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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 22, 2018

corrected 7-9-18

STAFF ANALYSIS

Case No.:	Z-18-22025		Agenda #: D. 2	
Location/Address:	3346 Midway Road, D	ecatur	Commission District: 3	Super District: 7
Parcel ID(s):	15-218-13-061			
Request:	To rezone property from R-75 (Residential-Medium Lot -75) to RSM (Residential Small Lot Mix) for development of five urban single-family detached homes.			
Property Owner(s):	Ali Alim Ihsan			
Applicant/Agent:	Ali Ihsan and Associat	es		
Acreage:	1.1 acres			
Existing Land Use:	An unoccupied non-residential building			
Surrounding Properties:	Single-family residential			
Adjacent Zoning:	North: RSM 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: 5 units/acre		Existing D	ensity: Not applicable	

SITE AND PROJECT ANALYSIS

Proposed Lot Coverage: Less than 70%

Proposed Units: 5

The subject property is a 1.1-acre parcel located at the southwest corner of Midway Road and Beech Road. Midway Road is a collector and Beech Road is a local street; neither have curb or gutter. The topography of the lot slopes towards Midway Road to the east, for a distance of approximately 25 feet from the western property line, towards the adjoining property to the west, and in a southwesterly direction. A vacant, fire-damaged building occupies the property. It was formerly used as a T-shirt factory. One mature tree is growing in the buildable area of the site.

Existing Square Feet: 4,140

Existing Lot Coverage: (estimate) 15%

Land uses in the surrounding neighborhood are predominantly single-family residential, with the exception of two churches and an elementary school. Surrounding zoning is R-75, except for a subdivision located on the opposite side of Beech Street from the subject property, which is zoned RSM. The homes in this subdivision are two stories, unlike many of the older homes in the surrounding neighborhoods, and several of the lots are smaller than even the 9,000- to 10,000-square foot lots located nearby.

The applicant has changed the zoning proposal from eight townhome units to six single-family detached homes. Vehicular access is proposed via a central private drive with a hammerhead shape. Open space areas around the buildings are proposed to be enhanced with a walking trail, trees, and a gazebo. A six-foot wood fence is proposed to be installed 22 feet from the property lines, with an opening for the driveway.

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:

At five units per acre, the proposed development is consistent with the maximum density allowed, with density bonuses, in the Suburban character area. 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:

Residential development is suitable at a location where most of the adjoining and nearby properties are developed for residential uses. The height and compact layout of the homes on the site would be similar to the height and layout of new residences in the RSM district across Beech Drive. By adding to the variety of housing types in the neighborhood, the proposed development would accommodate people with a variety of preferences and lifestyles.

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

The property has economic use as currently zoned. However, this conclusion does not exclude the possibility that the proposed zoning category is suitable for the property.

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

As a corner lot, the property is automatically buffered from surrounding land uses by streets on two sides. Possible impacts on the adjoining property to the west have been reduced by locating the proposed buildings 47.5 feet from the shared property line. In addition, the applicant proposes to enhance the open space between the building and the adjoining property with trees, a walking trail, and a gazebo, thus providing a visually pleasant separation from adjoining properties. To further separate the proposed development from the adjoining property to the west, Staff recommends that the rear property line be planted with a landscape screen.

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

The proposed development would replace a blighted building with a housing type that has become increasingly desirable throughout the Atlanta region. Moreover, the density of development is not simply a response to the housing market: in exchange for the increase in density over the base density of four units per acre, the applicant has proposed enhanced open space that measures at least 20% of the site.

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

No historic buildings, sites, districts, or archaeological resources are located on 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:

There has been no indication from reviewing departments and agencies that the proposal will or could cause excessive use of existing streets, transportation facilities, utilities, or schools.

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

It is likely that construction of the homes would cause the loss of one mature tree, but new trees proposed to be planted in the open space around the buildings would more than compensate for the loss of this tree.

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 units/acre Density bonuses: Proximity to school: 20% = 1.8 additional units; Enhanced open space: at least 20% of the site = 2 additional units	Yes
MIN. LOT AREA	1,350 sq. ft.	2,100 sq. ft.	Yes
MIN. LOT WIDTH	25 feet	44.5	Yes
MAX. LOT COVERAGE	70% of total parcel acreage	65%	Yes
MINIMUM UNIT SIZE	1,100 sq. ft.	1,450 sq. ft.	Yes
MAX. BLDG. HEIGHT	35 ft.	32 ft.	Yes
PARKING	Min. 2 spaces per d.u.; Max 4 spaces/d.u.	2 garage spaces and 2 driveway spaces per unit	Yes

RSM S	STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
10	FRONT	20 feet	38 feet	Yes
SETBACKS	INTERIOR SIDE	None; building must meet Fire Code standard	8 feet	Will be determined during building permit review.
BUILDING	SIDE – CORNER LOT (for entire bldg. site)	20 feet	50 feet	Yes
	REAR W/O ALLEY	Superseded by transitional buffer	Not applicable	Not applicable
	STREETSCAPE NSIONS - PROPERTY TAGE	5-ft. sidewalk and 6-ft. landscape strip between curb and sidewalk, and street trees 30 ft. on center or for every unit	5-foot sidewalk, 6foot landscape strip, trees approx. 20 ft. on center	Yes
	STREETSCAPE NSIONS – PRIVATE E	5-ft. sidewalk and 5-ft. landscape strip between curb and sidewalk, and street trees 30 ft. on center or for every unit	5-foot sidewalk, 5 foot landscape strip, two trees every 44 feet	Yes

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 development will replace a non-conforming commercial use that has become an eyesore. However, the density of development is not simply a response to the housing market: in exchange for the increase in density over the base density of four units per acre, the applicant has proposed enhanced open space over 20% of the site. The height and compact layout of the homes on the site would be similar to the height and layout of new residences in the RSM district across Beech Drive. By adding to the variety of housing types in the neighborhood, the proposed development would accommodate people with a variety of preferences and lifestyles, thereby increasing the neighborhood's social vitality. As a corner lot, the property is automatically buffered from surrounding land uses by streets on two sides. Possible impacts on the adjoining property to the west have been reduced by locating the proposed buildings 47.5 feet from the shared property line. In addition, the applicant proposes to enhance the open space between the building and the adjoining property with trees, a walking trail, and a gazebo, thus providing a visually pleasant separation from adjoining properties. To further separate the proposed development from the adjoining property to the west, Staff recommends that the rear property line be planted with a landscape screen. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

- 1. The subject property shall be developed in substantial conformity to the site plan titled, "Site Plan 3446 Midway Road", stamped as received by the Department of Planning and Sustainability on June 26, 2018.
- 2. A screen shall be planted along the rear (west) property line, which shall consist of sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae, subject to approval by the County Arborist.

- 3. A pedestrian crossing strip shall be provided across the driveway to each house.
- 4. Right-of-way shall be dedicated as required by the Transportation Division of Public Works. A bike lane shall be provided unless waived by the Board of Commissioners.
- 5. The fence that surrounds the development shall be made of board or brick and iron, and shall not be solid.
- 6. A hydrology study shall be presented to the Board of Commissioners.

Attachments:

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



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM



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

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: <u>Z-18-22025</u> Address: <u>3346</u>	_	-218-,13-061	
Midway Road DECATOR, GA	_ _		
	Adjacent R	ondwny (s):	
(cli	assification)	(classification)	
Latest Count (Hourly Capacit Peak Hour. Vo Existing numb Existing right of Proposed numb Proposed right Please provide additional information re According to studies conducted by the 1 generate an average of fifteen (15) vehice	nstitute of Traffic Engined le trip end (VTE) per 1, 00 square foot place	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 tement. Proposed right of way width Of square feet of floor area, with an eight (8%) of worship building would generate	ble), churches %) percent peak hou
Single Family residence, on the other hapeak hour factor. Based on the above ra maximum ofunits per acres, and	nd, would generate ten (1 eferenced formula, the the given fact that the pro	0) VTE's per day per dwelling unit, with a t (Single Family Residential) District desig ject site is approximately acres in land erated with residential development of the pa	nation which allows area, daily
COMMENTS:			
Plans And field	REULEW. NO	problem that Flow.	
would suterfere	with TRAFFIC	Flow.	

Signature: Jerry Wlte



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.: Z-18-22025	
Parcel I.D. #: 15-218-13-061	
Address: 3346 Midwav Road	
Decatur, Georgia	
WATER:	
Size of existing water main: 6" AC & 16" CS Water Main	(adequate/inadequate)
Distance from property to nearest main: Adjacent to Property	
Size of line required, if inadequate: N/A	
SEWER:	
Outfall Servicing Project: Cobb Fowler Creek Basin	
Is sewer adjacent to property: Yes (X) No (_) If no, distant	ce to nearest line:
Water Treatment Facility: Snapfinger Creek WTF	() adequate () inadequate
Sewage Capacity; * (MGPD)	Current Flow: 21.77 (MGPD)
COMMENTS:	
* Please note that the sewer capacity has not been reviewed or approvemust be completed and submitted for review. This can be a lengthy provided the sewer capacity has not been reviewed or approvement.	ed for this project. A Sewer Capacity Request (SCR) rocess and should be addressed early in the process.
	(Y) / //o-
	Man all a sa A

DeKalb County School District Zoning Review Comments

Analysis Date:

4/11/2018

Submitted to:

Dekalb County

Case #:

Z-18-22025 Parcel #: 15-218-13-061

Name of Development:

New Midway Manor

Location:

3446 Midway Road

Description:

8 Single-family attached units replacing a vacant commercial building

Impact of Development: If approved, this development would be expected to generate only 1 student at Peachcrest ES.

Current Condition of Schools Capacity Portables Enrollment (Fcst. Oct. 2018) Seats Available Utilization (%)	Peachcrest ES 1,086 2 957 129 88.1%	Bethune MS 1,350 0 870 480 64.4%	Towers HS 1,299 0 947 352 72.9%	Other DCSD Schools	Private Schools	Total
New students from development	1	0	0	0	0	1
New Enrollment	958	870	947	1		
New Seats Available	128	480	352			
New Utilization	88.2%	64.4%	72.9%]		

	Attend Home	Attend other	Private	
Viold Baton				Total
Yield Rates	School 0.095519	0.049528	0.004717	0.149764
Elementary				
Middle	0.031840	0.008255	0.001179	0.041274
High	0.029481	0.017689	0.001179	0.048349
Total	0.1568	0.0755	0.0071	0.2394
Student Calculations				
Proposed Units 8	1			
Unit Type TH	1			
Cluster Towers	1			
10//0/5	J			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	0.76	0.40	0.04	1.20
Middle	0.25	0.07	0.01	0.33
High	0.24	0.14	0.01	0.39
Total	1.25	0.61	0.06	1.92
	Attend Home	Attend other	Private	
Anticipated Students	School	DCSD School	School	Total
Peachcrest ES	1	0	0	1
Bethune MS	0	0	0	0
Towers HS	0	0	0	0
Total	1	0	0	1

DeKalb County Board of Health

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

N.1	Z-18-22025 2018-1854 15-218-13-061
/ «	
3446 Midway Road, Decatur,	GA
☐ Amendment	
- Please see general comme	ents
_	ide N1 SLUP 18 22129. It has been removed from the agenda and the agenda has been re-
N.2	SLUP-18-22123
2428 Moreland Avenue, Atla	nta, GA
☐ Amendment	
- Please see general comm	
- Agenda that does not inclind	ude N1 SLUP 18 22129. It has been removed from the agenda and the agenda has been re-
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
N.3	Z-18-22128 2018-1911 15-218-13-005,15-218-13-006,15-218-13-007,15-218- 13-008
3392,3298,3402 and 3408 N	lidway Road, Decatur, GA
Amendment	
Diagon and second services	nente
Please see general comm Septic system installed or	n properties 3392 on 10/27/95 ,3402 on 04/11/75 and 3408 on 8/18/82.
N.4	CZ-18-22135 2018-1856 15-179-11-001
2029 Memorial Drive, Atlant	a, GA
☐ Amendment	
Diagra see coneral comm	nents



DeKalb County Department of Planning & Sustainability

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



APPLICATION TO A	MEND OFFICIAL ZONING MAP
RECEIVORE	B COUNTY, GEORGIA
JAN 0 2 REC'D	z/cZNd 8-22025
Date Received:	Application No.:
BY:	
	s E-Mail: ali.1977.7734@gmail.com
Applicant Mailing Address: 401 Cook Driv	ve Ellenwood, GA 30294
Applicant Phone: 718-926-0228	BFax:NA
Owner(s): Ali Alim Ihsan (If more than one owner, attach as E	E-Mail:ali.1977.7734@gmail.com
Owner's Mailing Address: 401 Cook Drive E	Illenwood, GA 30294
Owner(s) Phone: 718-926-0228	Fax:NA
Address/Location of Subject Property: 344	6 Midway Road Dekalb County, GA 30032
District(s): Land Lot(s): 1	Block: Parcel(s: 15 218 13 061 IE
Acreage: 1.2 Con	mmission District(s): District 7 +3
Present Zoning Category: R-75	Proposed Zoning Category: RSM
Present Land Use Category: RL	**************************************
FLEASE 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 filling of this application?

Yes
No.

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

- The name and official position of the local government official to whom the campaign contribution was made.
- 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.

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: planninganddevelopment@dekalbcountyga.gov

Ali Ihsan and Associates, LLC 401 Cook Drive, Ellenwood, GA 30294 470-385-3886, Ext-0, 1, 2 Aliihsan@Aliihsanandassociates.com www.aliihsanandassociates.com

December 18, 2017

Dekalb County Department of Planning & Sustainability 330 West Ponce De Leon Avenue Decatur, Georgia 30030

Project Address: 3446 Midway Road, Dekalb County 30032

IMPACT ANALYSIS

For Proposed Rezoning from R-75 to RSM for 3446 Midway Road Dekalb County 30032

Statement of Intent

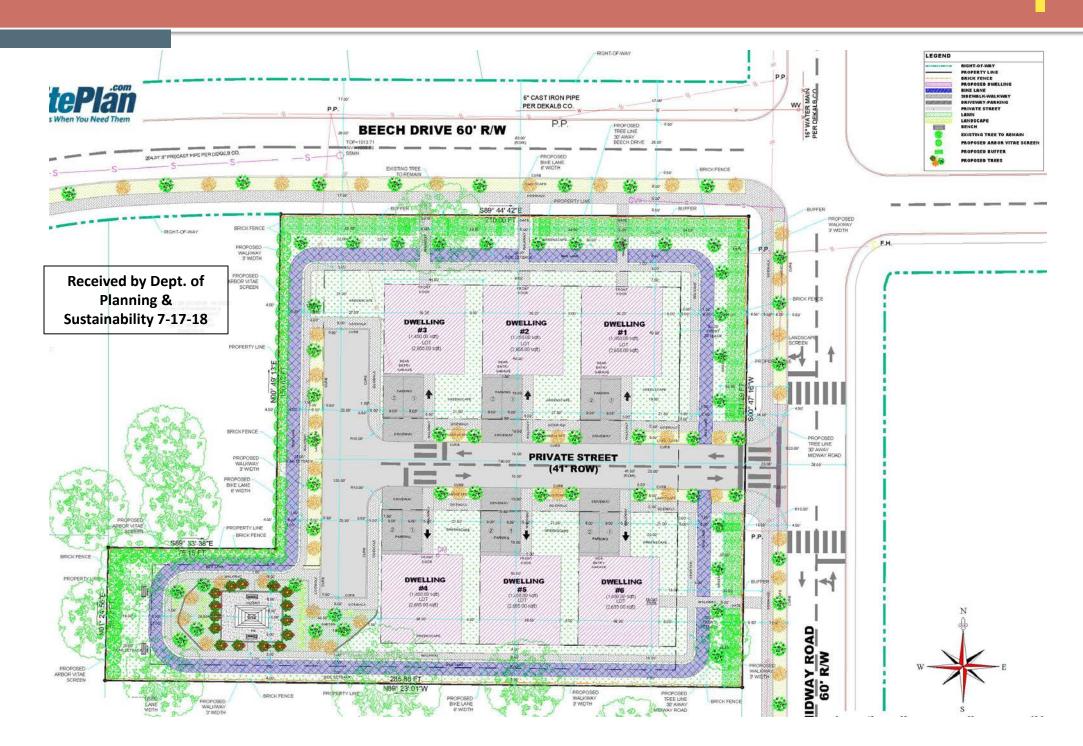
The applicant, Ali Ihsan and Associates, is seeking to rezone the subject property located 3446 Midway Road Dekalb County GA from a R-75 zoning designation to a RSM zoning designation. Ali Ihsan and Associates, LLC believes that the impact of our requested use and subsequent rezoning of the property located at 3446 Midway Road, Dekalb County 30032 on the surrounding properties are consistent with standards specified in article 7-3 of the Dekalb County Zoning Ordinance are as follows:

IMPACT ANALYSIS ITEMS

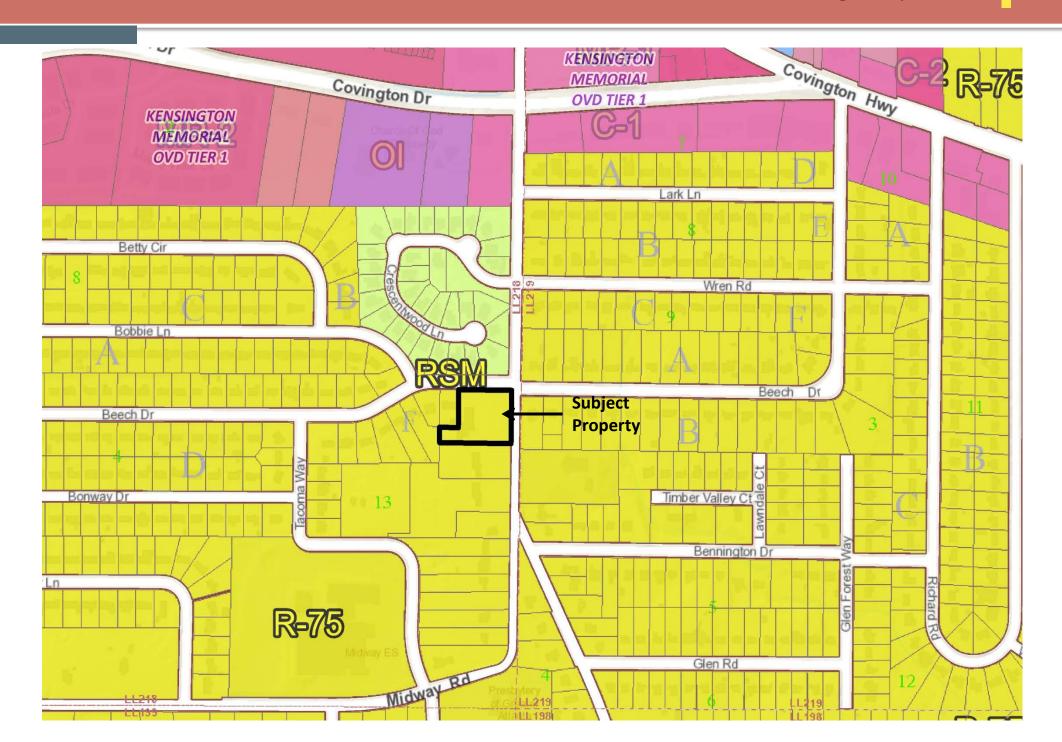
- a. The proposed RSM (medium and high density residential) zoning for this property will be in conformity with the uses and purposes detailed in the Dekalb county 2035 comprehensive plan in relationship to 3446 Midway Road and its' adjacent location of Beech Street in Dekalb County 30032.
- b. The zoning proposed will permit a use that is suitable to the site and adjacent developments because there are adjacent medium and high density residential zoning adjoining the parcels near the community of Crescent Woods and to the north of Midway Road approaching Columbia Drive.

- c. The proposed zoning will not adversely affect the existing use or usability of adjacent properties since the adjacent parcels are medium and high density constrained.
- d. The conditions on the parcels adjacent to Midway Road are compatible with and similar to what is being proposed in our rezoning application and, thus, are consistent with the intent of the Dekalb County Comprehensive Plan 2035 and standards specified in article 7-3 of the Dekalb County Zoning Ordinance.
- f. We have assessed and studied the parcels and plots surrounding our proposed project through diligent research of public records and we have not discovered any known historic buildings, sites, districts or archeological locations of cultural or historical interest that will be adversely impacted by this zoning proposal.
- g. The parcels facing on the street frontages with Midway Road and Beech Street being are well maintained by the County and GDOT. These access ways will be enhanced by the 'curb appeal' of our proposed project.
- h. The proposed development will have access points on Midway Road and Beech Street with accommodating parking and drive aisles on the parcel. These features will facilitate ease of access to the project site and also permit sufficient vehicular movement to reduce congestion.

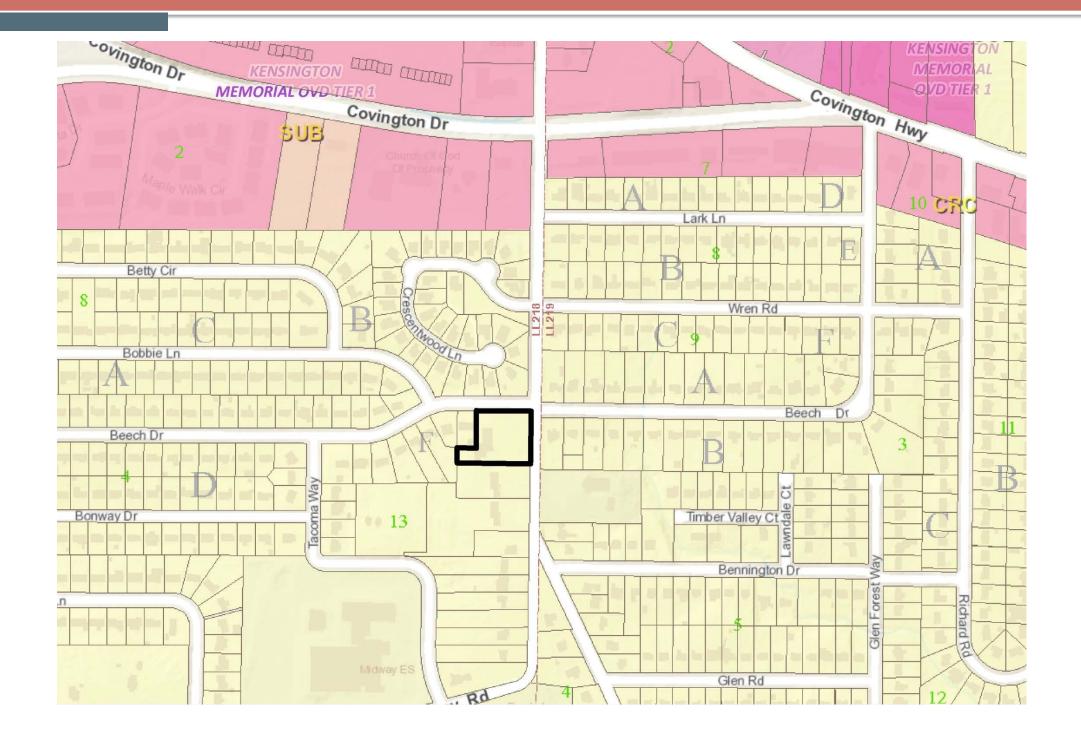
Site Plan



Zoning Map



Land Use Map



D. 2 Z-18-22025 Aerial Photo



D. 2 Z-18-22025 Site Photos

