

DeKalb County Government

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

Agenda Item

File ID: 2018-1913 **Substitute** 7/24/2018

Public Hearing: YES ⊠ NO □ Department: Planning and Sustainability

SUBJECT:

Commission District(s): 4 & 6

Rezone – Z-18-22138

Information Contact: Marian Eisenberg

Phone Number: (404) 371-371-4922

PURPOSE:

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

NEED/IMPACT:

NA

FISCAL IMPACT:

No cost to the County.

RECOMMENDATION:

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



DeKalb County Government

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

RECOMMENDED CONDITIONS Z-18-22138

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

- 1. The development shall consist of a maximum of 44 lots for urban single-family detached homes and 39 lots for attached, fee-simple townhome units.
- 2. The single-family homes shall be a maximum of 35 feet in height. The townhomes shall be a maximum of 45 feet in height.
- 3. The single-family homes along Valley Brook Road shall face Valley Brook Road.
- 4. The subdivision sign shall be a maximum of eight feet high and shall have a brick- or stone-finished base.
- 5. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, unless waived by the Arborist.
- 6. The development shall comply with standards and regulations of Chapter 14, subject to approval by the Transportation Division.
- 7. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

DeKalb County Department of Planning & Sustainability



330 Ponce De Leon Avenue, Suite 500 Decatur, GA 30030

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

Planning Commission Hearing Date: July 10, 2018, 6:30 P.M. Board of Commissioners Hearing Date: July 24, 2018, 6:30 P.M. Deferred from May, 2018

STAFF ANALYSIS

Case No.: Z-18-22138

Location/Address: 745, 741, 731, 721, 715, 713, 707, 705, 701, Commission District: 4 Super District: 6

the rear of 701, 695, 681, 675, 669, and 665 Valley Brook Road, Decatur, 742 and 739 Ford Place, Scottdale, and 759 Milton Street,

Scottdale.

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

156

Request: To rezone property from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot

Mix) for a residential development consisting of 44 lots for urban single-family detached

homes and 39 attached townhome units at a density of 6.67 units per acre.

Property Owner(s): Various

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

Acreage: 12.83 acres

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

Surrounding Properties: To the north: Stonewyck Manor townhomes and Valley Brook Crossing multifamily

residential; in all other directions: single-family residential and woods.

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

Northwest: R-75 Southeast: R-75 Southwest: R-75

Comprehensive Plan: Suburban X Consistent Inconsistent

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

PROJECT ANALYSIS

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

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

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

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

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

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

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

LAND USE AND ZONING ANALYSIS

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

- **A.** Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan: The zoning proposal is consistent with housing policy No. 9 of the 2035 Comprehensive Plan to "... provide a variety of housing opportunities and choices to better accommodate the needs of residents." It is also consistent with Suburban Character Area policy No. 7 that encourages infill housing to "increase neighborhood density and income diversity".
- **B.** Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties: While the density of the overall development is greater than that of the surrounding single-family residential neighborhood, the single-family detached building form of the homes along the Valley Brook Road frontage corresponds to the building form found in the neighborhood. The three-story height of the homes along Valley Brook Road would be similar in height to the three-story townhomes of the Stonewyck Manor development on the adjoining property to the north. At 6.67 units per acre, the proposed density of the development is lower than that of the townhome and multifamily residential properties to the north, which are developed at 13 and 12.11 units

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

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

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

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

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

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

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

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

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

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

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

Compliance with District Standards:

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

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

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

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

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- 3. The single-family homes along Valley Brook Road shall face Valley Brook Road.
- 4. The subdivision sign shall be a maximum of eight feet high and shall have a brick- or stone-finished base.
- 5. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, unless waived by the Arborist.
- 6. The development shall comply with standards and regulations of Chapter 14, subject to approval by the Transportation Division.
- 7. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

Attachments:

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

NEXT STEPS

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



- Land Disturbance Permit (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
- **Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)



- **Certificate of Occupancy** (Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)
- **Plat Approval** (Required if any parcel is being subdivided, re-parceled, or combined. Issued "administratively"; no public hearing required.)



- **Sketch Plat Approval** (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)
- **Overlay Review** (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)
- **Historic Preservation** (A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)
- **Variance** (Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)
- **Minor Modification** (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)
- **Major Modification** (Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)
- **Business License** (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).
- Alcohol License (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

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

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

- N2. Midway Road is classified as a collector road (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Beech Drive is classified as a local road (requires 27.5 feet right of way dedication from centerline, 5 foot sidewalk, and street lights). Verify that street offsets meet Section 14-200 (6) of the Land Development Code. Verify that intersection and stopping sight distance (per AASHTO) are met.
- N3. Moreland Ave is a state route. GDOT review and permits are required. Moreland Ave is classified as a major arterial (requires 50 foot right of way dedication from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Bailey St is a minor arterial (requires 40 foot right of way dedication from centerline, bike lanes or multiuse path, 6 foot sidewalk, and street lights). Restrict parking along frontage of Bailey Street. Relocate existing access point farther from the intersection of Moreland Ave. Only one access point allowed on Bailey Street.
- N4. Midway Road is classified as a collector road (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Tocoma Way is classified as a local road (requires 27.5 feet of right of way dedication from centerline, 5 foot sidewalks and street lights). Locate driveway on lot 5 away from sharp curve. Extend sidewalks to the intersection of Tocoma Way and Midway Road on Tocoma Way for Midway Elem School access.
- N5. ROW is within the City of Atlanta. COA review and permits required. No additional comments.
- N6. Mountain Drive is a state route. GDOT review and approval is required. Verify sight distance (per AASHTO standards) for vehicles exiting the site. Mountain Drive is classified as a collector (requires 35 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Verify that site driveway meets offset requirements in code section 14-200 (6). Verify length of queuing area for turn lanes in adequate at the intersection of access point and Mountain Dr. Code section 14-200 (5) requires 3 access points for 271 units. Extend sidewalks to existing sidewalks to the south near the intersection of Mountain Drive at Memorial Drive.
- N7. Valley Brook Road is classified as a minor arterial (requires 40 feet from centerline, bike lanes or multiuse path, 6 foot sidewalk and street lights). Verify sight distance (stopping and intersection) for road near JudyLyn. If sight distance is not met, turn lanes or other improvements are required. Private alley may end in a turn around. If the interior streets are planned to be public, public alleys must connect to public streets and local roads require a 55 foot right of way, 6 foot sidewalk and streetlights. It appears that part of the proposed development is located on the existing Ford Place right of way. This will need to be corrected or the right of way abandoned.

N8. No comments.

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





DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

— 4 —		
Case No.: 2-18-221	38 Parcel I.D. #: _/8	-064:02-020
Address: VAlly Busk	Rd	
	Adjacent Road	<u>way (s):</u>
	(classification)	(classification)
Latest Co Hourly Co Peak Hou Existing r Existing r Proposed	(TPD) ount (TPD) apacity (VPH) r. Volume (VPH) number of traffic lanes ight of way width number of traffic lanes 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 informat	ion relating to the following stateme	ent.
generate an average of lifteen (15) factor. Based on the above formula with approximately peak hour	vehicle trip end (VTE) per 1, 000 sq a, thesquare foot place of w vehicle trip ends.	ITE) <u>6/7TH</u> Edition (whichever is applicable), churches quare feet of floor area, with an eight (8%) percent peak hou worship building would generate vehicle trip ends,
a maximum of units per acres,	ove referenced formula, the() , and the given fact that the project :	TE's per day per dwelling unit, with a ten (10%) percent Single Family Residential) District designation which allows site is approximately acres in land area, daily d with residential development of the parcel.
COMMENTS:		
Field and plans	Tantic flow.	LXID parblem Ylog
		Signature: Mark & M. Ross



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 IREID@DEKALBCOUNTYGA_GOV

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.:	<u>Z-18-22138</u>	
Parcel I.D.	0. #: 18-064-02-020, 022, 013 through 019, 021, 023, 037, 038, 066, 152 through 154, 156	
Address: 742, 739 F	745, 741, 731, 721, 715, 713, 707, 705, 701, 695, 681, 675, 669, 665 Valley Brook, Road, Ford Place and 759 Milton Street	
	Decatur and Scottsdale, GA.	
WATER:		
Size of exis	sting water main: 6" AC, 2" GA Water Main (adequate/inadequate)	
	rom property to nearest main: Adjacent to Property	
Size of line	required, if inadequate: <u>N/A</u>	
SEWER:		
Outfall Ser	rvicing Project: South Fork Peachtree Creek Basin	
	ljacent to property: Yes (X) No (_) If no, distance to nearest line:	
	atment Facility: RM Clayton WTF () inadequate	
	pacity; * (MGPD) Current Flow: 122 (MGPD)	
COMMENT		
Please note	e that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) apleted and submitted for review. This can be a lengthy process and should be addressed early in the process.	
		1
		1
		1
		1
	And I have	_
	Signature: Signature:	_

DEKALB COUNTY

4/16/2018

To: Ms. Madolyn Spann, Planning Manager

Mr. John Reid, Senior Planner

From: Ryan Cira, Environmental Health Manager Cc: Alan Gaines, Technical Sevices 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

404.508.7900 • www.dekalbhealth.net 4/16/2018

N.5	CZ-18-22125 2018-1912 15-251-01-020,15-251-01-027,15-251-01-028
3458,3468, and 3578 Mountain E	Drive, Decatur, GA
☐ Amendment	
- Please see genaral comments	3.
N.6	Z-18-22138/2018-1913/18-064-02-020,18-064-02-022,18-064-02-013,18-064-02-014,18-064-02-015,18-064-02-016,6,18-064-02-017,18-064-02-018,18-064-02-019,18-064-02-021,18-064-02-023,18-064-02-037,18-064-02-038,18-064-02-006,18-064-02-152,18-064-02-153,
745,741,731,721,715,713,707,70	25,701,695,681,675,669 665 Valley Brook Road, Decatur, GA; 742 and 73
☐ Amendment	
- Please see general commentsCase # 18-064-02-154,18-	
N.7	SLUP-18-22140 2018-1897 18-091-01-052
6198 Memorial Drive	
Amendment	
- Please see general comment I	letter.
N.8	Z-18-22137 2018-1853 16-062-02-005, 16-062-02-027, 16-062-02-028, 16-062-02-029
☐ Amendment	ad and 5636 Redan Road, Stone Mountain, GA
 Pleese see general comments 	

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

DeKalb County School District Zoning Review Comments

- 100

Analysis Date:

4/11/2018

Submitted to:

DeKalb County

Case #: Parcel#: Z-18-22138

18-064-02-020, et al.

Name of Development:

Valley Brook and Ford PL

Location:

Valley Brook Road North of Ford Place, 745 Valley Brook Road

Description:

Current single-family lots redeveloped as 76 townhomes and 26 single-family

Impact of Development:

The new plan is expected to generate 13 students: 3 at McLendon ES, 2 at Druid Hills MS, 2 at

Druid Hills HS, 2 at another DCSD school and 4 in private school. The three zoned schools are

all expected to have capacity for additional students.

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

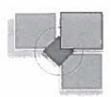
Summary of Student Calculations

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



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond Chief Executive Officer Andrew A. Baker, AICP Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

		Z/CZ	No. <u>Z -18 - 22138</u> Filing Fee:
Date Received: _	MAR 0 1 2018	Application No.:	Filing Fee:
	-		067@gmail.com
Applicant Mailing 350 Research	Address: Ct., Suite 100, Peachtree 0	Corners, Georgia 30092	
	Exhibit "A" re than one owner, attach as E		************
Owner's Mailing	Address: Various - See atta	ched	
Owner(s) Phone:		Fax:	<u> </u>
Address/Location	of Subject Property: Valley	Brook Road (see attache	d)
District(s): 18	Land Lot(s): 64	Block: <u>02</u>	Parcel(s: see attached
Acreage: <u>12.835</u>	<u> </u>	ommission District(s): 2, 6	
Present Zoning C	Category: R-75	Proposed Zoning Car	tegory: RSM
Present Land Us	e Category: <u>Suburban</u>	******************************	************
		E FOLLOWING BEFORE SI	
attachments and	ne completed in its entirety be filing fees identified on the a all be determined as incomplete	ttachments. An application,	nt accepts it. It must include the which lacks any of the required
I— acceptance wi	Disclosure o	f Campaign Contributions	r 36-67A, the following questions
must be answere	ed:	campaign contributions to	a local government official within
If the answer is showing;	yes, you must file a disclos	sure report with the govern	ing authority of DeKalb County
1. The	e name and official position atribution was made.	of the local government	official to whom the campaign
2. The		n of each campaign contrib f this application and the dat	ution made during the two years
The disclosure m	iust be filed within 10 days afte loard of Commissioners, DeKa	er the application is first pled lb County, 1300 Commerce	and must be submitted to the Brive, Decatur, Ga. 30030.
Charles NE	LAPLANDE	SIGNATURE OF AP	2/28/18 PLICANT / DATE
EXERATION DA	TELSEA M	Check One: Owner _	Agent X
Page Page Page	DECOLAST Ponds de Leon Avenu (2-2021.37 / 215 – [Planning Fax Web Address http://	/www.dekalbcountyga.gov/plani	: Fax] (404) 371-3007 ning
Page 15,3 (AL	BCOU MAN Address: planning	ganddevelopment@dekalbcoun	<u>lyga.gov</u> Revised 1/1/17

MAR 0 1 2018 PROPERTIES INCLUDED IN REZONING REQUEST ARROWHEAD INVESTORS, LLC

ADDRESS
731 Valley Brook Road, Decatur, Ga. 30033
715 Valley Brook Road, Decatur, Ga. 30033
713 Valley Brook Road, Decatur, Ga. 30033
707 Valley Brook Road, Decatur, Ga. 30033
705 Valley Brook Road, Decatur, Ga. 30033
the rear of 701 Valley Brook Road, Decatur, Ga. 30033
695 Valley Brook Road, Decatur, Ga. 30033
681 Valley Brook Road, Decatur, Ga. 30033
675 Valley Brook Road, Decatur, Ga. 30033
669 Valley Brook Road, Decatur, Ga. 30033
665 Valley Brook Road, Decatur, Ga. 30033
742 Ford Place, Scottdale, Ga. 30079
739 Ford Place, Scottdale, Ga. 30079
759 Milton Street, Scottdale, Ga. 30079
741 Valley Brook Road, Decatur, Ga. 30033
721 Valley Brook Road, Decatur, Ga. 30033
745 Valley Brook Road, Decatur, Ga. 30033
701 Valley Brook Road, Decatur, Ga. 30033

Notice Date:

Mailed February 9, 2018

MAR n 1 2018

PUBLIC NOTICE

To

Request for rezoning Filed by: Arrowhead Investors, LLC Bryan Flint 404-867-3572

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

Current Use-

R-75 Single Family Residential

Proposed Use- RSM (Residential Small Lot. Mix)

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

North Decatur United Methodist Church

Location:

1523 Church Street, Decatur, GA 30030

Date/Time:

Monday, Feb. 26, 2018 at 7:00 PM

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

Name	Address	Phone	E-Mail
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Janna Tammen	JOY3 NOTHARNE JOSHdale GA 3	2079	pdytummen & bellsout
Ryland Tammen	" / //	205253809	& rtammen@bellsooth
Est Bath			butterariayahao.com
Sherrell Warbington	721 Valley Brook Rd 721 Valley brook Rd Decetur, GA 3005 7	678-677-2132	doggy morre of hotma! 1.
Alicia O'Kelley	3105 North Ave	678-362-596	6 alicia 950@ yahvo.
Dann Sten	784 mulphs	464 216 2	054
Har o'Keney	3105 NORTH AVE	678-294-992	HOKELLEY@ZOOKTRANT
Elenwan	2755 Fauthry Lane	504-621-7447	ellen.y. wan @ gmail.com
James Illingnorth	ti të	770-685-3228	ajillinguovth, 2004 (2) gmail
Kenna Simmons	3115 Hollyword Dr.	464-791-3588	Kenna.shumous@gmail
Laura McCarty	796 Cender elle La	404 2297292	lava thousan meanly Dog
Karen Buerki	2883 Fantasy Lane	404-292-3056	Kbuerki@aol.com
Kathleen Hall	900 Tanner Dr.	404-499-0717	Simone 1946 & Wormand.
VICTORIA WESB	3137 COCKBH DEE	484-6248	MC@FURIOUSAREAMS.CO
Carolya M Brown	2975 Judyla Dr	404-79556-7V	nce Furious artifly. (1) of carolyn.m. brown of smory. Edy
Angela Morris	778 Murphen St.		Langela leemontis@2
Susan Tim Bergen	2959 JudyLyn.Dr.	4-510-1332	subergen33 egmoul.co
NANCY TOPPING	2862 Hollywood		2 tiptuploog @ hotmail.
Ben Kent		404 517 8030	benkent 109@grai
Stacie Greby	7-33 Ford Place	404-862-7	504 saveby@yaha
}	MAR 0 1 2018		

MEETIN	G SIGN-II	SHEET							
Project:	Ualley	Brock	Rol	Meeting Dat	e:	Fels.	26,	2018	
Facilitator:				Location:	<u>J., '</u>	Decatu	- Un	ted Ma	Solist

Name	Address	Phone	E-Mail
Susan Hawk	Decetur GA 3003	404 /414-	Shiphache
Nicole Haugerud	788 murpheysta	404-247-	haugerus 13@hot
William Buffee			Butter Tre Pollsott
Michael Colla	GOTHORLE BA	4 5156	Buffer Tre Pollsott. Mevillen 240 gmmilse
CHAME & LYNN PRIMOS	3035 Harriwood, Decraph	40441616370	By Hingarlagana
Tim & Shirley barne	741 Valley Brook	d 404505000	8 Hingarlagana
LAVER Zippères	1064 N Valley De	618427-3718	1/2ipperer Osmail con
LANCE ELHS	3100 NORTH AVE	l .	lancescapalish@yho,co,
Megon & Tuston Willmost	713 Valley Brain	404-630-2110	Myan. hamly @ gourl. Com
MARTY Kerned	803 Murpheys	4)378.404	le martyforbici @
1 4		1 /	janoslewis 555@ Hotril.
Colette Walsh-Lan	or's 30866 Holly woold	646-623-5586	Welsh. Cg agnail. com
Lore P. Covenzion	243 Murphey St	678-592-675	SAMES. SIMPSON
JAMES Simpso	N 767 Murphe.	S+480 25	42 ANIXTER CON
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1 1 D 1 1 1 1	ł	1	3@hotmail.com
Rosemary Calhoun	3045 Vieta Brook Or	J	agmail com
EILBEN PORACKY	3042 WINECIPCLE	404-502-1929	G BELLSOUTH. NET
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MEETIN	G SIGN-IN	SHEET					
Project:	Ualley	Brook	Rol	Meeting Date:	Fels.	26,2018	
Facilitator:				Location: 🔼	Decate	or United M	elst

Name	Address	Phone	E-Mail
James Lucass.	Address 798 Murphey Scottdale 3007	7 275.0260	lucassej egmail
MARC FARRIS	M CLENDON	404-626-3085	MARE, FACCISED
Susan Reu	3027 Judylyn		3 susanreu@ lean
JAKEDEVLIN	2911 FINTAST LANE	404-294-4315	JAKEDEN & ATT. NET
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MISTY HAYTON	3133 Hollywood Dr.	404-808-7122	MISTY harrong you
Angela Salazo	242 Ford Pl	4-398357	btenfield8@m
Gusan Rossi	2711 Fantasyla	4-797-	photyail. Con
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BARBARA Scoff		404217959	media voicestudio
STEVE HAGEN		75	STEVENMINE ADE
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MEETIN	G SIGN-IN	SHEET					
Project:	Ualley	Brook	Rol	Meeting Date	: Feb.	26,2018	
Facilitator:				Location: 🔨	1. Decate	or United M	elsols.

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Name	Address	Phone	L-IVIAII
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Pinbello Kashi	SIET STONEWYCKYI.	(4) 663-	EKasfir@gmail.com
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LAW OFFICES SCHREEDER, WHEELER & FLINT, LLP 1100 PEACHTREE STREET, NE SUITE 800 ATLANTA, GEORGIA 30309-4516

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

Scott W. Peters

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

February 28, 2018

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

MAR 0 1 2018

In re: Letter of Application

Arrowhead Investors, LLC Valley Brook Road at Ford Place

Dear Mr. Baker:

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

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

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

LAW OFFICES SCHREEDER, WHEELER & FLINT, LLP

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

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

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

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

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

Arrowhead Investors respectfully requests the approval of its rezoning request.

Sincerely,

Scott W Peters

SWP/jlm

Enclosures

MAR 0 1 2018

K.\8458\61 - Valley Brook\Rezoning Application\Letter of Application.docx

EXHIBIT "A" STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MAR 0 1 2018

K.\8458\61 - Valley Brook\Rezoning Application\Exhibit A. Standards.Zoning Powers docx

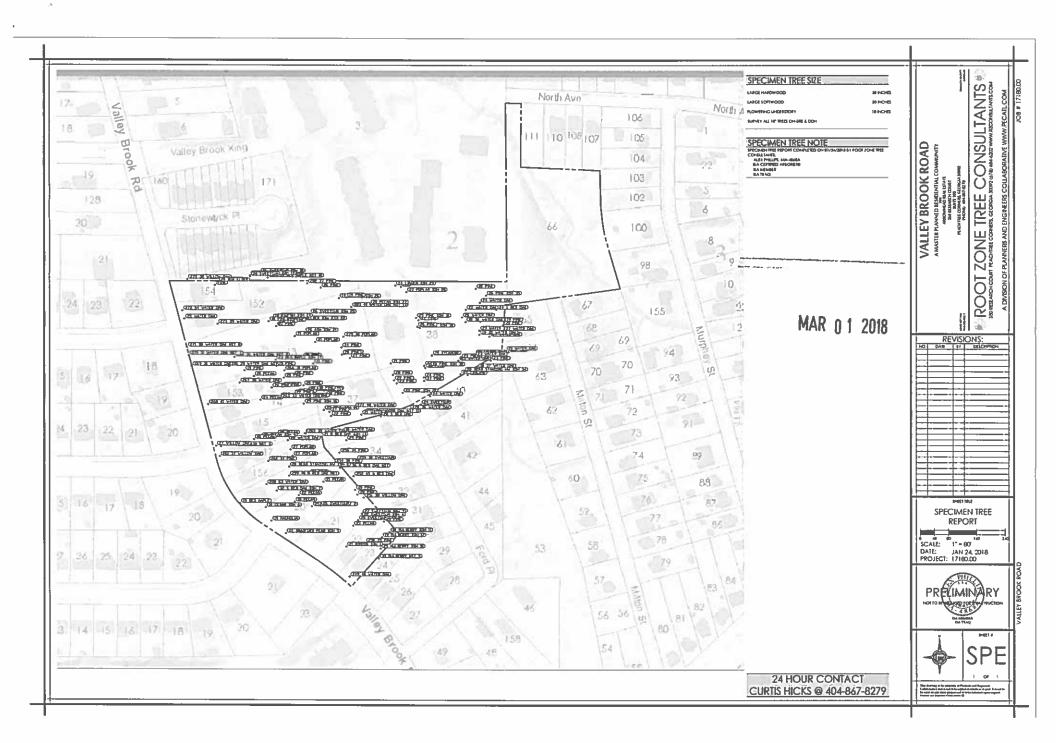
EXHIBIT "B" TO REZONING AND LAND USE CHANGE REQUEST OF ARROWHEAD INVESTORS, LLC

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

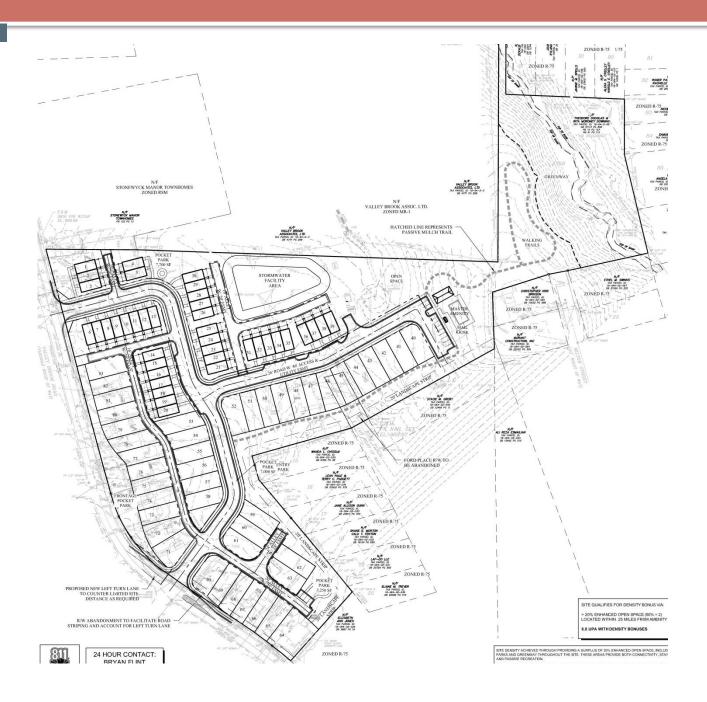
Applicant seeks a rezoning from R-75 to RSM to allow for the property to be developed for residential property with the adjacent tract described in the foregoing application. The present zoning classification of the subject property without the granting of such rezoning constitutes the taking of property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

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



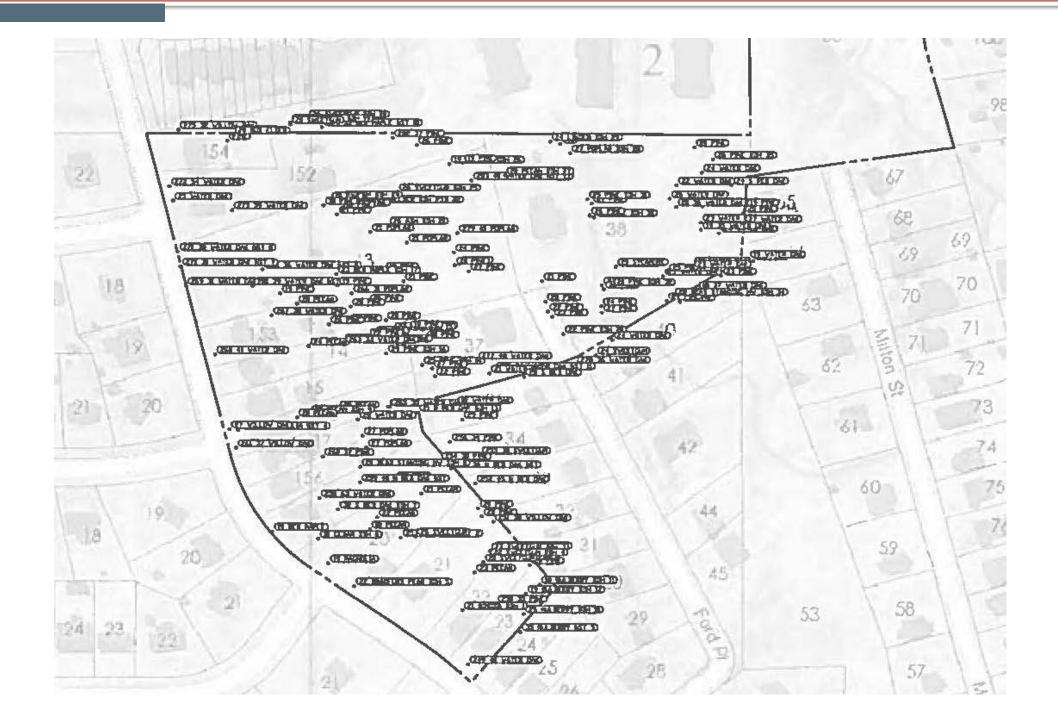


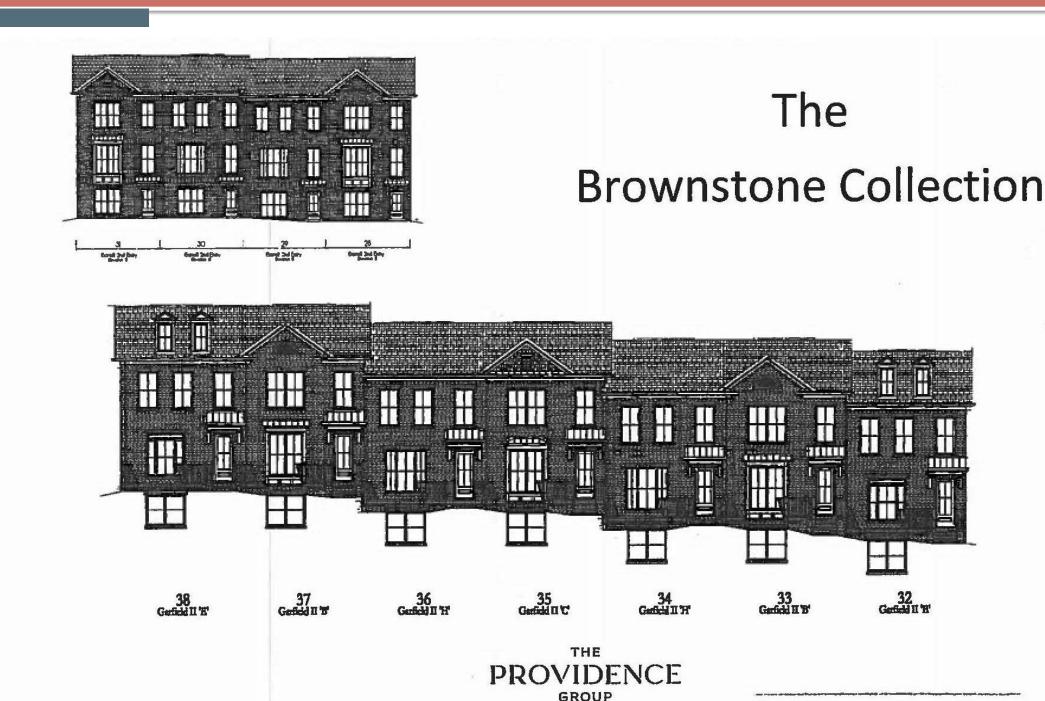
N. 6 Z-18-22138 Site Plan



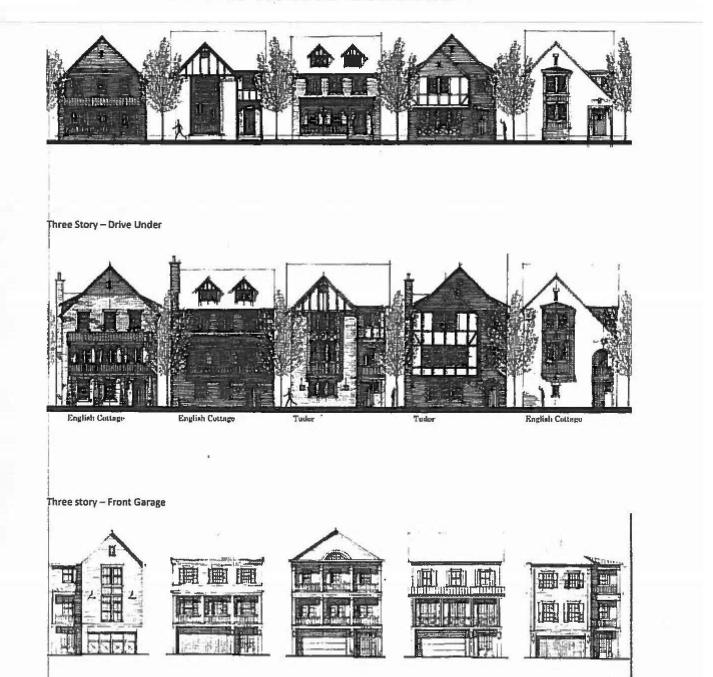
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The Rowes Collection



N. 6 Z-18-22138





Garrett 17ts - Mercantile











N. 6 Z-18-22138

SYMBOL PLANT TYPE



TREE

LARGE SHRUB

SMALL SHRUB

GROUNDCOVER

TREE



SHRUB



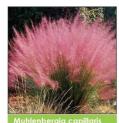








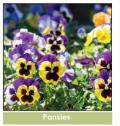








GROUNDCOVER





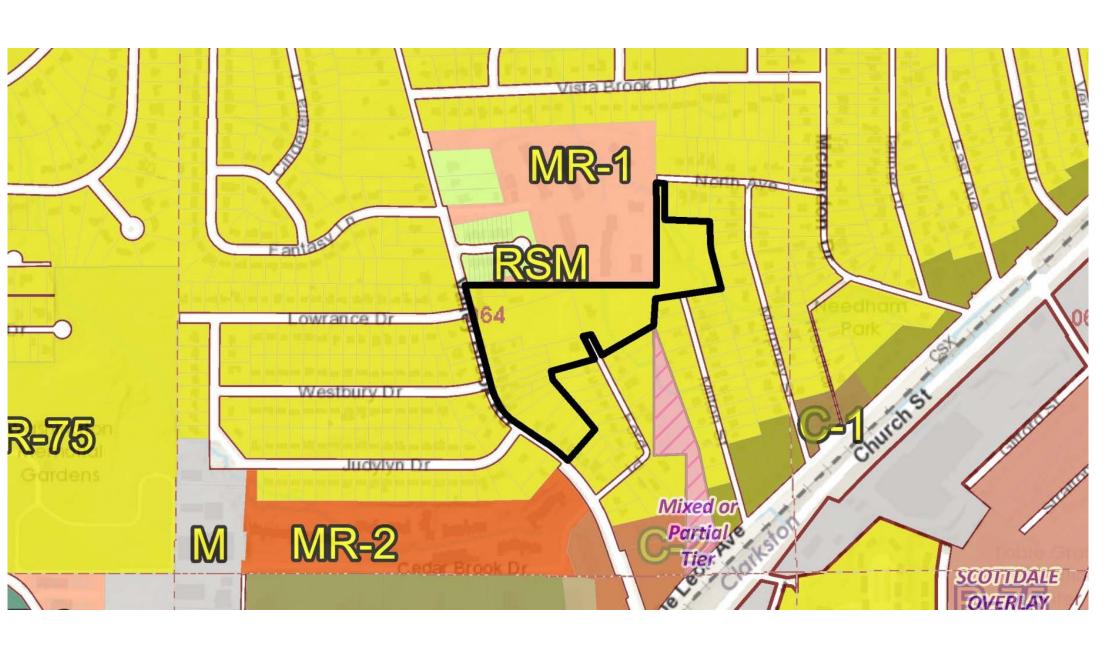


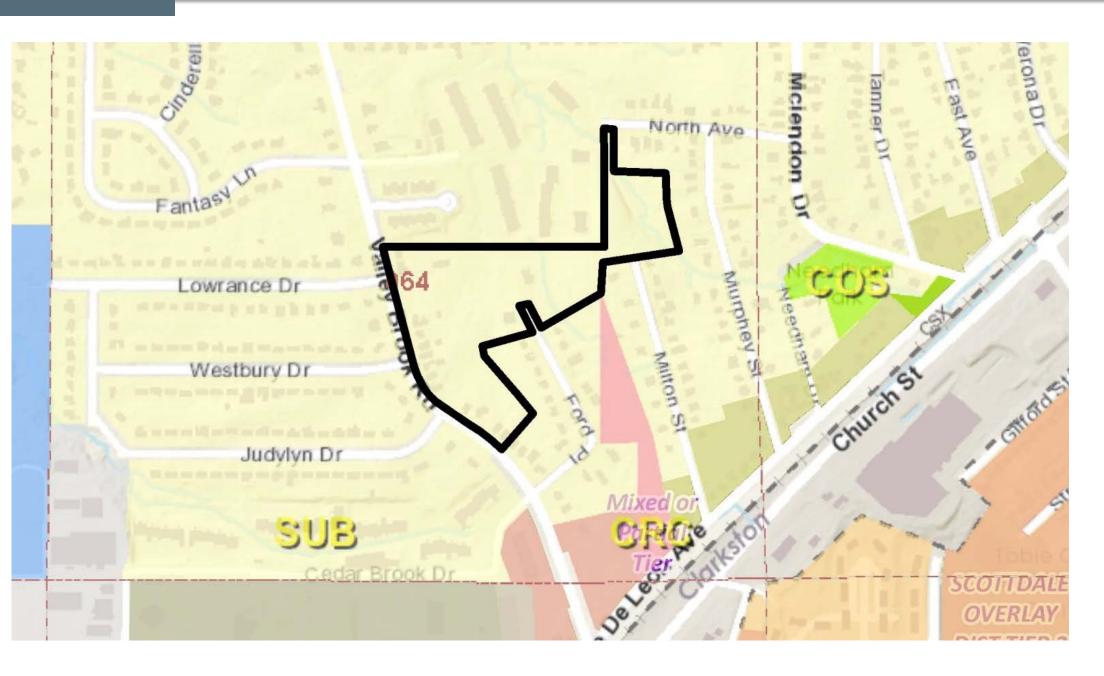






N. 6 Z-18-22138 Zoning Map





N. 6 Z-18-22138 Aerial Photo



N. 6 Z-18-22138 Site Photos



Views of Valley Brook Road frontage of subject property.



N. 6 Z-18-22138 Site Photos



Homes on opposite side of Valley Brook Road.