



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: January 7, 2021

Board of Commissioners Hearing Date: January 28, 2021

STAFF ANALYSIS

Case No.: Z-20-1244231 **Agenda #:** N. 13

Location/Address: 3892 and 3960 Redan Road & 1014 and 1015 Elder Lane, Stone Mountain, GA **Commission District:** 5 **Super District:** 7

Parcel ID(s): 15-228-01-003, -005, -093, -094

Request: A variance from the requirements of Section 14-200(5) of the DeKalb county Code to reduce the required number of access points for a development of 239 units from three access points to two access points.

Property Owner(s): The Paideia School Incorporated

Applicant/Agent: Kaplan Residential by Dentons US, LLP

Acreage: 19.98 acres

Existing Land Use: Wooded, undeveloped.

Surrounding Properties: To the north and northeast: the Indian Creek MARTA Station and park-and-ride (OI & MR-1); to the northeast and east: the Santeelah Forest single-family neighborhood (R-75); to the east: the Elder Lane MARTA access road (R-75 & OI) and a law office (OI); to the southeast and south (across Redan Road): single-family residential properties.

Comprehensive Plan: Town Center ☒ **Consistent** ☐ **Inconsistent**

Proposed Density: 11.9 units/acre	Existing Density: N.A. (undeveloped)
Proposed Units: 239	Existing Units: N.A. (undeveloped)
Proposed Open Space: 20%	Existing Open Space: 100%

SITE AND PROJECT ANALYSIS

On November 19, the Board of Commissioners approved a zoning proposal for development of the subject property for a townhome development of 239 units. One entrance from Redan Road is planned. It will have two lanes for ingress and egress and a planted median. A second entrance, described as an emergency access point, also with two lanes and a median, is proposed on Elder Lane, located on the eastern boundary of the property. Both the main and secondary entrances would be gated.

The property has 1,175 feet of frontage on Redan Road. It is bounded to the west by an exit ramp from I-285 that leads to the Indian Creek MARTA station, which is located on the adjoining property to the north. It is bounded on the east by Elder Lane, a local street/access road to the Indian Creek MARTA station.

Redan Road is a two-lane, east-west minor arterial with a posted speed limit of 45 miles per hour. The Georgia Department of Transportation (GDOT) plans to widen the portion of Redan Road that fronts the property and the I-285 interchange. The site plan reflects the road widening project. The road widening project will remove about 171 feet from the road frontage of the subject property to incorporate it into the right-of-way for the off-ramp from I-285.

Elder Lane runs north-south from Redan Road and connects with Durham Park Road to the north. Most of Elder Lane, except a portion approximately 400 feet long as measured from its intersection with Redan Road, is a private access drive owned by MARTA. Correspondence from MARTA states that MARTA conveyed this 400-foot section to DeKalb County as dedicated ROW and retained access rights.

Section 14-200(6) requires minimum driveway spacing as follows:

Posted Speed Limit of Road	Minimum Driveway Spacing
Less than 35 MPH	125 feet
36 to <u>45</u> MPH	245 feet
Greater than <u>45</u> MPH	440 feet

In addition, Section 14-202.3 (c) of the DeKalb County Code (*Access Management*) requires a distance of 300 feet between a driveway and an intersection with a public roadway.

CONCLUSIONS

Sec. 14-64. - Power and duty of planning commission to hear variances, criteria to be used in deciding variances, and appeals.

(a) The planning commission shall hear and decide applications for variances from the strict application of Division 3 of Article III of this Chapter 14, known as the subdivision regulations of DeKalb County, where strict application of any regulation enacted in Division 3 of Article III would result in exceptional and undue hardship to the owner of such property. These regulations provide the minimum necessary requirements for subdivisions in DeKalb County; thus, variances from the requirements of Division 3 of Article III shall be authorized only upon the planning commission making all of the following findings:

- (1) By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Division 3 of Article III would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners in the same zoning district;**

After construction of changes to the off-ramp, the subject property will have 1,004 feet of frontage on Redan Road. Allowing for 300 feet of spacing from the off-ramp on the western side of this frontage and 300 feet of spacing from Elder Lane on the eastern side of this frontage, there would be 404 feet of frontage. While two access points could be placed on a frontage of this width, such a design would not be desirable. It would not allow for the centralized, formal main entrance that will give the proposed development an attractive appearance from Redan Road. In addition, the access point requirement does not account for the location of

the development near a MARTA station. It is intended to apply to all developments, whether or not they might have a reduction in vehicular trips as a result of their proximity to a MARTA station.

- (2) **By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted;**

It would not be desirable to change the design of the proposed development, which has been vetted by community representatives, the Planning Commission, Planning staff, and the Board of Commissioners. Moreover, it would not be necessary to do so, because the traffic study submitted by the applicant, and the comments by the Transportation Division, indicate that the requested variance will not impede traffic flow within the development or on Redan Road.

- (3) **The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located;**

The requested variance would reduce the number of access points by one. This is the minimum number by which the number of access points can be reduced.

Reduction of the number of access points would not constitute a grant of special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located.

- (4) **The requested variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located; and**

The traffic study submitted by the applicant, and the comments by the Transportation Division, indicate that the requested variance will not be materially detrimental to the public welfare.

- (5) **The requested variance will not in any manner vary the provisions of Chapter 27, the DeKalb County Comprehensive Plan or the zoning map of DeKalb County.**

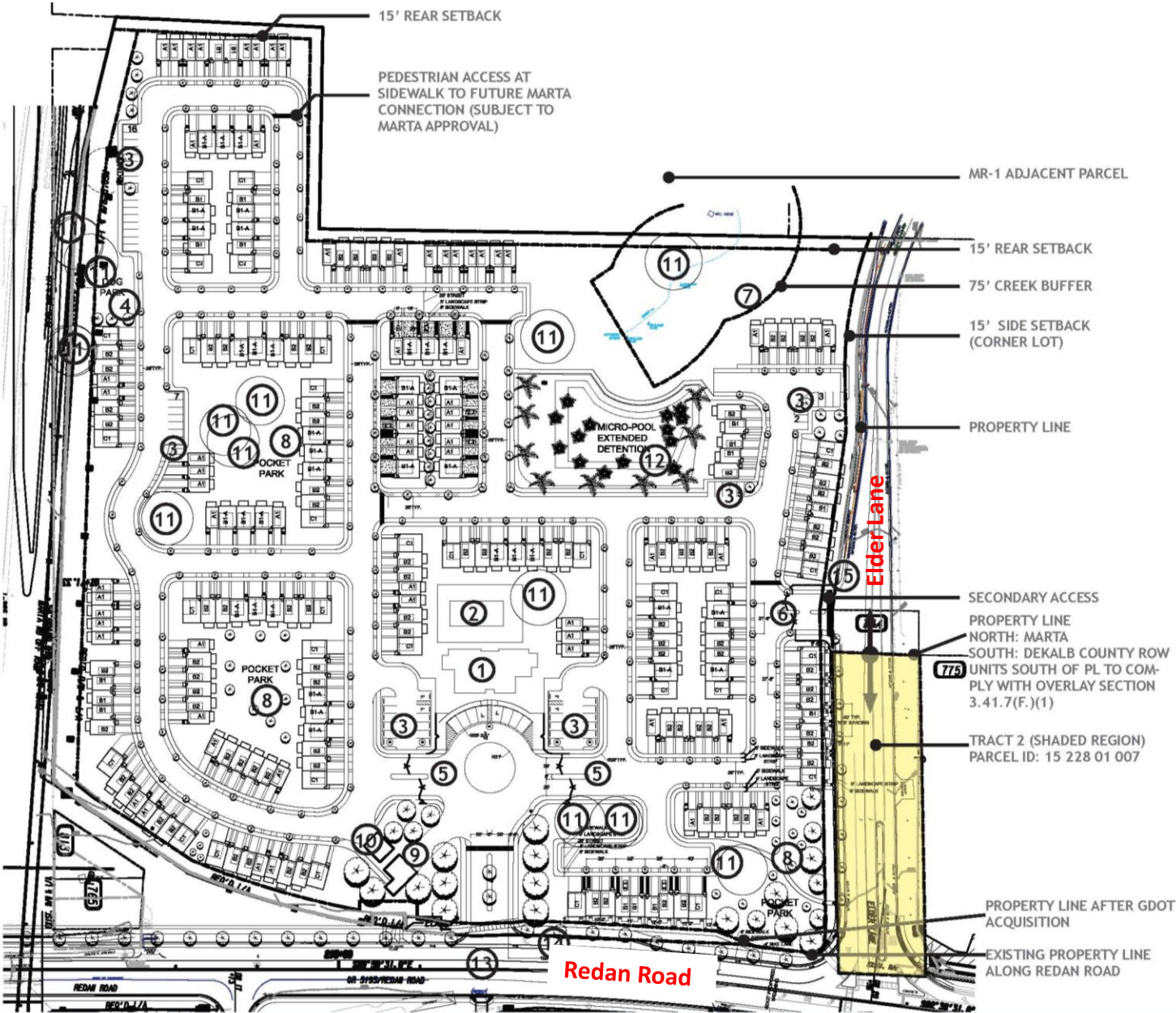
If granted, the requested variance would not in any manner vary the provisions of Chapter 27, the DeKalb County Comprehensive Plan or the zoning map of DeKalb County.

STAFF RECOMMENDATION: APPROVAL.

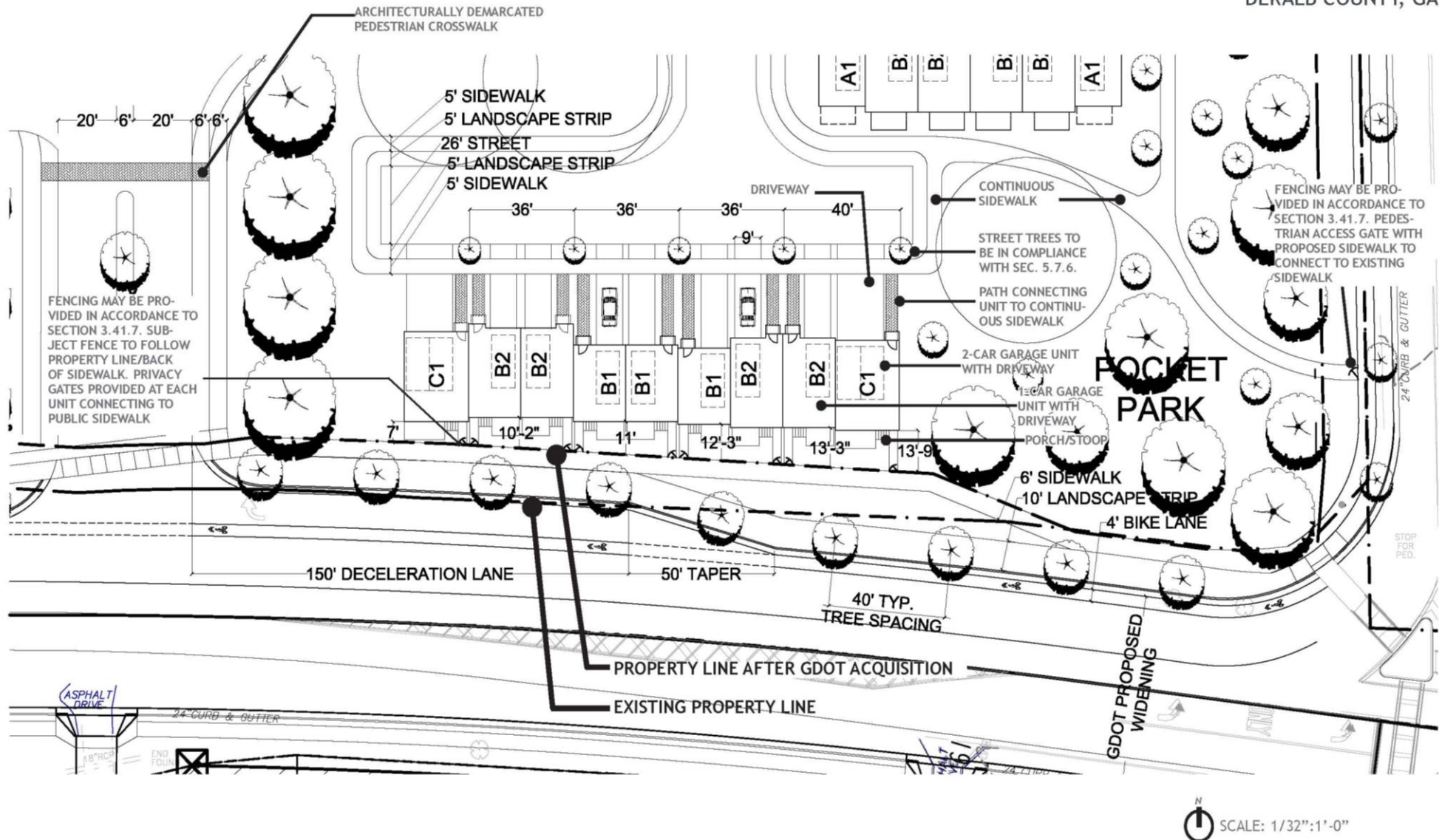
Attachments:

1. Site Plan
2. Comments by Transportation Division



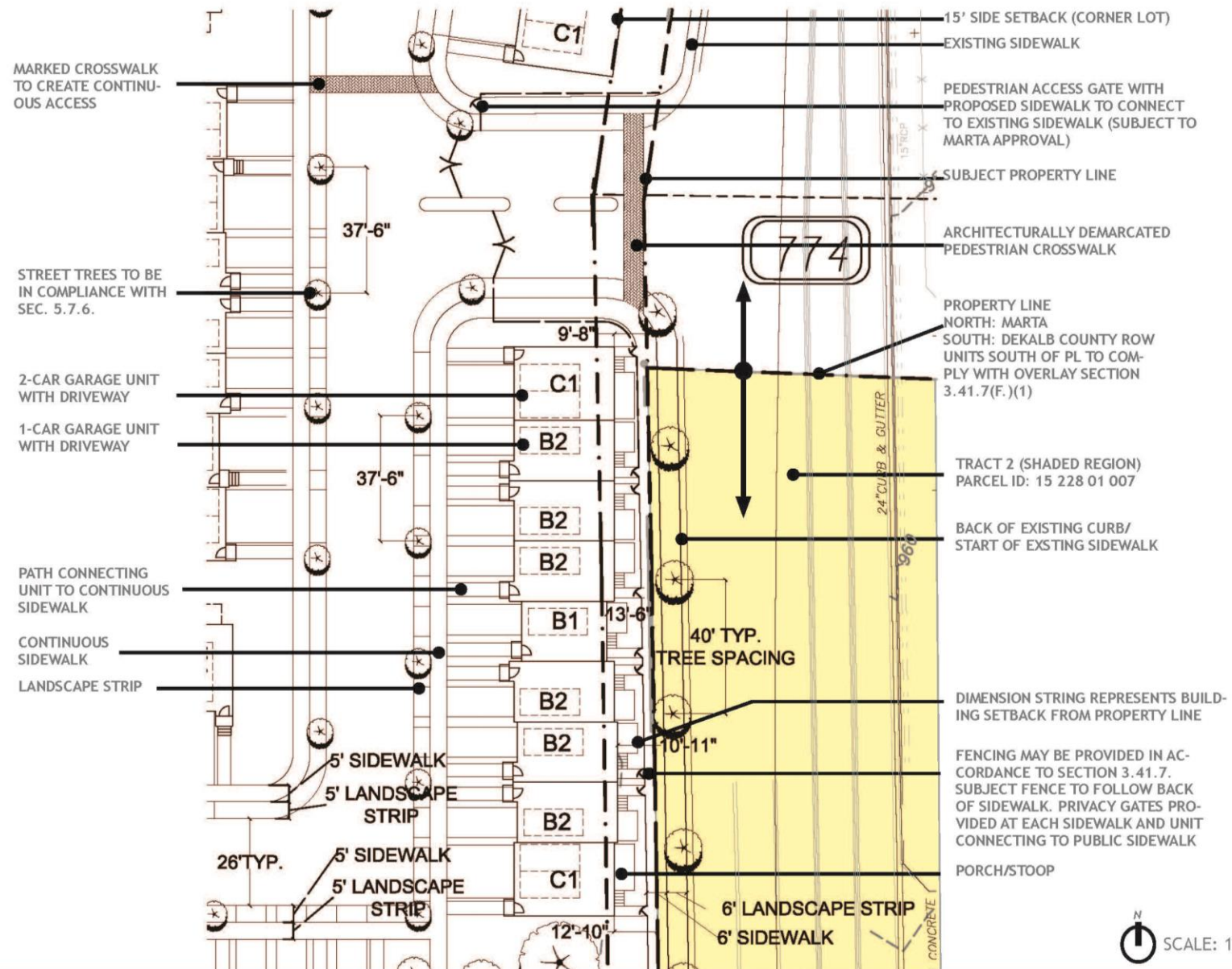


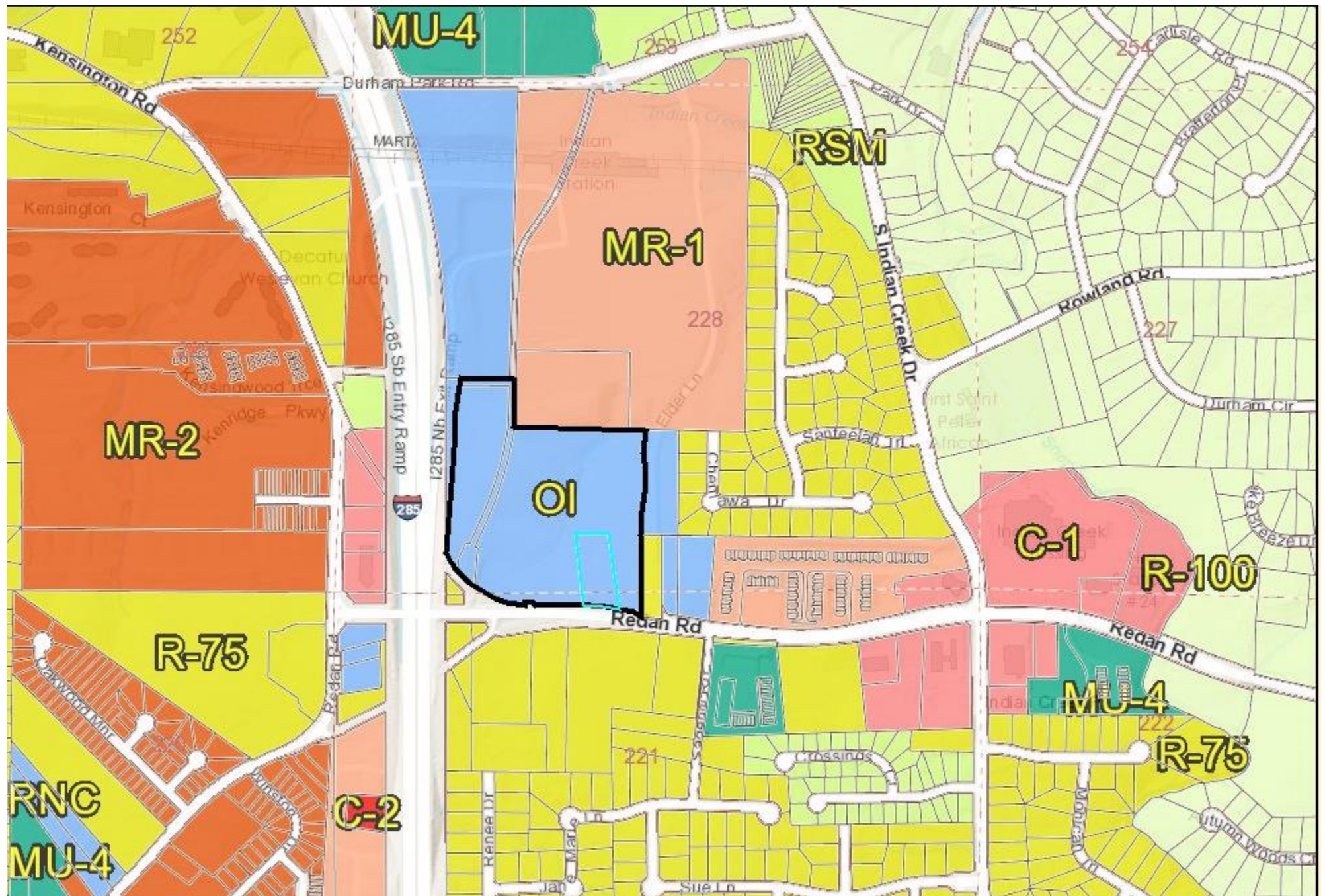
PROPOSED SITE PLAN- REDAN ENTRY
DEKALB COUNTY, GA



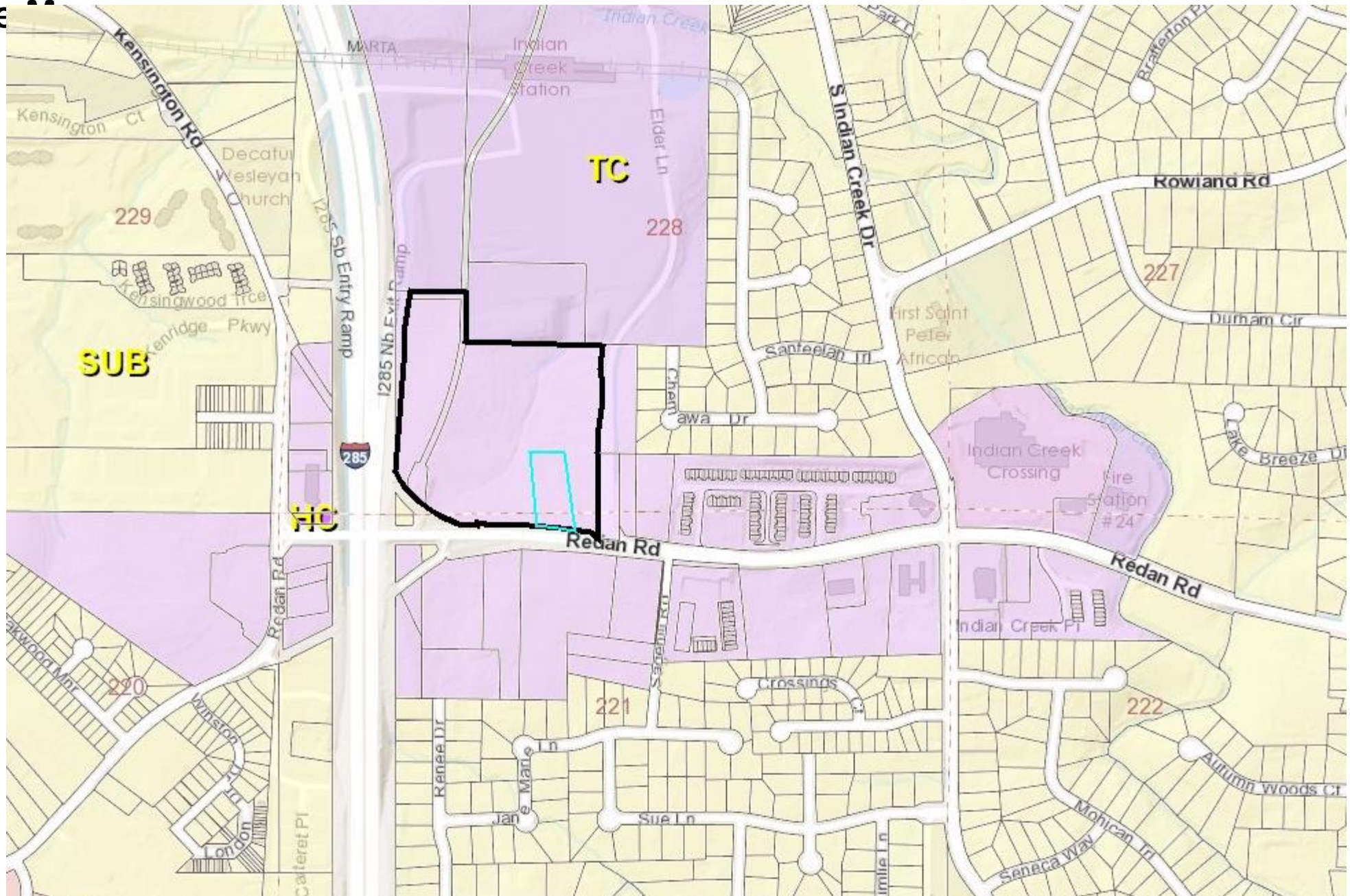
PROPOSED SITE PLAN- ELDER L

DEKALB





Use





Redan Road frontage, looking west

Photo



Northwest corner of Redan Road and Elder Lane, looking north