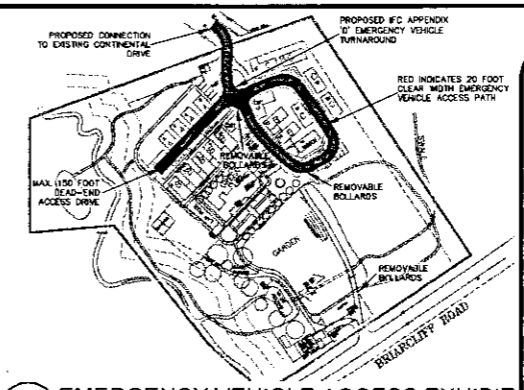
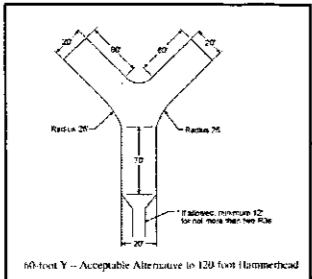
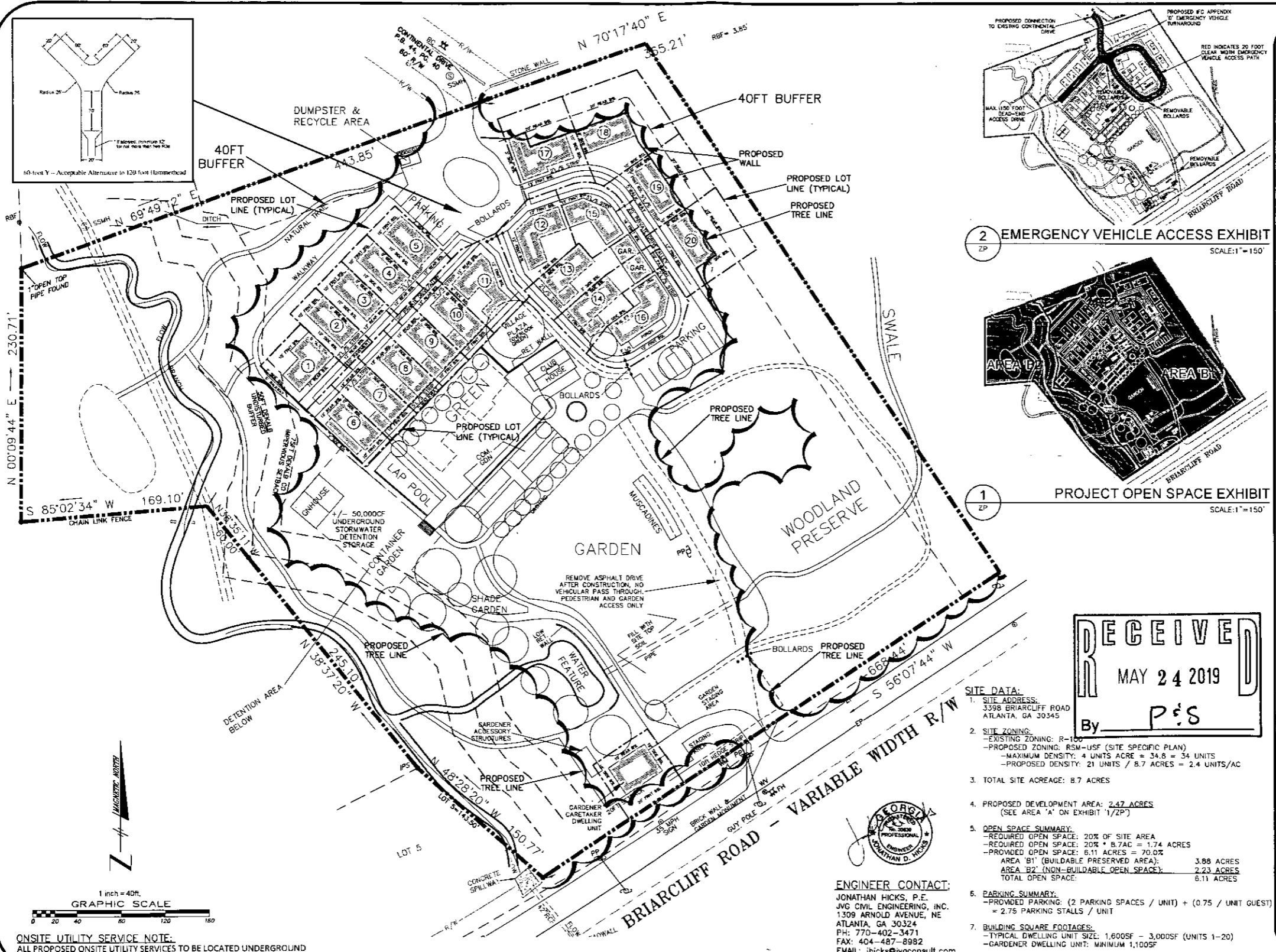
1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Zoning Map
7. Land Use Plan Map
8. Aerial Photograph
9. Site Photographs

NEXT STEPS

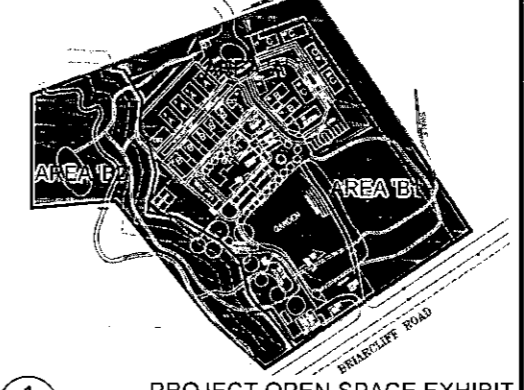
Following an approval of this zoning action, one or several of the following may be required:

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

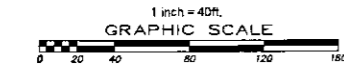
Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



2 EMERGENCY VEHICLE ACCESS EXHIBIT
SCALE: 1" = 150'



1 PROJECT OPEN SPACE EXHIBIT
SCALE: 1" = 150'



ONSITE UTILITY SERVICE NOTE:
ALL PROPOSED ONSITE UTILITY SERVICES TO BE LOCATED UNDERGROUND

ENGINEER CONTACT:
JONATHAN HICKS, P.E.
JVG CIVIL ENGINEERING, INC.
1309 ARNOLD AVENUE, NE
ATLANTA, GA 30324
PH: 770-402-3471
FAX: 404-487-8982
EMAIL: jhicks@jvgconsult.com

RECEIVED
MAY 24 2019
By P.S.

- SITE DATA:**
- SITE ADDRESS:**
3398 BRIARCLIFF ROAD
ATLANTA, GA 30345
 - SITE ZONING:**
-EXISTING ZONING: R-100
-PROPOSED ZONING: RSM-USF (SITE SPECIFIC PLAN)
-MAXIMUM DENSITY: 4 UNITS ACRE = 34.8 = 34 UNITS
-PROPOSED DENSITY: 21 UNITS / 8.7 ACRES = 2.4 UNITS/AC
 - TOTAL SITE ACREAGE:** 8.7 ACRES
 - PROPOSED DEVELOPMENT AREA:** 2.47 ACRES
(SEE AREA 'A' ON EXHIBIT 1/2P)
 - OPEN SPACE SUMMARY:**
-REQUIRED OPEN SPACE: 20% OF SITE AREA
-PROVIDED OPEN SPACE: 6.11 ACRES = 70.0%
-AREA 'B1' (BUILDABLE PRESERVED AREA): 3.88 ACRES
-AREA 'B2' (NON-BUILDABLE OPEN SPACE): 2.23 ACRES
-TOTAL OPEN SPACE: 6.11 ACRES
 - PARKING SUMMARY:**
-PROVIDED PARKING: (2 PARKING SPACES / UNIT) + (0.75 / UNIT GUEST)
= 2.75 PARKING STALLS / UNIT
 - BUILDING SQUARE FOOTAGES:**
-TYPICAL DWELLING UNIT SIZE: 1,600SF - 3,000SF (UNITS 1-20)
-GARDENER DWELLING UNIT: MINIMUM 1,100SF

ZONING PLAN
FOR THE
PENDERGRAST HISTORIC FARM
A CONSERVATION COMMUNITY
LAND LOT 195 & 194, 18TH DISTRICT
DEKALB COUNTY, GA

No.	Revision/Issue	Date
1	ZONING PLAN SUBMITTAL	2/27/19
2	ZONING PLAN AMENDMENTS 2	3/7/19
3	ZONING DEPT. COMMENT REVISIONS	5/24/19

JVG
Civil Engineering
1309 Arnold Ave, NE
Atlanta, GA 30324
770-402-3471

OWNER/DEVELOPER:
PENDERGRAST FARM LLC

CONTACT:
GREG RAMSEY
404-992-4399

Project	170912	Sheet	ZP
Date	4/8/2019		
Scale	1" = 40'		

