



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

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

**Planning Commission Hearing Date: May 07, 2019, 6:30 P.M.**

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

**STAFF ANALYSIS**

**Case No.:** Z-19-1243161 **Agenda #:** N.5

**Location/Address:** The north side of Glenwood Avenue, east of S. Howard Street and west of Terry Mill Road at 1936 Glenwood Avenue, Atlanta, Georgia. **Commission District:** 3 **Super District:** 6

**Parcel ID:** 15-179-03-047

**Request:** To rezone property from R-75 (Residential Medium Lot) District to MR-1 (Medium Density Residential-1) District to construct thirteen (13) single-family attached townhomes on approximately 1.81 acres at a density of 7.18 units per acre.

**Property Owners:** 1936 Glenwood Holdings LLC

**Applicant/Agent:** 1936 Glenwood Holdings c/o J. Alexander Brock, Esq.

**Acreage:** 1.81 +/- Acres

**Existing Land Use:** One (1) Single-Family Detached Residence

**Surrounding Properties:** Charlie Yates Golf Course within Atlanta City Limits  
Single-Family Detaches Residences

**Adjacent & Surrounding Zoning:** North, West & Southeast: R-75 (Residential Medium Lot District)  
South: MR-1 (Medium Density-Residential-1) District

**Comprehensive Plan:** Traditonal Neighborhood (TN) Consistent X

<b>Proposed Building Square Feet:</b> 13 Single-Family Attached Townhome Units	<b>Existing Units:</b> one (1) Single-Family Detached Residence
<b>Proposed Lot Coverage:</b> 44%	<b>Existing Lot Coverage:</b> <35%

## **SUBJECT PROPERTY & ZONING HISTORY:**

The approximate 1.81-acre site is located east of South Howard Street on the north side of Glenwood Avenue at 1936 Glenwood Road, Atlanta, Georgia. The site is developed with a single-family residence with dense mature trees and shrubbery along the sides and rear of the property. The site has access from one (1) curb cut on Glenwood Road (a two-lane minor arterial with a turn lane in front of the site). Further west, Glenwood Road changes into a four-lane major arterial. The site has been zoned R-75 (Residential Medium Lot) District since the initial 1956 DeKalb County Zoning Ordinance. Adjacent to the site along the east side property line is the Charlie Yates Golf Course within Atlanta City limits. North, west and southeast are single-family detached residences. South of the site is a senior citizen complex under construction.

## **PROJECT ANALYSIS:**

Per the submitted application, the applicant is requesting to rezone the property from R-75 (Residential Medium Lot) District to the MR-1 (Medium Density Residential -1) District to develop thirteen (13) fee simple attached townhome single-family residences.

Per the submitted Letter-of-Intent, the site will include 23% open space, transitional buffer adjacent to existing single-family detached residences along the north and west property lines. Pursuant to the submitted letter-of-intent, the townhomes will be oriented so that the garages and the front units face away from the existing single-family homes. The unit's orientation also allows the front of the units to face Charlie Yates Golf Course adjacent east of the site. Additionally, each unit shall have a two-car garage, rooftop terraces and elegant finishes. Internal connectivity will be provided to connect to sidewalk along Glenwood Avenue. Access to the site is depicted via one (1) curb-cut from Glenwood Avenue. Landscaping along the property frontage and surrounding the proposed stormwater detention will add to the overall design quality of the development.

## **ZONING ANALYSIS:**

The R-75 (Residential Medium Lot) District allows single-family detached residences on minimum 10,000 square foot lots. The MR-1 (Medium Density Residential-1) District allows single-family attached residences on 1,000 square foot lots at a base density from 8 to 12 units per acre. The proposed 13 attached single-family residences on 1.81 acres yields a density of 7.18 units per acre consistent with the proposed MR-1 zoned District.

Nearby property under construction and zoned MR-1 District support the rezoning request on the subject site. Directly south of the site on Glenwood Avenue is property on 12 acres zoned MR-1 pursuant to CZ-12-17473 for an 82 - unit senior living community. The proposed MR-1 District would serve as a transitional zoning district from the established single-family detached residences west of the site to the Charlie Yates Golf Course east of the site. Given the long rectangular shaped lot, no homes will have frontage along Glenwood Avenue. Therefore, the existing residential character of the area will not experience a significant visual or physical change along that area of Glenwood Avenue or have a negative impact on surrounding residential properties. Therefore, the zoning analysis concludes that the proposed MR-1 District would be appropriate for the subject site.

## **IMPACT ANALYSIS:**

**Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

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

The zoning proposal would be consistent with the following 2035 comprehensive plan policies and strategies:  
Protect and enhance the integrity and quality of existing residential neighborhoods; Create pedestrian scale

communities that focus on the relationship between the street, buildings, streetscaping and people; and improve street character with consistent signage, lighting, landscaping and other design features.

**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 rezoning to the MR-1 (Medium Density Residential-1) District for single-family attached residences is suitable given the adjacent golf course east of the site and the 82-unit senior living community across from the site on Glenwood Avenue.

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

The property as currently zoned R-75 (Residential Medium Lot) District for single-family detached residences limits the number of residential dwellings with minimum 10,000 square foot lots. The proposed rezoning to the MR-1 (Medium Density Residential -1) District allows a higher unit yield for a variety of single-family housing options.

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

The rezoning request to the MR-1 (Medium Density Residential-1) District for single-family attached residences should not adversely affect the use or usability of adjacent properties with required transitional buffers.

**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:**

Given the location of the site adjacent to an established golf course, it appears the requested MR-1 zoning district proposal would allow an appropriate transitional use to existing low-density single-family residences north and west of the site.

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

There are no known historic buildings, sites, districts or archeological resources that would be adversely affected by the rezoning request to the MR-1 District.

**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 request for thirteen (13) attached residential townhome units should not cause an excessive burden on existing streets, transportation facilities and utilities. Glenwood Avenue, a two-lane minor arterial serving the subject site should be able to absorb the impact of an additional 12 residences. Per comments from DeKalb County Department of Education, the proposed use is likely to generate 11 students in area schools. (See attachments)

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

The request for residential zoning on the site should not adversely impact the environment or surrounding natural resources. However, the applicant should submit for sketch plat and Land Disturbance Permit (LDP) approval, storm water management and emergency vehicle access.

**COMPLIANCE WITH MR-1 (MEDIUM DENSITY RESIDENTIAL-1) DISTRICT STANDARDS PER TABLE 2.4: Medium and High Density-Residential Zoning Districts**

STANDARD		REQUIREMENT	PROPOSED	COMPLIANCE
UNIT SIZE		Min. 1,200 Square Ft	1,300 Heated Floor Area	Yes
DWELLING UNITS/ACRE		8 Units Per Acre	7.18 Units Per Acre	Yes
BUILDING SETBACKS	FRONT SETBACKS	Min. 10 Feet Max. 20 Feet	Min. 15 Feet Max. 20 Feet	Yes Yes
	REAR SETBACKS	Min. 15 Feet	15 Feet	Yes
LOT WIDTH		25 Feet	25 Feet	Yes
HEIGHT		Max. 3 Stories or 45 Feet	Max. 3 Stories or 45 Feet	Yes
LOT COVERAGE		Max. 80%	Max 44 %	Yes
OPEN SPACE		Min. 20% based	23% Open Space	Yes
PARKING		Min. (1.5) space per dwelling unit, plus (.25) space for guest parking = 24 required spaces	30 Total parking spaces	Yes

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

The proposed rezoning request from R-75 (Medium Lot Residential) District to MR-1 (Medium-Density Residential - 1) District is compatible with approved MR-1 zoning south of the subject site. The request for single-family attached residences is consistent with the Traditional Neighborhood designation in the 2035 Comprehensive Plan and the following policies: Protect and enhance the integrity and quality of existing residential neighborhoods; Create pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people; and improve street character with consistent signage, lighting, landscaping and other design features. Therefore, it is the recommendation of the Planning and Sustainability Department that the application be **“Approved”** subject to Staff’s recommended conditions:

1. The development shall have a maximum of 13 attached fee-simple townhouse units. Conceptual layout of site plan and building design shall be subject to compliance with MR-1 and Article 5 building standards per the DeKalb County Code. Nola2017
2. No more than one (1) curb cut on Glenwood Avenue. Vehicular ingress and egress shall be subject to approval by the DeKalb County Department of Public Works, Transportation Division.
3. A mandatory homeowners’ association shall be created and shall be governed by a declaration of covenants, conditions, and restrictions. The homeowner association shall be responsible for the maintenance of open space within the property, street lighting, amenity areas, pedestrian paths, private alleys and private drives.
4. 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.

5. Private drives and alleys subject to the requirements of the DeKalb County Fire Marshall.
6. Final lot layout is subject to sketch plat approval in accordance with DeKalb County Ordinances, Chapter 27 (Zoning Code) & Chapter 14 (Land Development Code) before applying for a Land Disturbance Permit (LDP).

**Attachments:**

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Land Use Plan Map
6. Aerial Photograph
7. 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 space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)
- ✓ **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** (Certificate of Appropriateness 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 or Special Exception** (Required seeking 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 changes to zoning conditions approved by the Board of Commissioner on 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 require submittal of application, fees and supporting documents. Please consult with the appropriate department/division.**

NS



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MADOLYN SPANN [MSPANNG@DEKALBCOUNTYGA.GOV](mailto:MSPANNG@DEKALBCOUNTYGA.GOV) OR JOHN REID [JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-19-1243161 Parcel I.D. #: 15-179, 03-047

Address: 1936 Glenwood Avenue  
Atlanta, Ga. 30317

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) 6/7<sup>TH</sup> 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:

Did not see any traffic engineering concerns at this time.

Signature: Janifer Russell





Comparable Developments for:  
 Glenwood Avenue Townhomes  
 1936 Glenwood Ave, Atlanta, GA 30317

Average Yield Rate by Grade Level and Enrollment Type

	Res	NonRes	Private	Total
ES	0.2298	0.0819	0.0219	0.3336
MS	0.0773	0.0269	0.0139	0.1181
HS	0.0465	0.0184	0.0011	0.0660
Total	0.3537	0.1271	0.0369	0.5177

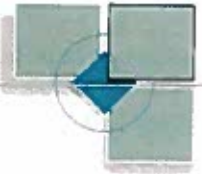
Cluster	Year	Development Name	Units	Students									Yield Rate									Total Students	Total Yield Rate
				Res			NonRes			Private			Res			NonRes			Private				
				ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS	ES	HS	MS		
McNair, Ronald E. HS	0	Columbia Mill	26	23	5	8	5	1	3	0	0	0	0.8846	0.1923	0.3077	0.1923	0.0385	0.1154	0.0000	0.0000	0.0000	45	1.7308
		Eastland Gates	14	2	0	1	3	0	0	1	0	1	0.1429	0.0000	0.0714	0.2143	0.0000	0.0000	0.0714	0.0000	0.0714	8	0.5714
		Eastland Gates Condos	14	2	0	1	3	0	0	1	0	1	0.1429	0.0000	0.0714	0.2143	0.0000	0.0000	0.0714	0.0000	0.0714	8	0.5714
		Eastland Village TH	30	1	0	0	0	0	0	0	0	0	0.0333	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	1	0.0333
		TH/Hillside Hollow	28	1	1	0	0	0	1	0	0	0	0.0357	0.0357	0.0000	0.0000	0.0000	0.0357	0.0000	0.0000	0.0000	3	0.1071
		TH/Park City Place of East Atl	26	23	5	8	5	1	3	0	0	0	0.8846	0.1923	0.3077	0.1923	0.0385	0.1154	0.0000	0.0000	0.0000	45	1.7308
	TH/Tarian	6	5	1	1	0	0	0	0	0	0	0.8333	0.1667	0.1667	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	7	1.1667	
	2001	TH/East Lake Commons	66	1	0	0	5	4	2	9	1	3	0.0152	0.0000	0.0000	0.0758	0.0606	0.0303	0.1364	0.0152	0.0455	25	0.3788
	2003	TH/Bouldercrest,Gates	167	1	0	0	1	1	5	0	0	1	0.0060	0.0000	0.0000	0.0060	0.0060	0.0299	0.0000	0.0000	0.0060	9	0.0539
		TH/Westbury	73	1	0	3	4	5	0	0	0	0	0.0137	0.0000	0.0411	0.0548	0.0685	0.0000	0.0000	0.0000	13	0.1781	
	2004	TH/Rolling Ridge	93	7	5	8	3	1	0	0	0	0	0.0753	0.0538	0.0860	0.0323	0.0108	0.0000	0.0000	0.0000	24	0.2581	
	2005	TH/Village Creek Landing	50	0	0	1	2	0	1	1	0	0	0.0000	0.0000	0.0200	0.0400	0.0000	0.0200	0.0200	0.0000	0.0000	5	0.1000
	2006	TH/Brighton Village	127	4	0	0	9	3	1	1	0	0	0.0315	0.0000	0.0000	0.0709	0.0236	0.0079	0.0079	0.0000	0.0000	18	0.1417
2010	TH/Sunrise Park	93	11	1	1	5	1	2	0	0	0	0.1183	0.0108	0.0108	0.0538	0.0108	0.0215	0.0000	0.0000	0.0000	21	0.2258	



# 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

FEB 28 2019

Z/CZ No. 2-19-1243161  
Filing Fee: \_\_\_\_\_

Date Received: \_\_\_\_\_ Application No.: \_\_\_\_\_

Applicant: 1936 Glenwood Holdings, LLC c/o J. Alexander Brock, Esq. E-Mail: jabrock@sgrlaw.com

Applicant Mailing Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309

Applicant Phone: 404-815-3500 Fax: 404-685-6903

Owner(s): 1936 Glenwood Holdings LLC E-Mail: levintin@gmail.com  
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 4584 Chamblee Dunwoody Road, Atlanta, GA 30338

Owner(s) Phone: 718-838-3582 Fax: \_\_\_\_\_

Address/Location of Subject Property: 1936 Glenwood Avenue

District(s): 15 Land Lot(s): 179 Block: 03 Parcel(s): 047

Acreage: 1.81 +/- Commission District(s): 3/6

Present Zoning Category: R-75 Proposed Zoning Category: MR-1

Present Land Use Category: TN

### PLEASE READ THE FOLLOWING BEFORE SIGNING

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

#### Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? \_\_\_\_\_ Yes  No

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

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

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

12-10-2022

EXPIRATION DATE / SEAL



SIGNATURE OF APPLICANT / DATE

Check One: Owner \_\_\_\_\_ Agent

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030  
[voice] 404.371.2155 - [Planning Fax] 404.371.4556 [Development Fax] (404) 371-3007  
Web Address: <http://www.dekalbcountyga.gov/planning>  
Email Address: [planning@dekalbcountyga.gov](mailto:planning@dekalbcountyga.gov)

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**STATEMENT OF INTENT/  
WRITTEN JUSTIFICATION**

and

Other Material Required by  
DeKalb County Zoning Ordinance for the  
Rezoning Application

of

**1936 GLENWOOD HOLDINGS, LLC**

for

$\pm$  1.81 Acres of Land  
located in Land Lot 179, 15th District

**R-75 to MR-1**

Submitted for the Applicant by:

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Kathryn M. Zickert  
Dennis J. Webb, Jr.  
J. Alexander Brock  
Smith, Gambrell & Russell, LLP  
Promenade, Suite 3100  
1230 Peachtree Street, NE  
Atlanta, GA 30309  
404-815-3704

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## I. INTRODUCTION

This Application seeks to rezone  $\pm$  1.81 acres of land located along the northern right-of-way of Glenwood Avenue approximately 760 feet east of its intersection with S. Howard Street, Parcel ID 1517903047 (“Subject Property”), from R-75 (Residential Medium Lot-75) to MR-1 (Medium Density Residential-1). The Subject Property is more particularly located at 1936 Glenwood Avenue, DeKalb County, Atlanta, GA. The property is currently improved with one single family home, driveway and residential landscaping. The Applicant intends to redevelop the Subject Property for thirteen (13) single family attached townhome residences (“Proposed Development”).

The Proposed Development aligns well with development trends in the area and is appropriate given surrounding development. To the north and west of the Subject Property are single family residences, all zoned R-75. To the east is the Charlie Yates Golf Course which is located within the City of Atlanta and is zoned R-4 (Single Family Residential District) according to the City of Atlanta Zoning Maps. The property fronts approximately 165-feet of Glenwood Avenue to the south. Further south across Glenwood Avenue is property owned by Piney Grove East Lake, LLC that is zoned M-1 pursuant to rezoning ordinance CZ-12-17473<sup>1</sup>, the same zoning that the Applicant is now pursuing for the Subject Property. The Piney Grove property was rezoned to allow a senior living facility, which is currently under construction.

In addition to being appropriate for the area, the Proposed Development incorporates a number of design features to help it blend with the surrounding properties. As an example, the MR-1 district requires a minimum of 20% open space and the Applicant is providing  $\pm$  23% open space ( $\pm$ 0.42 acres). Moreover, the Applicant is preserving a 30-foot undisturbed buffer

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<sup>1</sup> CZ-12-17473 rezoned the property from R-75 and RM-75 to RM-100, which became the MR-1 district under DeKalb County’s 2015 Zoning Ordinance updates (Ordinance 15-06).

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along the western and northern property lines. This undisturbed area will help buffer the adjacent single family residences against any impacts from the townhome development. Furthermore, the townhomes will be oriented so that the garages and the front of the units face away from the existing single family homes, thus reducing any impact from residents entering and existing the garages. The unit's orientation also allows the front of the units to face the Charlie Yates Golf Course to the east. The ability to overlook a well maintained golf course will be a major attraction for potential residents and one that is rarely found with in-town development.

Adding to the appeal of the townhomes, each unit in the Proposed Development will offer many desirable features, such as two-car garages, rooftop terraces, and elegant finishes. The Proposed Development will also include sidewalks throughout the property that will connect to the existing sidewalks along Glenwood Avenue, providing pedestrian connectivity. The landscaping will be complementary to the architecture and add to the overall attractiveness of the development. In all, the Applicant's attention to detail in the overall design will result in a development that will be a benefit to the surrounding properties and the community as a whole.

Beyond the scenic views and the design of the units, the Subject Property's location close to downtown Atlanta and Decatur is well suited for this type of urban townhome development. In recent years, the immediate area has become attractive to many professionals who seek to live in close proximity to the downtown employment centers and attractions. In fact, the Subject Property is only ±1,300 feet from the I-20 on-ramp, which provides quick access to downtown Atlanta, as well as being less than five miles from downtown Decatur. The location near Atlanta and Decatur has driven residential development in the surrounding area toward higher-density, more urban, attached housing. In fact, there are several recent townhome developments

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in the area, including The Moderns at Sugar Creek Mill and the SoHo Townhomes, both located less than a ½ mile from the Subject Property on Memorial Drive. These properties are similar in nature to the Proposed Development and lend credence to the appropriateness of the Proposed Development.

In sum, the proposed MR-1 zoning will allow the development of attractive, modern, upscale housing that is appropriate and complementary to the surrounding community. It is the desire of the Applicant that the Proposed Development will act to further spur the positive growth in the area. This document is submitted as a Statement of Intent with regard to this Application, a preservation of the Applicant's constitutional rights, a Written Justification for the Application as required by the DeKalb County Zoning Ordinance §27-832, and a Written Statement as required by §27-649.3(2).

## **II. HISTORY**

The Subject Property is zoned R-75 and designated as “Traditional Neighborhood” (TN) on the County’s Future Land Use Map. The Applicant’s research of the Subject Property’s has not revealed any prior rezonings or conditions that affect the property. The TN character area fully allows the proposed MR-1 Zoning.

## **III. IMPACT ANALYSIS**

### **A.**

#### **THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN**

The Subject Property is designated as “Traditional Neighborhood” by the County’s Comprehensive Land Use Plan. The TN character area fully allows the proposed MR-1 zoning and the proposed use. The intent of the TN character area is to preserve the appeal of neighborhood communities. The property’s location and inclusion of buffers will help preserve

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the traditional neighborhood to the north of the property, while adding a housing option that is appropriate for the area.

The Subject Property is located on Glenwood Avenue, which is a busy four-lane arterial that is not conducive to the development of single-family residential. The proposed MR-1 zoning will allow a development that is appropriate given its location between a major arterial roadway and an established neighborhood of single family residences. The Proposed Development will help transition and buffer the adjacent neighborhoods from the noise and intensity of Glenwood Avenue. The Proposed Development is also providing significant natural buffers and other design considerations to limit its impact on the adjacent single family residences. As a result, the Proposed Development will help preserve the appeal of neighborhood communities by buffering against the impacts of Glenwood Avenue while adding an appropriate residential use.

In addition, this proposal fosters a number of general policies and strategies for the TN character area in the County's Comprehensive Plan:

- 
- Traditional Neighborhood Principles - Encourage residential development to conform with existing traditional neighborhood development principles including a higher mix of uses, and increased pedestrian access to retail and other activities.
  - Walkability - Locate development and activities within easy walking distance of transportation facilities.
  - Infill Development - Permit accessory housing units, or new well-designed, small-scale infill multifamily residences to increase neighborhood density and income diversity.

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B.

THE PROPOSED REZONING PERMITS A USE THAT IS  
SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND  
NEARBY PROPERTY

The Subject Property is bordered by an established residential neighborhood along Fairway Hill Drive to the north and Glenwood Avenue to the south. The Proposed Development's denser housing will provide a suitable use that is fitting given its location between Glenwood Avenue and the existing single family residential to the north. In addition, there is a similarly zoned MR-1 property directly south of the Subject Property, confirms the appropriateness of this zoning for the area. Also, as noted in the paragraphs above, the recent residential development in the area has consisted of single family attached, townhome development, similar in nature to the Proposed Development. Consequently, the proposed use will blend harmoniously with the adjacent properties and is compatible with the existing character of the area.

C.

---

THE SUBJECT PROPERTY DOES NOT HAVE A  
REASONABLE ECONOMIC USE AS PRESENTLY ZONED.

The current R-75 zoning restricts the development of the Subject Property to single family detached housing and limited other uses. The Subject Property directly fronts Glenwood Avenue, a major arterial, which experiences traffic flows of  $\pm 15,378$  cars per day.<sup>2</sup> Properties directly fronting major roadways are not attractive for single family residences. Detached single

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<sup>2</sup>Traffic data was taken from the GA Department of Transportation's Traffic Analysis and Data Application, for average daily vehicular trips occurring at Station 089-3283 (Glenwood Avenue) in November 2018.



---

family residences generally attract families with children, which prefer properties away from busy roadways and within traditional neighborhoods.<sup>3</sup>

The R-75 zoning is also contrary to the demand for residential development in the area, which is trending toward more urban, denser construction with an infusion of different unit types to supplement the existing single family detached neighborhoods. As the area continues to grow, there will be a continued demand for a greater mix of unit types beyond single-family residential that currently dominates the area. Consequently, it is unlikely that the Subject Property will be developed in any practical sense under its current R-75 zoning.

D.

THE PROPOSED REZONING WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY

In advance of filing this Application, the Applicant has engaged and will continue to engage in negotiations with the community in the vicinity to make sure its proposal is acceptable to these neighbors. As stated in earlier paragraphs, the Proposed Development will result in a use that is appropriate for and complementary to the adjacent and surrounding uses.

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The primary goal of land use planning is to eliminate or minimize the potential adverse effect of the dissimilar uses of adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both "off-site" and "on-site" transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this

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<sup>3</sup> It is noted that there are several existing single family residences to the east (1894 through 1924 Glenwood Ave) that directly front the roadway, however the Applicant anticipates a similar redevelopment of these properties as the area grows.

---

method of land use planning includes measures such as maintenance of buffers; walls, fences or berms; lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. All of these devices have been utilized in this Application.

E.

THERE ARE OTHER EXISTING OR CHANGING CONDITIONS  
AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY

The existing house on the Subject Property was built in 1957, when Glenwood Avenue contained significantly less traffic and this type of house commonly found directly fronting the smaller roadway. Since that time, however, the area and Glenwood Avenue have dramatically transformed, resulting in, among other things, large amounts of traffic. This has limited the appeal of detached single family residences for the property. Also, as noted in prior paragraphs, the development trends in the area have shifted toward more dense urban housing in a mix of unit types. The proposed rezoning will allow the Subject Property to include the denser residential that is more in line with housing demands in the area and is fitting for its location directly on Glenwood Avenue.

F.

THE ZONING PROPOSAL WILL NOT ADVERSELY AFFECT HISTORIC  
BUILDINGS, SITES, DISTRICTS OR ARCHAEOLOGICAL RESOURCES

No such sites, buildings, or resources are on or near the Parcel.

---

G.

THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH  
WILL OR COULD CAUSE EXCESSIVE OR BURDENSOME USE OF  
EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR  
SCHOOLS

This Project, if approved, certainly will not affect existing transportation facilities. Requisite parking is provided incidental to this development. The Proposed Development has direct access to Glenwood Avenue, which is classified as a major arterial. The traffic to be generated by the thirteen (13) townhomes should not significantly affect traffic capacities along this roadway and surrounding streets, even at peak hours, and can be accommodated.

The Applicant used the Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) to calculate vehicle trips for Residential Condominium/Townhomes (ITE 230). According to ITE, the Proposed Development will result in a net increase of 66.01 trips during a weekday, 4.95 trips during a weekday a.m. peak hour, and 5.74 trips during a weekday p.m. peak hour.<sup>4</sup> Further, the project is served by mass transit with access to MARTA Bus Route 107, which has three bus stops within less than ½ mile of the Subject Property. Convenient access to mass transit will help mitigate any impacts from the Proposed Development.

Any school children living in the development will attend header Ronald E. McNair Discovery Learning Academy (Elementary), Ronald E. McNair Middle School, and Ronald E. McNair High School. All three schools are listed as under capacity according to DeKalb County Schools' FTE Enrolment Report, dated October 2, 2018.<sup>5</sup> As a result, the thirteen proposed townhomes are should have no negative impact on local schools.

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<sup>4</sup> The net increase in trip generation accounts for the vehicular trips lost with the removal of the existing single family residence.

<sup>5</sup> The DeKalb County Schools' FTE Enrolment Report lists Ronald E. McNair Discovery Learning Academy at 79% capacity; Ronald E. McNair Middle School at 87% capacity; and Ronald E. McNair High School at 41% capacity.

---

As for utilities, the Subject Property has access to water and sewer.

**IV. NOTICE OF CONSTITUTIONAL CHALLENGE TO UNDERLYING ZONING AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

The Applicant respectfully submits that the current zoning classification of the Subject Property and any proposed intervening district is unconstitutional and the rules relative to the Subject Property owner's right to use the Subject Property established in the DeKalb County Zoning Ordinance, to the extent they prohibit this use, 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 I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of private property without just compensation and without due process 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 would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The Applicant respectfully submits that the Board of Commissioners' failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Subject Property's owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

---

A refusal to allow the rezoning in question 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 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. § 36-66-1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

#### V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 28 day of February, 2019.

---

Respectfully Submitted,



Kathryn M. Zickert  
Dennis J. Webb, Jr.  
J. Alexander Brock  
Smith, Gambrell & Russell, L.L.P.

Promenade, Suite 3100  
1230 Peachtree Street, NE  
Atlanta, GA 30309  
404-815-3704



DeKalb County  
GEORGIA

404.371.2155 (o)  
404.371.4556 (f)  
DeKalbCountyGa.gov

Clark Harrison Building  
330 W. Ponce de Leon Ave  
Decatur, GA 30030

Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**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)

Alex Brock

Applicant Name: 1936 Glenwood Holdings Phone: 4/815-3603 Email: jabrock@SGRLAW.com

Property Address: 1936 Glenwood Ave

Tax Parcel ID: 15-179-03-047 Comm. District(s): 3:6 Acreage: 1.3481

Existing Use: SF Residence Proposed Use: Townhomes

Supplemental Regs: \_\_\_\_\_ Overlay District: NA DRI: NA

Rezoning: Yes  No \_\_\_\_\_

Existing Zoning: R75 Proposed Zoning: M21 Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: 13 Townhomes

Land Use Plan Amendment: Yes \_\_\_\_\_ No

Existing Land Use: TN 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



DEPARTMENT OF PLANNING & SUSTAINABILITY

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: MBE Date 2/7/19

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

# 1936 GLENWOOD HOLDINGS, LLC

February 21, 2019 @ 7:00 p.m.  
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Alex Brock	1230 Peachtree St.	404-815-3500
Dula Wingo	1719 Fayetteville Ct Atlanta 30316	Terry Mill Community Assoc. 404 374-9484
Barbara J. Mobley	P.O. Box 68, Avondale Estates, GA 30002	themobleygroup@earthlink.net
Sharon Groves	1787 Terry Mill Rd SE Atlanta, GA 30316	770-655-6505 Terry Mill Assoc. sdgroves@bellsouth.net
LILLIAN LOWE	474 S HOWARD ST 30317	llowe_25@yahoo.com
BENJAMIN SCOTT	3212 Georgian Woods Cir Dec 30034	404 379 9852
Catherine Freeman	2023 Benecal Jr. SE madox	(404) 373-5413
Cynthia Kelley	1960 <del>Benecal</del> Benecal Drive	(4) 645-1735
Terry Mill Community Association		Cynthiamadox21@yahoo.com



# 1936 GLENWOOD HOLDINGS, LLC

February 21, 2019 @ 7:00 p.m.  
COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Michael L Smith	TERRY mill Community Assoc. 1007 Fayetteville Rd.	smithmic@bellsouth.net / 678-773-3541
SHARA COUTOURIER	1696 TERRY MILL RD SE	202-615-2925 SHARA.COUTOURIER@GMAIL.COM
Benita Carswell	236 Howard St. NE	Benita@BoBridgport.com
Raymond Pearson	4955 Montcalm Drive	404 388-3660
DARRON MCCL	1690 BENCAL LANE Mack DARRON49@gmail.com	404-883-4621
SARAH CRAKER	1784 FAIRWAY HILL DRU SE 30317	sarahcraker@bellsouth.net
Motti SHANAN	4584 CHAMBLEE Dunwoody RD ATL 30338	404 453 7536

**LEGEND**

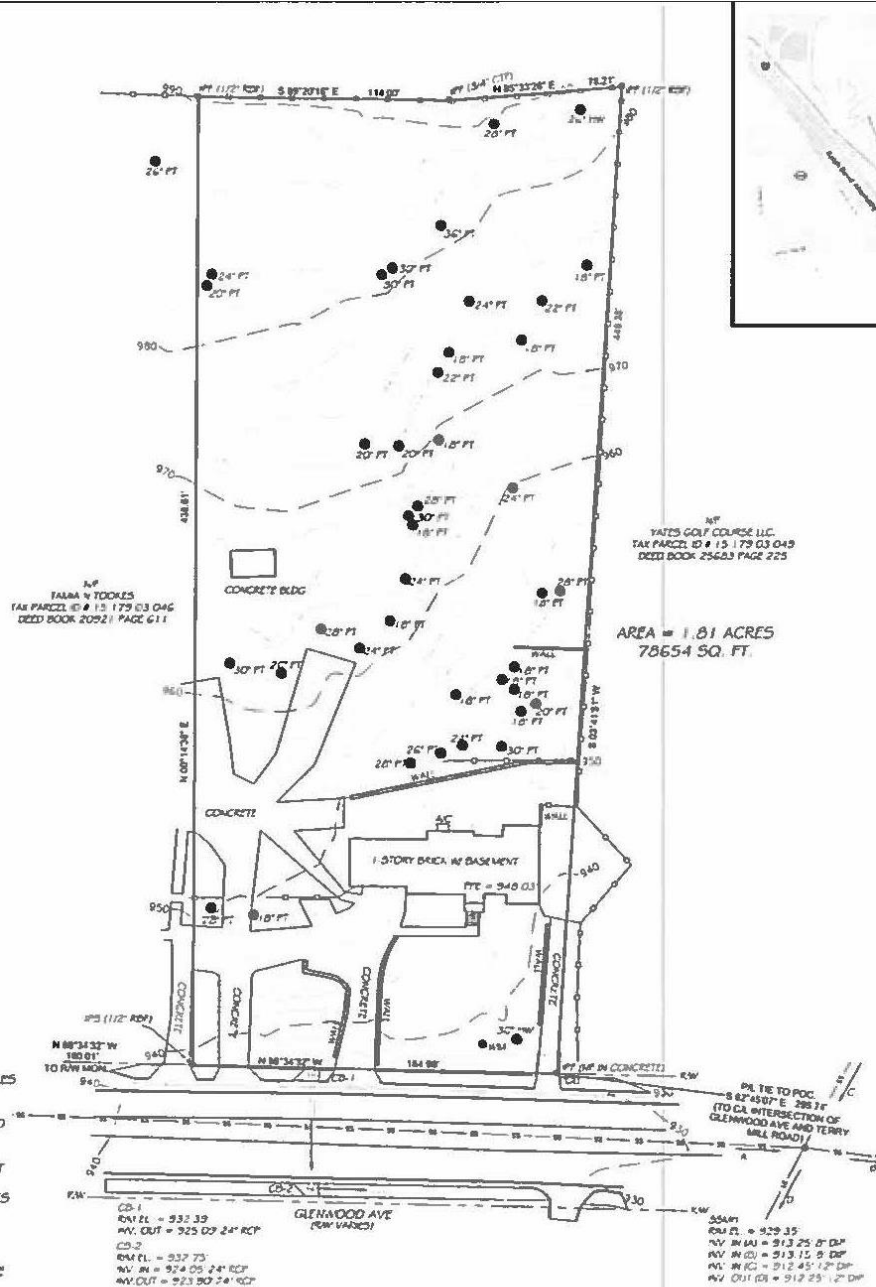
FP	IRON PIN FOUND (SIZE & TYPE)
NP	NAIL OR FORMERLY
SPS	IRON PIN SET
TRP	TRIP REBAR SET IN CON
RF	REBAR FOUND
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
PL	PROPERTY LINE
RW	RIGHT OF WAY
WM	WATER METER
C&G	CURB & GUTTER (STANDARD 2" CONCRETE)
SD	SUBDIVISION
CONC.	CONCRETE
CR	CURTCURVE
AC	AIR CONDITION UNIT
LP	LIGHT POLE
CP	CABLE PEDestal
PP	POWER POLE
SS&PH	SANITARY SEWER MAN HOLE
EP	EDGE OF PAVEMENT
OTF	OPEN TOP PIPE
BFE	BASEMENT FINISH FLOOR ELEVATION
FFE	FIRST FLOOR FLOOR ELEVATION
FT	FACE TREE
HT	HARDWOOD TREE
CB	CATCH BASIN (STORMWATER)
RCF	REINFORCED CONCRETE PIPE (STORMWATER)
DF	DUCTILE IRON PIPE (SEWER)

**FIELD CLOSURE NOTE:**

THE FIELD DATA ON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 29,397 FEET AND AN ANGULAR ERROR OF 1" SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE METHOD.  
 TYPE OF EQUIPMENT: GEODIMETER 600  
 DATE OF FIELD WORK: 6/20/2018

**SURVEYOR'S NOTES:**

1. THE RETRACEMENT SURVEY IS BASED ON AN ACTUAL FIELD WORK PERFORMED ON July 20, 2018.
2. THERE WAS NO OBSERVED EVIDENCE OF HUMAN BURIALS OR CEMETERIES ON THIS PROPERTY.
3. THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 122,047 FEET.
4. UNDERGROUND UTILITIES & UNDERGROUND ENCROACHMENTS MAY EXIST FOR THE SUBJECT PROPERTY THAT ARE NOT SHOWN HEREON. THIS LAND SURVEYOR DID NOT PERFORM AN UNDERGROUND UTILITY LOCATION AND DOES NOT WARRANT THE ACCURACY OF ANY UNDERGROUND UTILITIES SHOWN HEREON.
5. THIS LAND SURVEYOR RELIED ENTIRELY ON RECORD DEEDS AND PLATS REFERENCES DESCRIBED IN THE BOUNDARY/PROPERTY NOTES SECTION. THERE MAY BE OTHER EASEMENTS, RIGHTS-OF-WAY, SETBACKS, LINES, AGREEMENTS, RESERVATIONS, RESTRICTIONS, OR OTHER SIMILAR MATTERS OF PUBLIC RECORD, NOT DEPICTED ON THIS SURVEY.



Jonathan D. Smith, RLS  
 Registered Land Surveyor  
 2561 Pine Cove Drive  
 Tucker, Georgia 30084  
 Mobile: 678.994.1491  
 Email: jds@jdsrls@gmail.com  
 Georgia Registered Land Surveyor #LS001159

**RETRACEMENT SURVEY PREPARED FOR:**  
**ABBOTT CONSULTING**

**PROJECT INFORMATION:**  
 PARCEL ID: 15 179 03 047  
 ADDRESS: 1936 GLENWOOD AVE  
 ATLANTA, GA 30316  
 J.M. PURCELL SUBDIVISION  
 LOT 5 & 6  
 LOCATED IN: LAND LOT 179  
 15TH LAND DISTRICT  
 DEKALD COUNTY STATE OF GEORGIA

**BOUNDARY/PROPERTY LINE NOTE:**

ADJOINING PROPERTY OWNER INFORMATION BASED ON TAX RECORDS ACCESSED ON COUNTY WEBSITE AT: <http://tax.commissioner.dekaldcourt.ga.gov/propertyApprovalsSearch.asp>  
 PROPERTY BOUNDARY FOR THIS SITE IS FOUND IN DEED BOOK 22164 PAGE 614 DATED SEPTEMBER 28, 2010.

**CONTOUR DATA:**

ELEVATIONS ARE BASED ON NAVD 83 (GEOID 12-A) OBTAINED BY CHALMION TKO ON EGPS NETWORK. CONTOURS SHOWN AT 2' FOOT INTERVALS. SUPPLEMENTAL ELEVATION DATA COLLECTED WITH GEODIMETER 600 ROBOTIC TOTAL STATION.

**SURVEY CERTIFICATION:**

THIS MAP WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS AS SET FORTH IN CHAPTER 180-7-04 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



JONATHAN D. SMITH  
 GA 15 3159

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 1-800-282-7411  
 770-623-4344  
 (METRO ATLANTA ONLY)  
 UTILITY PROTECTION CENTER  
 IT'S THE LAW

DWG FILE: GLENWOOD AVE\_TPOD.DWG  
 DATE: 7-24-2018 REVISION: 0 & 18  
 SHEET # 1 OF 1

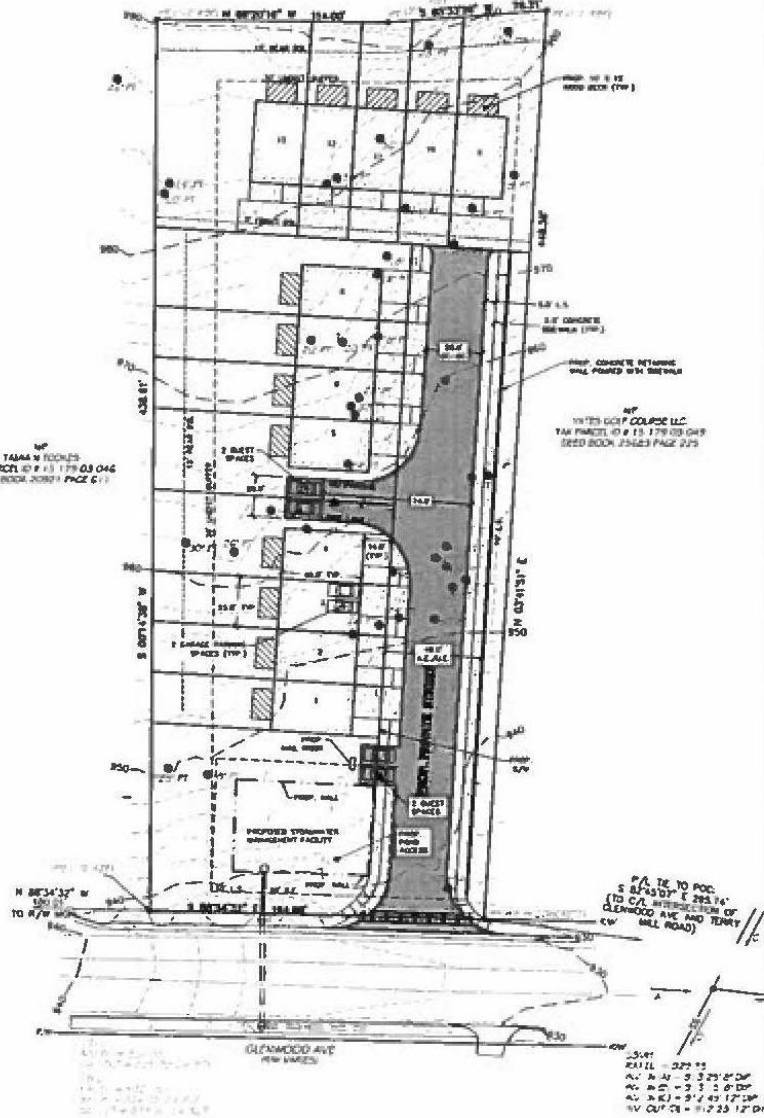
FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON THE MAP OF DEKALB COUNTY, GEORGIA 13080381712 EFFECTIVE DATE MAY 16, 2015

**FIELD NOTES:**  
 THE FIELD DATA ON WHICH THIS MAP OR PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 78,397 FEET AND AN ANGULAR ERROR OF 1 SECONDS PER HOLE POINT, AND WAS ADJUSTED USING THE COMPLEX RULE METHOD.  
 TYPE OF EQUIPMENT: DISTOMETER 500  
 DATE OF FIELD WORK: 8/20/2018

**CONTROL DATA:**  
 ELEVATIONS ARE BASED ON MAND 88 (CGD 12-A) OBTAINED BY CHAMPION TND ON EOPS METHOD. CONTOURS SHOWN AT 2-FOOT INTERVALS. SUPPLEMENTAL ELEVATION DATA COLLECTED WITH DISTOMETER 500 ROBOTIC TOTAL STATION.

**ASSUMPTIONS:**  
 THIS MAP WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR SURVEYING AS SET FORTH IN CHAPTER 180-7 - 24 OF THE RULES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GENERAL PRACTICE ACTS 18-4-1.

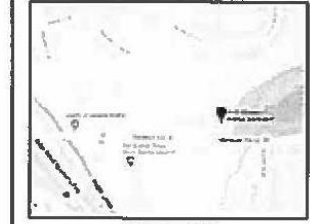
MAP  
 TABA W 000018  
 PARCEL ID # 13 179 03 046  
 DEED BOOK 20991 PAGE 617



P.A. TO POB  
 S 81°32'17" E 283.14'  
 TO C/A INTERSECTION OF  
 GLENWOOD AVE AND TERRY  
 C/W (MILL ROAD)

35.01' - 327.15'  
 24.11' - 530.11'  
 24.11' - 210.6' AC DP

35.01' - 327.15'  
 24.11' - 530.11'  
 24.11' - 210.6' AC DP



**NOTE**  
 STATE WATERS DO NOT EXIST ON THIS SITE

**SITE INFORMATION**

EXISTING ZONING: R-15	PROPOSED ZONING: M-1
NET AREA: 1.66 ACRES	TOTAL LOTS: 13
DENSITY: 0.18 UNITS/AC	
MAX DEPTH: 175.00 FT	6 UNITS/LOT
DEVELOPMENT FTR: 1,200 SF	75% SINGLE-FAMILY UNITS
MINIMUM DRIVEWAY WRT SITE: 18,000 SF	AVERAGE LANE TO
IMPROVED SQUARE FOOTAGE: 18,000 SF	HAVE 2 BEDROOMS AND 1,200 TO 2,000 SF. PER UNIT
COVENANT SPACE CALCULATIONS	
INCLUDED AREA: 1.28 ACRES	
OPEN SPACE AREA: 0.42 ACRES (134)	
LOT COVERAGE:	
PERM. IMPROVED AREA: 18,000 SF (76.9 ACRES)	
LOT COVERAGE PERCENTAGE OF SITE: 49.8% (SEE ALLOWABLE)	
PROPERTY SETBACKS:	
FRONT YARD SETBACK (MINIMUM) (FEET)	15 FEET
SIDE SETBACK (MINIMUM) (FEET)	15 FEET
REAR YARD SETBACK (MINIMUM) (FEET)	30 FEET
ADJACENT TO NORTH AND WEST LOT (MINIMUM) (FEET)	30 FEET
LOT SETBACKS & DIMENSIONAL REQUIREMENTS:	
FRONT YARD SETBACK (FEET)	9 FEET (7' ALLEYS, 6 FEET (7' ALLEYS)
SIDE SETBACK (FEET)	N/A
REAR YARD SETBACK (FEET)	15 FEET
ADJ. SETBACK (FEET)	1,000 SF, MINIMUM
ADJ. SETBACK (FEET)	15 FEET MINIMUM
PARKING CALCULATIONS:	
REQUIRED PARKING (1.5 SPACES/UNIT) = 13 UNITS = 20 SPACES	
(10.25 GUEST SPACES/UNIT) = 13 UNITS = 4 SPACES	
TOTAL REQUIRED SPACES = 24 SPACES	
PROVIDED PARKING: 26 SPACES (16/ARRANG)	
= 6 GUEST SPACES	
= 20 SPACES	
MAXIMUM RESIDENTIAL HEIGHT: 35' AND 3 STORIES	

CIVIL ENGINEERING - PLANNING - PERMITTING - DESIGN  
**Abbott**  
 Contact: Chuck Abbott, P.E.  
 Contact No: 770-915-7100  
 chuck@abbottconcepts.com  
 3468 Lawrenceville Hwy  
 Tucker, Ga 30084

DESIGN ENGINEER LEVEL  
 IN CERTIFICATION  
 CHARLES M. ABBOTT, JR., P.E.  
 GWCC # 000041665  
 EXPIRES: 04/13/2019

OWNER/DEVELOPER/PRIMARY PERMITTEE  
**Mix Cep USA, LLC**  
 4844 Chamblee Dunwoody Rd  
 Atlanta, GA 30338  
 21 W. E. Ave. E. Suite 200  
 The City of Atlanta, Georgia  
 241 W. Peachtree Street, N.W.  
 Level 16 Conference Room  
 Atlanta, GA 30303

DATE: August 06, 2019  
 TIME: 2:47-12 Eastern Standard Time

**1936 Glenwood Avenue**  
 LAND LOT 178, 15th DIST  
 CITY OF ATLANTA, DEKALB COUNTY, GA  
 Address: 1936 Glenwood Avenue, Atlanta, GA 30318  
 Parcel ID #: 13 179 03 046

**SEAL**  
 CIVIL ENGINEER  
 STATE OF GEORGIA  
 CHARLES M. ABBOTT, JR.

Scale: 1" = 30'  
 GRAPHIC SCALE (FEET)  
 0 10 20 30

Author: D. Smith, RLS  
 Registered Land Surveyor

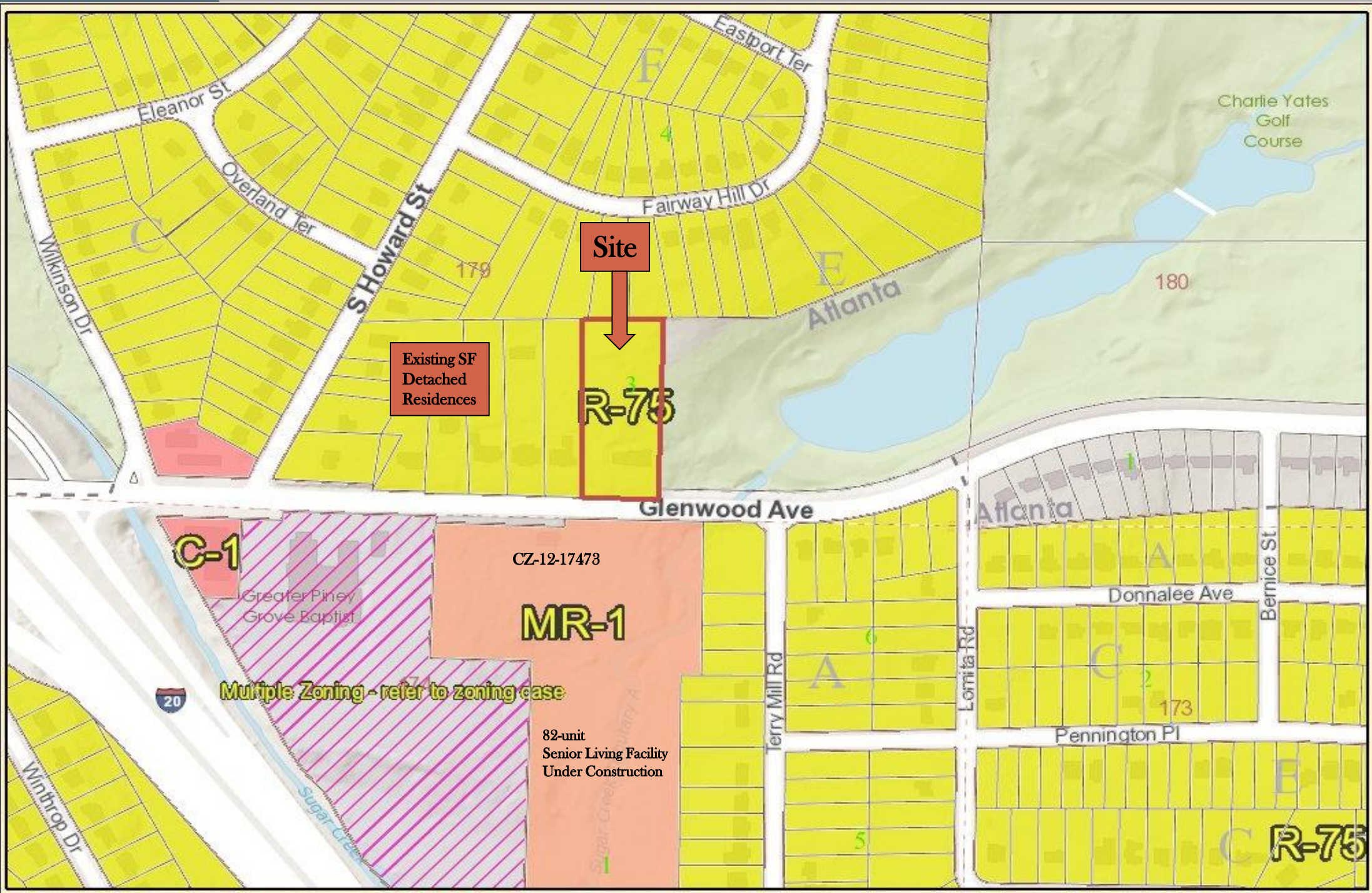
This Plan (Civil) Drawn  
 Tuckey, Georgia 30084  
 Mobile: 478-944-1499  
 Email: charlesm@abbott.com  
 Online Registration: Land Surveyor #1201119

Sheet: **C3**

This drawing and its reproduction are the property of the engineer and may not be reproduced, published or used in any way without written consent of the engineer.











Site

Charlie Yates  
Golf Course

Senior Living Facility  
Under Construction

Glenwood Avenue

3

6





Subject Site



Senior Living Facility Under Construction Across the street

