

DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030 (404) 371-2155 / <u>www.dekalbcountyga.gov/planning</u>

Planning Commission Hearing Date: September 9, 2021 Board of Commissioners Hearing Date: September 30, 2021

STAFF ANALYSIS

Case No.:	SLUP-21-1245087	Agenda #: N11
Location/Address:	1748 Pine Trail, Atlanta, Georgia	Commission District: 3 Super District: 6
Parcel ID(s):	15-148-02-029	
Request:	A Special Land Use Permit (SLUP) for a Child Caring Institution (CCI) for up to six children, in accordance with Section 27-4.1.3, Table 4.1 of the Zoning Ordinance.	
Property Owner(s):	CHRIS 180 Support Organization, Incorporated	
Applicant/Agent:	Cindy Simpson	
Acreage:	9.30 acres	
Existing Land Use:	A single-family, detached home	
Surrounding Properties:	To the north, northeast, east, and southeast: Longdale Park (zoned R-75). To the south and southwest: CHRIS 180 administrative offices/conference center and a CHRIS 180 two-family building (zoned OI). To the west and northwest: undeveloped, partially wooded land (zoned OI).	
Comprehensive Plan:	SUB (Suburban) Consistent X	Inconsistent

Proposed Units: One (existing house will remain)	Existing Units: One
Proposed Lot Coverage: 10% (no changes to existing site or building footprint)	Existing Lot Coverage: 10% (no changes to existing site or building footprint)

ZONING HISTORY: In 2013, the Board of Commissioners rezoned a 1.026-acre portion of 1030 Fayetteville Road from R-75 to O-I (Office Institutional) with conditions pursuant to CZ-13-18507, for development of a new office building. In 2015, the CHRIS 180 purchased two adjoining R-75 parcels on Pine Trail, combined them with the 2013 parcel, and requested that they be rezoned to O-I. The Board of Commissioners approved the rezoning with conditions, pursuant to CZ-15-19768. In 2017, the Board of Commissioners rezoned the 2015 parcel, as well as 1735 Pine Trail, which adjoins it to the east, from O-I w/Conditions and R-75 to O-I w/ Conditions, for development of the CHRIS 180 Center of Excellence for Training, Education & Connections. Also in 2017, the Board of Commissioners rezoned 1743 Pine Trail from R-75 to O-I for a new, two-family dwelling to be constructed as accessory housing to the Center.

SITE AND PROJECT ANALYSIS

The subject property is a 1.01-acre parcel, zoned R-75, on the north side of Pine Trail, a local dead-end street. The property is developed with a 4-bedroom, 3-bathroom house with a finished basement that was constructed in 1959. On-site parking is provided by a driveway and a two-car garage. A large yard surrounds the house, including a fenced back yard. A stream runs along the property line at the rear of the house; dense trees and other vegetation border the stream.

The subject property is intended to become part of a campus of CHRIS 180 facilities located on both sides of Fayetteville Road at Graham Circle and Pine Trail. It is proposed to become one of four child caring institutions (CCIs) located along Pine Trail and operated by CHRIS 180 (three, including the subject property, were originally single-family detached homes and one, 1743 Pine Trail, was designed in 2017 as a two-family dwelling). The CHRIS 180 Center of Excellence for Training, Education & Connections is located on the west end of Pine Trail at its intersection with Fayetteville Road. Across Fayetteville Road, just to the southwest of the subject property, CHRIS 180 facilities include a counseling center, drop-in center, and dormitories. CHRIS 180 is a not-for-profit social services agency that assists children with mental health or other conditions that require therapy and a stable living environment. It operates group personal care homes, a counseling center, the CHRIS 180 Trauma-Informed Foster Care Adoption Home, a "no-eject" youth summer camp for severely emotionally disturbed children, the CHRIS 180 training program for service providers, and other similar programs.

Longdale Park adjoins the Pine Trail personal care homes to the northeast. A commercial node is located approximately 800-feet to the southwest, at the intersection of Fayetteville Road and Flat Shoals Road. The intersection is located in the City of Atlanta, as are properties to the northwest, west, and southwest. A cleared and undeveloped tract, 1065 Fayetteville Road, is located to the northwest of the subject property and is used for a radio tower.

The proposal under consideration is for a child caring institution (CCI) for no more than six children who are in foster care. Two CHRIS 180 staff persons will reside on the property as house parents. The CCI will be operated in the same manner as a single-family home. The application states that CHRIS 180 will provide "on-site as well as outpatient based counseling services, life skills, emotional regulation, and educational support."

SUPPLEMENTAL REGULATIONS

Sec. 27-4.2.41 Supplemental Regulations

(d) Child caring institution general requirements.

1. Each child caring institution must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each personal care home licensed and/or permitted by the State of Georgia must

display its state-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility:

The applicant has confirmed that CHRIS 180 will ensure compliance with this regulation.

2. No personal care home may display any exterior signage that violates the sign ordinance in Chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.

The applicant has confirmed that CHRIS 180 will ensure compliance with this regulation.

(e) Child caring institution group four (4) to six (6) children.

1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.

The applicant has confirmed that CHRIS 180 will ensure compliance with this regulation.

(f) Each group personal care home must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any applicable requirements in <u>Article 6</u>.

Four driveway and garage spaces are provided on the site. The applicant has confirmed that CHRIS 180 will ensure compliance with the Article 6 regulations.

LAND USE AND ZONING ANALYSIS

- Section 27-7.4.6 of the DeKalb County Zoning Ordinance, "Special land use permit; criteria to be applied" states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.
- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:

The size of the site is more than adequate to accommodate the needs of the proposed CCI. The property is a lot of over one acre with large grass yards, including a fenced back yard. The property complies with the requirements of the R-75 zoning district.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:

The proposed child caring institution would be compatible with the other child caring institutions and CHRIS 180 facilities on Pine Trail. Its purpose is to provide a home for its residents, and as such, it would generate the same level of activity as other residences in a typical neighborhood.

C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:

The proposed child caring institution would not generate any more of a demand on public services than any other typical family household. There has been no indication that there are inadequate public services and facilities to serve the facility at the proposed location.

D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:

The CCI is not expected to generate any more traffic than a typical residence and would not unduly increase traffic or create congestion in the area.

E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:

The CCI is expected to generate traffic from passenger vehicles, and at relatively low volumes. Existing land uses along access routes to the sites are not expected to be adversely affected.

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:

Ingress and egress to the subject property are satisfactory. Emergency vehicles would access the site from the driveway or from the curb. The front door is approximately 35 feet from the curb, and it appears that a fire truck would be able to run a hose to the house without difficulty in the event of a fire.

G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:

As a residential use, the proposed child caring institution is not expected to generate adverse levels of noise, smoke, odor, dust or vibration.

H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

The hours of operation of the CCI will not create adverse impacts on the adjoining land uses, which are another CHRIS 180 child caring institution and Longdale Park. It will be operated as a family home with up to six children, consistent with the other CHRIS 180 facilities on Pine Trail.

I. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:

The manner of operation of the CCI will not create adverse impacts on the adjoining land uses.

J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:

The proposed CCI complies with the requirements of the R-75 district.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:

The proposal is consistent with Housing Policy 6 of the *2021 Comprehensive Plan Update* to "Increase the availability of special needs housing to meet the growing population."

L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:

No buffers or transitional buffers are required for the subject property.

M. Whether or not there is adequate provision of refuse and service areas:

The County will collect refuse generated by the child caring institution once a week. This collection schedule is satisfactory. No service areas will be needed other than the driveway, which would provide parking for the vehicles of electricians, plumbers, or other typical residential service providers.

N. Whether the length of time for which the special land use permit is granted should be limited in duration:

Because the proposed CCI would be appropriate at the proposed location, there is no reason to limit the duration of the Special Land Use Permit.

O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:

New construction is not associated with this request.

P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:

The proposed use meets the requirements contained in the supplemental regulations for a child caring institution.

R. Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:

New construction is not associated with this request. The existing building is a single-story structure.

S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:

The proposed child caring institution would be consistent with the needs of the neighborhood and of the community as a whole; compatible with the neighborhood; and consistent with the overall objectives of the *2021 Comprehensive Plan Update*.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The proposal is consistent with Housing Policy 6 of the 2021 Comprehensive Plan Update to "Increase the availability of special needs housing to meet the growing population". The proposed child caring institution would be compatible with the other child caring institutions and CHRIS 180 facilities on Pine Trail and with the land uses in the surrounding area. Its purpose is to create a safe and caring family unit for up to six children with special needs, and as such, it would generate no more activity and traffic than a single-family household in a typical neighborhood. The size of the site exceeds the requirements for a single-family dwelling in the R-75 district and is more than adequate to accommodate the needs of the proposed child caring institution; it is expected to be operated and managed in a manner that will not create adverse impacts on adjoining properties; and it complies with the requirements of the R-75 zoning district in which it is located as well as the Supplemental Regulations for a child caring institution. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

- 1. A special land use permit shall be issued to CHRIS 180 for operation of a child caring institution of no more than six children and shall not be transferrable.
- 2. 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. Application
- 3. Site Plan
- 4. Zoning Map
- 5. Land Use Plan Map
- 6. Aerial Photograph
- 7. Site Photographs
- 8. 2017 CHRIS 180 Long Range Plan

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 FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER <u>mmalexander@dekalbcountyga.gov</u> OR JOHN REID <u>IREID@DEKALBCOUNTYGA.GOV</u>

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.: <u>SLUP-21-1245087</u>

Parcel I.D. #: __15 148 02 029___

Address: <u>1748 Pine Trail</u>

Atlanta, Georgia

WATER:

Size of existing water main:	<u>2" GA Water Main</u>	(adequate/inadequate)
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Distance from property to nearest main: <u>Adjacent to Property</u>

Size of line required, if inadequate: <u>N/A</u>

SEWER:

Outfall Servicing Project: <u>Sugar Creek Basin</u>

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line:_____

Water Treatment Facility: <u>Snapfinger WTF</u> () adequate () inadequate

Sewage Capacity; <u>*</u> (MGPD)

Current Flow: <u>21.77</u> (MGPD)

COMMENTS:

* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Signature: Care

Zoning

N1. No Comment

N2. Panola Road is classified as a Major Arterial. Infrastructure requirements: 50 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Young Road is classified as a collector road. Infrastructure requirements: 35 foot right of way, whichever greater, 6 foot sidewalk, 4 foot bike path of way, whichever greater, 6 foot sidewalk, 4 foot bike path (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip of way, whichever greater, 6 foot sidewalk, 4 foot bike path (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. The access point on Young Road must be right in/right out only and be located father from the intersection of Young Road at Panola Road. See Land Development Code Section 14-200 (6) for required minimum spacing to get proper offset from the Family Dollar access point. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting.

N3. No file forwarded for review.

N4. North Druid Hills is classified as a Major Arterial. Driveway is to be right in/right out only. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting. Raise the curb along North Druid Hills to current standards. Infrastructure requirements: 50 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights.

N5. No Comment

N6. No file forwarded for review.

N7. Memorial Drive is a state route. Review and approval of GDOT District 7 is required prior to a land disturbance permit (<u>rmathis@dot.ga.gov</u>) Memorial Drive is classified as a Major Arterial. Infrastructure Requirements: 50 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. East Anderson Road is classified as a local road. The Land Development Code requires improvements on all property frontages. Infrastructure is within public right of way, whichever greater, 5 foot right of way, dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 5 foot sidewalk, 6 foot landscape strip and street lights. A variance from the Zoning Board of Appeals for the Zoning Code requirements is necessary to eliminate the infrastructure improvements. However, the Transportation Division requires that the right of way dedication of 27.5 feet from centerline be donated- even if ZBA variances for sidewalks, streetlights, etc. are granted. The Land Development Code Section 14-200 (5) requires 3 access points for 170 units. If you propose over 150 units, you will need a variance from the BOC for the Land Development Code prior to approval of the land development permit. You will also need a variance from the BOC if you do not dedicate the right of way on East Anderson Road.

N8. No file forwarded for review.

N9. Columbia Drive is classified as a minor arterial. . Infrastructure Requirements: 40 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Interior roads to be private. Only one access point (30 units). Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting.

N10. No Comment

N11. No Comment

N12. No Comment.

DEKALB COUNTY

Board of Health

08/20/2021

- To: Planning & Sustainability Department
- From: Ryan Cira, Environmental Health Manager
- Cc: Alan Gaines, Technical Services 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, tourist accommodation 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 445 Winn Way – Box 987 Decatur, GA 30031 404.294.3700 • www.dekalbhealth.net

DEKALB COUNTY

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Board of Health

N.9	Z-21-1245080	2021-2910/15	-186-04-028,15-186-04-029	
	1484 Columbia Drive, Decatur, GA 30032	Acres:2.29	District 03 Super District 07	
	-Please review general comments.			
	-Research indicates onsite septic system installed on 04/10/2013 at 1530 Columbia Drive and on 08/15/2006 at 149 Columbia Drive (surrounding area of 1484 Columbia Drive).			
N.10	CZ-21-1245061	2021-2903/15	-251-01-020,15-251-01-027,15-251-01-028	
	3458 Mountain Drive, Decatur, GA 30032	Acres: 9.30	District 04 Super District 06	
	-Please review general comments.			
	-Research indicates onsite septic system installed on 08/05/1996 at 3402 Mountain Drive (surrounding area).			
N.11	SLUP-21-1245087	2021-2909/15-148-02-029		
	1748 Pine Trail, Atlanta, GA 30316	Acres: 1.01	District 03 Super District 06	
	-Please review general comments.			
N.12	SLUP-21-1245110	2021-2909/16	-188-03-006	
	1816 Enid Drive, Lithonia, GA 30058	Acre:0.47	District 05 Super District 07	
	-Please review general comments.			
	Research indicates onsite septic system installed on 11/29/172 and 05/15/1992 at location.			

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COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Address: 1748	<u>+1-1245087</u> Parcel I.D. #: 15- <u>Thorl</u> <u>574, ERA</u>	148-02-02-9
	Adjacent Road	<u>wav (s):</u>
		57
	(classification)	(classification)
	Capacity (TPD)	Capacity (TPD)
	Latest Count (TPD)	Latest Count (TPD)
	Hourly Capacity (VPH)	Hourly Capacity (VPH)
	Peak Hour, Volume (VPII)	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.

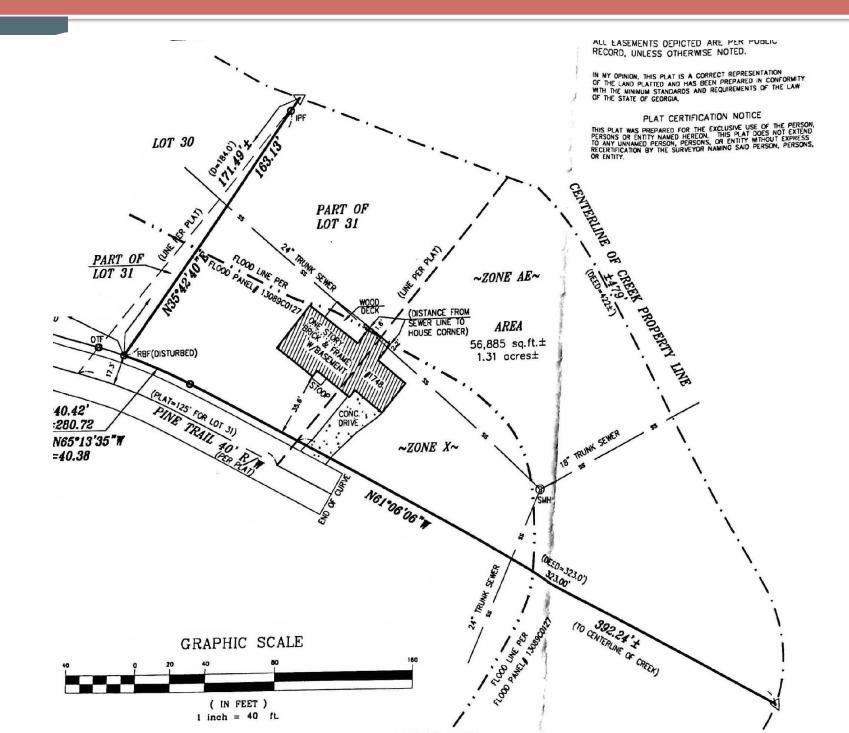
According to studies conducted by the Institute of Traffic Engineers (ITE) <u>6/7¹¹¹</u> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, 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.

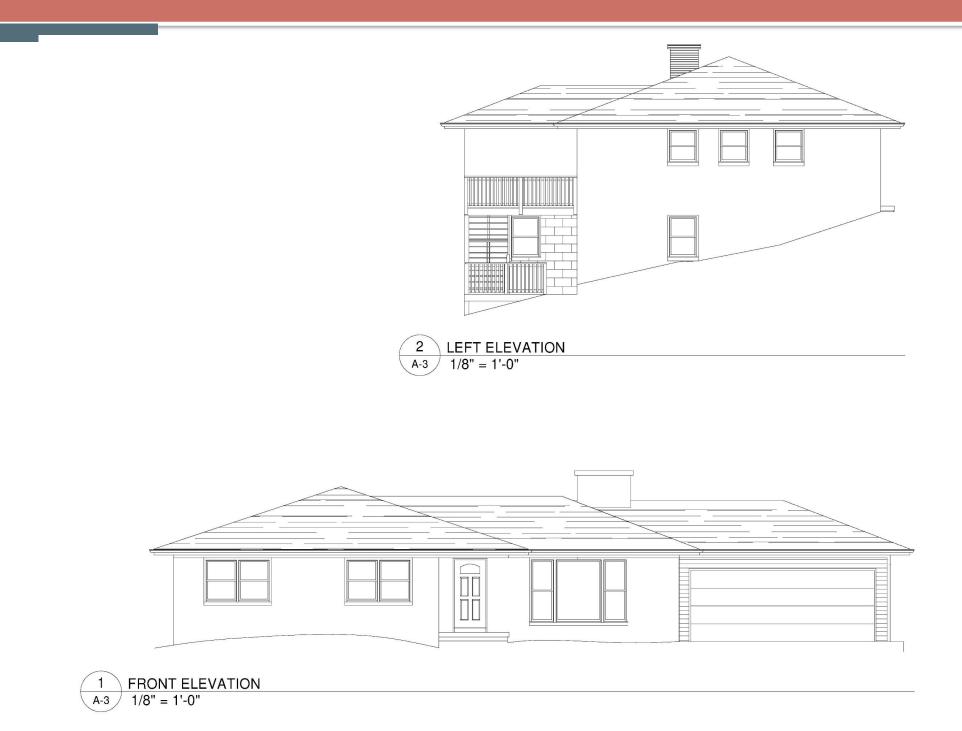
COMMENTS:

Add Hoss Signature:

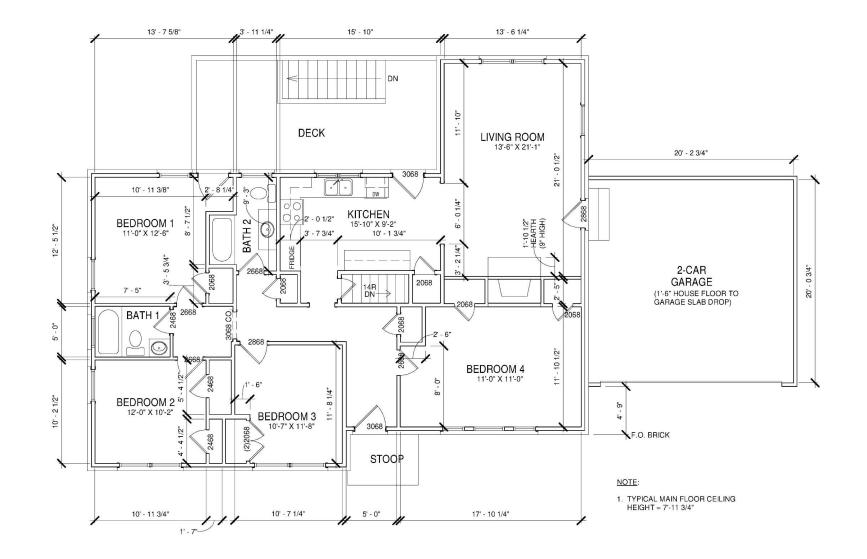
Site Plan



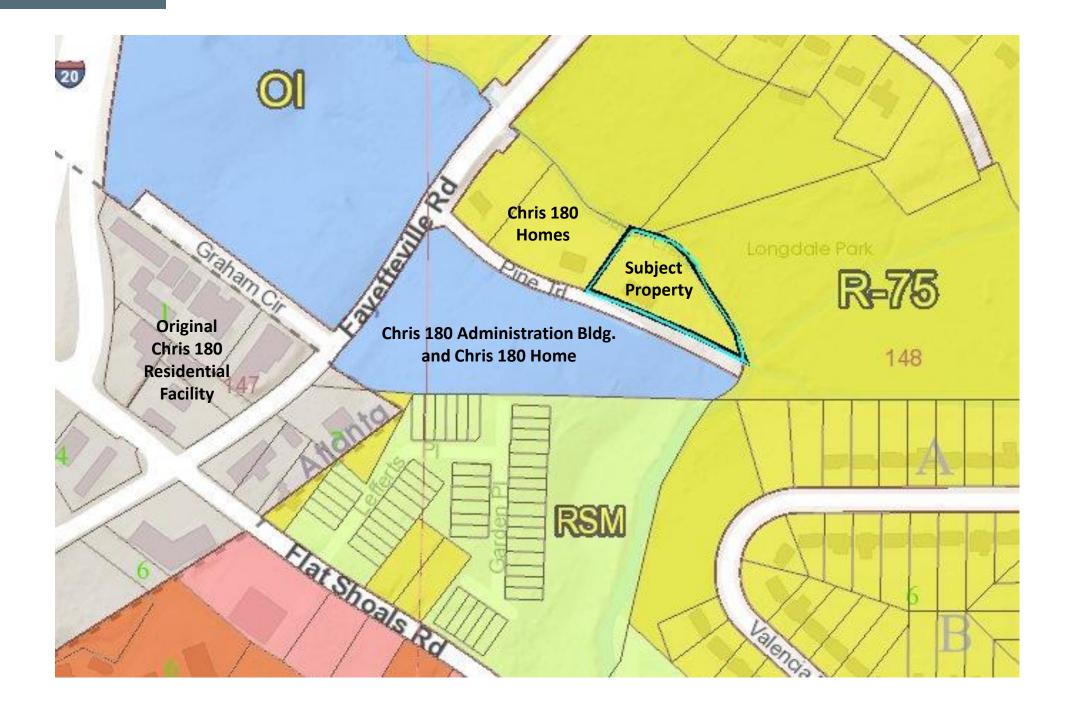
Elevations



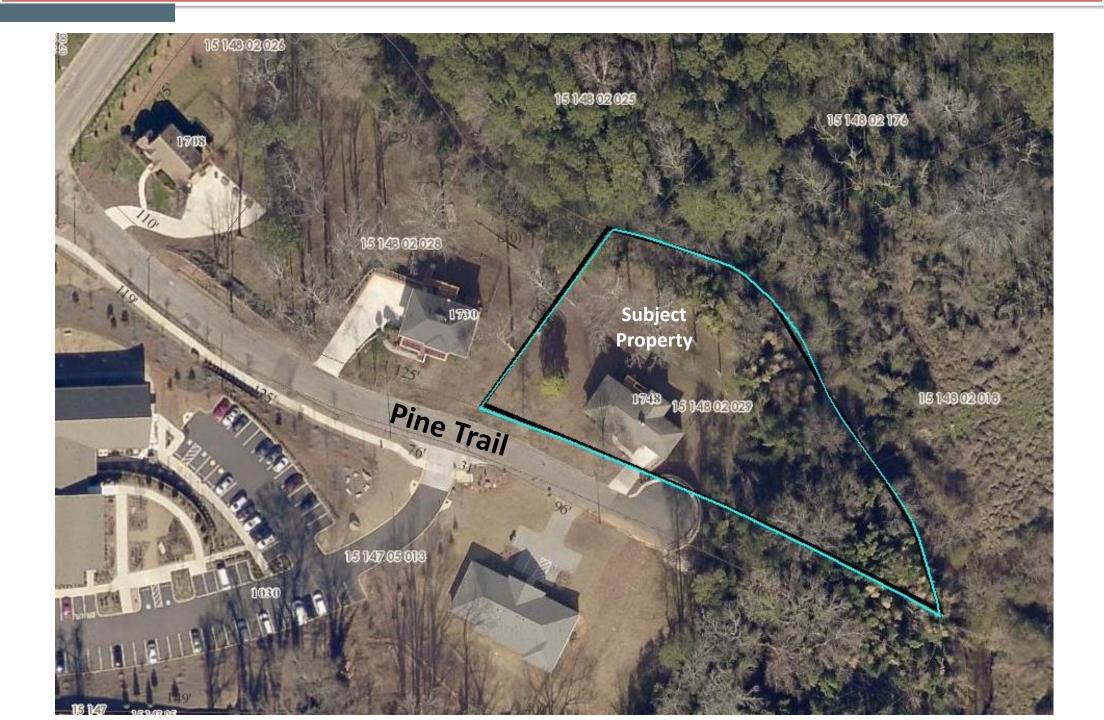
Floor Plan



Zoning Map



Aerial View







Subject Property

Site Photos



(left) Chris 180 home on adjoining property in the foreground, and the subject property in the background.

(right) Two-family Chris 180 home located on the opposite side of Pine Trail from the Subject Property.



2017 Long-Range Plan

