Public Hearing: YES \boxtimes NO \square

SUBJECT:

COMMISSION DISTRICT(S): Commission District 04; Super District 06

Application of Avondale Park, LLC c/o Battle Law, PC for a Major Modification of the conditional site plan and other conditions of MU-5 (Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125, to change the mixture of multifamily, office, and retail land uses, and to revise the single-family detached and townhome exterior designs, at 3458 Mountain Drive.

PETITION NO: N10. CZ-21-1245061 (2021-2903)

PROPOSED USE: To modify zoning conditions pursuant to CZ-18-22125.

LOCATION: 3458 Mountain Drive, Decatur, Georgia 30032

PARCEL NO.: 15-251-01-020; 15-251-01-027; 15-251-01-028

INFO. CONTACT: Melora Furman, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Avondale Park, LLC c/o Battle Law, PC for a Major Modification of the conditional site plan and other conditions of MU-5 (Mixed-Use Very High Density) zoning approved pursuant to CZ-18-22125, to change the mixture of multifamily, office, and retail land uses, and to revise the single-family detached and townhome exterior designs. The property is located on the north side of Mountain Drive, approximately 250 feet east of Farrar Court, at 3458, 3468, and 3478 Mountain Drive, Decatur, Georgia. The property has approximately 356 feet of frontage on Mountain Drive and contains 9.30 acres.

<u>RECOMMENDATION:</u> COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Pending.

PLANNING STAFF: Deferral.

STAFF ANALYSIS: The applicant and staff have been in regular communication regarding this request. Unfortunately, there are a number of crucial details that are unclear or deficient that need to be addressed before this request can be fully evaluated: 1. Clearer delineation of nonresidential square footage and square footage of live-work units; 2. Indicate the unit sizes of the live-work units; 3. Update data table to reflect "urban, single-family detached" instead of traditional, "single-family detached" units along with the proper proposed development standards; 4. Update the proposed parking for live-work units and ground floor commercial space; and 5. Update/revise open space calculations Therefore, the Department of Planning and Sustainability recommends "Deferral" of the major modification request.

PLANNING COMMISSION VOTE: Pending.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 10-0-0. Discussions included: the application needs to specify the specific changes being made to the previously adopted zoning conditions, including how the percentage of each land use has changed and how an appropriate mixture of land uses is being maintained; the property has not developed in the past five years, and the flooding impacts that have occurred on the adjacent single-family subdivision due to mismanagement of Best Management Practices by the developer.



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

STAFF ANALYSIS

Case No.:	CZ-21-1245061	Agenda #: N10
Location/Address:	3458 Mountain Drive	Commission District: 4 Super District: 6
Parcel ID(s):	15-251-01-028	
Request:	A Major Modification of the conditional site plan and other conditions of MU-5 (Mixed Use Very High Density) zoning approved pursuant to CZ-18-22125, to change the mixture of multifamily, office, and retail land uses, and to revise the single-family detached and townhome exterior designs.	
Property Owner(s):	Avondale Park, LLC	
Applicant/Agent:	Avondale Park, LLC c/o Battle Law P.C.	
Acreage:	9.30 acres	
Existing Land Use:	Undeveloped, cleared for construction	
Surrounding Properties: To the northwest, north, and northeast: the Oak Creek Apartment Homes; to the east: the DeKalb County Tax Commissioner's Office; to the southeast: DeKalb County Juvenile Court; to the south and southwest: the Park Plaza office park; to the west: the Farrar Court single-family subdivision.		
Adjacent Zoning:	North: MR-2 South: O-I East: C-1 West: R-75 Northeast: MR-2 Northwest: MR-2 Southeast: O-I Southwest: O-I	
Comprehensive Plan:	RC (Regional Center)	Consistent Inconsistent

Proposed Density: 22 units/acre	Existing Density: N.A. (undeveloped)
Proposed Units/Square Ft.: 209 units/42,981 s.f. office and retail floor area	Existing Units/Square Feet: N.A. (undeveloped)
Proposed Lot Coverage: varies by land use type; highest: 74.3 % for mixed commercial/residential bldg.	Existing Lot Coverage: None (undeveloped)
Proposed Open Space: 21.6%	

ZONING HISTORY

The subject property was rezoned from R-75 to C-1 in 1985. The 2015 proposal rezoned the property from C-1 (Local Commercial) to PC-3 (Pedestrian Community). PC-3 was converted to MU-5 when the zoning map was updated in September 2015.

In 2015, the Board of Commissioners (BOC) approved a redevelopment proposal for the site, pursuant to CZ-15-19943, which consisted of 11 single-family lots, 35 townhome units, 60 multifamily residential units, 149,100 square feet of office space, and 35,700 square feet of retail space. The BOC approved conditions regarding the site plan, a buffer on the west side of the property, the landscape plan, light fixtures, runoff and sedimentation, stormwater management, open space, floor area of residential units, building form, and allowed uses.

In 2018, the Board of Commissioners approved a major modification to the project (CZ-18-22125) which reduced the number of single-family detached homes, increased the number of single-family attached units, and removed multi-family units from the project. Also, the retail component of the project was significantly reduced. Additionally, modifications to building materials, landscaping, and building heights were granted.

PROJECT ANALYSIS

The applicant is seeking a major modification of project (CZ-18-22125) conditions #1, #10, and #12

"to allow for the development of a single 5-story, mixed-use building with 140 apartment units and 42,981sq. of office/retail space, in lieu of the two 8-story office buildings and one 2-story retail building shown on the 2018 approved site plan. The proposed mixed-use building consists of underground parking, office and retail space on the ground floor, and 4 floors of apartment units above. Each floor containing residential units is proposed to have a conference room, along with office services, private office space, phone lines, answering services, and more."

STAFF RECOMMENDATION: DEFERRAL

The applicant and staff have been in regular communication regarding this request. Unfortunately, there are a number of crucial details that are unclear or deficient that need to be addressed before this request can be fully evaluated:

- 1. Clearer delineation of nonresidential square footage and square footage of live-work units;
- 2. Indicate the unit sizes of the live-work units;
- 3. Update data table to reflect "urban, single-family detached" instead of traditional, "single-family detached" units along with the proper proposed development standards;
- 4. Update the proposed parking for live-work units and ground floor commercial space; and
- 5. Update/revise open space calculations

Therefore, the Department of Planning and Sustainability recommends "Deferral" of the major modification request.

Zoning



Land Use



Aerial View



Site Photos



Front of subject property on Mountain Drive.



East side of subject property, viewed from Mountain Drive.



July 8, 2021

Brandon White DeKalb County Planning & Sustainability 330 W. Ponce de Leon Avenue Decatur, GA 30030

RE: Avondale Park Major Modification Application, Decatur, GA, 30032

Dear Brandon,

We hereby submit this amended Major Modification Application in reference to the abovementioned application, located on Mountain Drive, Decatur, GA. With this amended application, we added a request to alter the elevations for single family-detached and -attached homes that were previously approved with the application CZ-18-22125. Please find the updated Statement of Intent and elevations, attached. Thank you.

Best,

Dani Blumenthal

Danielle Blumenthal Urban Planner Email: dlb@battlelawpc.com



DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICA	TION
----------------------------	------

Existing Conditional Zoning No.: MU-5	
APPLICANT NAME: Avondale Park LLC c/o Battle Law P.C.	
Daytime Phone#: <u>404-601-7616</u> Fax #: <u>404-745-0045</u> E-mail: <u>mlb@battlelawpc.com</u>	
Mailing Address: One West Court Square, Suite 750, Decatur, GA 30030	
OWNER NAME: Avondale Park LLC one owner, attach contact information for each owner)	_ (If more than
Daytime Phone#: <u>404-957-3207</u> Fax #: <u>E-mail: carlos@proterra.us</u>	
Mailing Address: 133 Johnson Ferry Road, Suite 500, Marietta, GA 30068	
SUBJECT PROPERTY ADDRESS OR LOCATION: 3458, 3468, 3478 Mountain Drive, Decatur, GA 3003	<u>32</u>
, DeKalb County, GA,	-
District(s): <u>15</u> Land Lot(s): <u>251</u> Block(s): <u>01</u> Parcel(s): <u>028, 020, 027</u>	
Acreage or Square Feet: 9.304 acres Commission District(s): 4 & 6 Existing Zoning: MU-5	
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the sub- application.	ject of this
Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government of the two year period that precedes the cate on which you are filing this application? X Yes No If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)	ficial within
Owner: X Agent: (Check One) AVONDALE PARK, LLC	
Signature of Applicant: By:	
Printed Name of Applicant: Felipe Castellanos Major Modification Appl	lication



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov

Chief Executive Officer Michael Thurmond **DEPARTMENT OF PLANNING & SUSTAINABILITY**

Director

Andrew A. Baker, AICP

MAJOR MODIFICATION APPLICATION CHECKLIST (SUBMIT 4 COMPLETE, COLLATED SETS AND PDF FLASH DRIVE OF APPLICATION DOCUMENTS)

X 1. Mandatory **Pre-Application Conference** with Planning & Sustainability staff. **Pre-Application form** to be completed in pre-application meeting. Please call (404) 371-2155 to schedule pre-app conference.

 \underline{X} 2. Hold a **Community Meeting** with surrounding neighborhood associations and residents. Notify staff in advance of date, time, and location of meeting. **Provide documentation** (e.g., meeting notice, sign-in sheets, letter(s) from homeowners associations).

X 3. Application Form. Form must be completely filled out and be the first page of packet.

X 4. Notarized **Authorization Form**, if the applicant is not the owner of the subject property, which

a. is signed and notarized by all owners of the subject property;

b. contains the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property; and

c. includes a warranty deed, if ownership is less than 2 consecutive years.

X 5. Written Legal Description of subject property, in metes and bounds.

X 6. **Boundary Survey** (showing existing buildings, structures, and improvements), prepared and sealed within the last ten years by a professional engineer, or land surveyor registered in the State of Georgia and is consistent with the plat(s) on Official Tax Record. Applicant shall certify that the Boundary Survey is complete and currently accurate. **Site plans shall be drawn to scale** showing all proposed development or redevelopment projects, proposed buildings, structures, and improvements. Site plans must include the following:

a. Complete boundaries of subject property including curb cuts, internal vehicular circulation facilities, and sidewalks;

_____b. Location of buildings, structures, setback lines, buffer lines, and parking;

_____ c. Location of any 100-year floodplains, streams, and stream buffer lines;

d. Notation of the total acreage or square footage of the subject property;

e. Landscaping, trees, open space, and undisturbed buffers;

f. Notation of building square footages and heights, residential density calculations, existing and proposed lot coverage, required and proposed parking, and open space calculations;

g. Four copies of site plans:

1. Full-size site plans (at least 11" x 17"): 4 copies, folded.

2. Site plan reduced to 8 1/2" x 11". 4 copies

X 7. Attached approved Conditions. Include statement of any additional conditions proposed.

 \underline{X} 8. Letter of Application identifying the proposed modification to conditions, the reason for the request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of buildings, number of units, mix of unit types, hours of operation, etc

<u>2</u>9. Written detailed **Impact Analysis** of the anticipated impact of the proposed use and change in conditions, in response to the standards and factors specified in **Section 27-832** of the DeKalb County Zoning Ordinance.

 $\frac{X}{10.Campaign}$ disclosure statement, if applicable, to be filed in compliance with State law.

X 11. Application fee. Make payable to "DeKalb County". \$250.00

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.



DANIELLE L. BLUMENTHAL Urban Planner

June 4, 2021

RE: A Proposed Major Modification at 3458, 3468, 3478 Mountain Drive, Decatur, Georgia 30032

Dear Property Owner:

We would like for you to join our Zoom Video Meeting Wednesday, June 23, 2021 from 6:00pm – 7:00pm to discuss a proposed Major Modification for properties located at 3458, 3468, 3478 Mountain Drive, Decatur, Georgia 30032. Our client, Avondale Park, LLC. is seeking to change conditions for the property to allow for the development of a 5-story live work building in lieu of the 3 previously approved 8-story office and retail buildings.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet, or cell phone, with or without video. If you are unable to make it, but would like to learn more, please contact our Junior Zoning Paralegal, Brittney Butler, at (404) 601-7616 ext. 7 or email her at <u>btb@battlelawpc.com</u> and she will send you a summary of the meeting.

You are invited to a Zoom meeting.

When: Jun 23, 2021 06:00 PM Eastern Time (US and Canada)

Register in advance for this meeting: <u>https://otago.zoom.us/join</u>

After registering, you will receive a confirmation email containing information about joining the meeting.

Meeting ID: 848 2793 1213

Passcode: 626671

Please contact our offices if you have any questions regarding the meeting.

Sincerely,

Daniello, Blumenthal

Dani Blumenthal

One West Court Square, Suite 750 Decatur, Georgia 30030 Phone: 404.601.7616 • Fax: 404.745.0045 • dlb@battlelawpc.com



Zoom Step by Step Instructions

Go to <u>https://otago.zoom.us/join</u> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join" (the meeting ID will be a 9 digit or 10 digit number)

If joining from a mobile Device

If you are joining from a mobile device (Android smartphone/tablet, Apple iPhone/iPad) then it will simply prompt you to download the Zoom Cloud Meeting app from the App/Play Store.

If joining from a computer

When entering a Zoom meeting for the first time from a computer you may need to download a small application file. This process is easy to complete on all commonly used browsers. Google Chrome should automatically download the file.

Just before Entering the meeting you will be prompted to enter a display name. This name is simply to identify you in the meeting.

Join Audio via Computer

You will then be prompted how you wish to join your audio. If you wish to join audio via the telephone, follow the instructions further down, otherwise simply select Join Computer by Audio

Join Audio via Telephone

Dial in as using the number provided, however after entering the Meeting ID, you will be prompted to enter your Participant ID/Password. Simply enter this number followed by # and the video audio will then be synchronized.

Raising Your Hand

As the non-speaker if you wish to ask a question or make a point during the meeting it's good protocol to use the "Raise Hand" facility.

If the tool bar is not showing at the bottom of the Zoom window, place your cursor over the Zoom window so it appears and select the "Participants" icon.

A window listing other participants will appear, there is also a "Raise Hand" icon, click the icon to make it known to the Host that you would like to raise your hand.

If you wish to lower your hand, click the "Lower Hand" icon that will have replaced the "Raise Hand" icon.

Leave Meeting

To leave a meeting from Zoom on your desktop, select "End Meeting" then "Leave Meeting."

First Name Last Name Email Registration Time Approval Statu		
Morgan Rowe	morganroweband@gmail.com	6/23/2021 9:14 approved
	bdc@battlelawpc.com	6/23/2021 17:51 approved
Jessica	jessicagreen2k4@yahoo.com	6/23/2021 18:28 approved
Constance White	conniewhite652@gmail.com	6/21/2021 10:34 approved
Angela Cameron	cameron.angie@gmail.com	6/16/2021 19:08 approved
Galaxy S10e	glendalemjones@yahoo.com	6/23/2021 18:02 approved
Brittney Butler	btb@battlelawpc.com	6/23/2021 18:14 approved
Emily Halevy	evh271@gmail.com	6/23/2021 17:59 approved
P. Zamboni	pzandgz@gmail.com	6/23/2021 13:25 approved
Roshonda Dennis	2rodennis@gmail.com	6/17/2021 11:27 approved
William Shahan	ashahan@emory.edu	6/21/2021 15:42 approved
	jtm@battlelawpc.com	6/23/2021 15:41 approved
Akosua Nyannor	Akosuan@hotmail.com	6/23/2021 18:00 approved
M Figueroa	miguel.figueroa@yahoo.com	6/23/2021 18:04 approved
Brian Hammer	tbbchammer@gmail.com	6/11/2021 7:28 approved



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 6 17/21

TO WHOM IT MAY CONCERN:

(I), (WE), <u>Avondale Park, LLC</u> Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Avondale Park, LLC c/o Battle Law, P.C.

	Name of Applicant or Repr	esentative	
to file an application on (my), (our) behalf.	Λ		
	Avondale Park, Ll	LC	
Anflut Eugend Alchow Notary Public	Owner	- membersof	Anontale perk 11C
Notary Public & O NOTARI	Owner	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·
Notary Public	Owner		
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LEGAL DESCRIPTION

All that tract or parcel of land lying and being in land lot 251 of the 15th. district of Dekalb County, Georgia, and being more particularly described as follows:

Beginning at a re-bar found on the North right of way of Mountain Drive, said point being 315.60' as measured along the North right of way of Mountain Drive from the centerline of Farrar Court; thence N 05'58'35" W a distance of 132.89'to a iron pipe found; thence N 02'01'35" E a distance of 1139.92'to a re-bar found; thence S 89'38'26" E a distance of 102.03'to a iron pipe found; thence S 89'42'20" E a distance of 101.47'to a iron rod found; thence S 89'42'20" E a distance of 101.84'to a iron pipe found; thence S 00'32'43" E a distance of 1166.48' to a re-bar set; thence S 73'20'00" W a distance of 357.94'to re-bar found; which is the point of beginning, having an area of 405,274 square feet, 9.304 acres.

Comm	HLL
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Item No. 2018-1912 Date: 8 /28/18

Approved Conditions Unofficial until ratified by the Board te: 828 [8] Initials: ______

Clerk's Office

RECOMMENDED CONDITIONS

CZ-18-22125 Major Modification of Zoning Conditions of CZ-15-19943

X 1. The project site shall be developed in substantial conformity with the location of streets, land uses and buildings as shown on the site plan titled "Proposed Development at Avondale Park", prepared by Proterra Development LLC, dated June13, 2018. A buffer with a depth of 10 to 20 feet shall be provided between the proposed alley ("Catalan Circle") of the proposed townhomes and the western property line (abutting the Farrar Court single-family subdivision) as shown on the aforementioned site plan. Existing trees within the transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist. Invasive species such as bamboo may be removed from the buffer and additional plantings can be added to form a visual screen. Where invasive species are removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. A screen shall be installed along the entire length of the west property line and at the rear property lines of the single-family homes along the east property line, which shall consist of 1) an opaque fence with the finished side facing outwards and with a height of a minimum of six feet and 2) sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae.

2. The landscape plan will be in substantial compliance to Exhibit E Avondale Park. comply with Article 5 and Chapter 14 of the DeKalb County Code. If trees are replaced in the buffer, the preferred trees are one of or a combination of white oak, shumard red oak, southern red oak, or northern red oak. These are also the preferred trees for street trees within the development. The final landscaping plan shall be approved by the County arborist and shall take into consideration the recompense required under the tree ordinance. Within the development street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the-immediate vicinity of the development along Mountain Drive or along Farrar Court.

3. The development shall comply with Sketch Plan requirements for subdivision prior to the issuance of a Land Disturbance Permit.

4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department for compliance to the regulations of Section 27-5.6.1 of the County Code prior to the issuance of any building permits. The residential fixtures will be the "Savannah" lamp. Drop dish refractors are prohibited.

5. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require, at a minimum, additional row(s) of silt fencing and bales of straw to protect the adjacent properties.

CZ-18-22125, 2018-1912 August 23, 2018

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Page 1

6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control.

7. Open space and park space shall be as shown on the site plan cited in Condition No. 1.

8. The townhomes and single-family detached units shall have a minimum floor area of 1,200 square feet.

9. All residential buildings shall be designed to have a pitched roof.

X 10. The building materials shall be those listed in Exhibit B Construction Details of CZ-15-19943. The building elevations shall be substantially similar to those depicted in Exhibit C and Exhibit D of CZ-15-19943, as attached. The facades of the parking decks shall be consistent with the remainder of the building and shall use the same buildings materials. The side elevations of all residential buildings shall have windows and architectural detailing as required in Section 275.6(I)(1) of the County Code.

11. Commercial uses shall be limited to those uses allowed in the NS (Neighborhood Shopping) uses district. The following uses are prohibited within the Project Site:

- a. Animal hospital, veterinary clinic, or boarding or breeding kennels
- b. Convent or monastery
- c. Private elementary, middle, or high school
- d. Hotel, motel, extended stay hotel/motel, or boarding or rooming house
- e. Movie theater or bowling alley
- f. Farm or garden supply store
- g. Liquor store, including retail liquor store as accessory use to hotels, motels and high rise office building
- h. Adult entertainment establishment or adult service facility
- i. Nightclubs or late-night establishments
- j. Coin-operated laundry or dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations and coin-operated laundry facilities within the interior of any multi-family apartment building)
- k. Home appliance repair or service establishment
- 1. Special events facility
- m. Drive-through facility (other than dry-cleaning pick-up station)
- n. Pawn shop
- o. Check cashing establishment
- p. Place of worship
- q. Convenience store
- r. Gas station

 \mathbf{x} 12. Maximum building heights of non-residential buildings shall be eight stories. The townhomes along the west side of the site shall be no more than 40 feet high.

13. Subject to Georgia Department of Transportation approval, the developer shall provide a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the

CZ-18-22125, 2018-1912 August 23, 2018 issuance of any certificates of occupancy. Within the landscape strip, provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there is a minimum of seven trees.

14. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of materials and colors to match building materials of primary buildings.

15. Recycle collection bins shall be provided for the tenants residing in the townhome and multifamily buildings.

16. No direct vehicular access shall be permitted from the subject property to Farrar Court.

17. Secure bicycle storage lockers shall be provided within the parking deck of the stacked flat residential buildings. The space shall be sufficient for a minimum of 20 bikes.

18. No more than one ground sign shall be permitted on the Mountain Drive frontage. The ground sign shall be a monument style sign with a base and framework finished with brick or stone and a maximum height of 6 feet.

19. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

20. A sidewalk shall be extended from the east property line of the subject property to the sidewalk stub located approximately 70 feet from the eastern edge of the driveway into the Tax Commissioner's office.

21. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, subject to approval or waiver by the County Arborist.

22. The developer shall have a soil study and a water percolation test performed before clearing trees, shall submit the study and test results to the DeKalb County staff, who shall determine whether the site is suitable for land disturbance.

23. The developer shall notify residents of properties on Farrar Court, by way of mailbox flyers, 24 hours in advance of any blasting.

24. The proposed sidewalk along Mountain Drive shall be completed in the first phase of construction, pending GDOT approval.

41

Avondale Park Construction Materials

During construction contact

Felipe Castellanos

Tel: 404-857-1369 Fax: 888-419-1191

CONSTRUCTION DETAILS

ESIDENTIAL SINGLE FAMILY ATTACHED	
	Brick (soldier details, 45 angle details, stone detail)
	Concrete composite siding (hardie plank siding, panels, shingles)
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
	Real Stucco
Mix-Use-Commertial/Multi-Family BLDG	
	Cladding & Breakmetal (aluminum and metal panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
RETAIL BUILDINGS	
	Cladding & Breakmetal (panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others) Sintetic Stone and Sintetic Stone Panels



ExhibitC

txhibit D



PRONT ELEVATION TOWNHOUSES

Exhibit U



REAR ELEVATION TOWNHOUSES

1 A A



SIDE ELEVATION TOWNHOUSES

LXNIDITE

39.) *Poscolation* ... Av



PROPOSED SITE PLAN













of OF



APARTMENTS FLOOR PLAN



SCALE:1/16" = 1'-0"

sheet no. A-2B of OF



AMENDED AND RESTATED

STATEMENT OF INTENT

and

Other Material Required by DeKalb County Zoning Ordinance For A Major Modification Application Pursuant to DeKalb County Zoning Ordinance

of

Avondale Park, LLC. c/o Battle Law, P.C.

for

9.304± Acres of Land located at 3458, 3468, & 3478 Mountain Road Being Tax Parcel Nos. 15 251 01 020, 15 251 01 027, & 15 251 01 028 Decatur, DeKalb County, Georgia

Submitted for Applicant by:

Michèle L. Battle, Esq. Battle Law, P.C. One West Court Square, Suite 750 Decatur, Georgia 30030 (404) 601-7616 Phone (404) 745-0045 Facsimile mlb@battlelawpc.com

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The Applicant, Avondale Park, LLC., the owner of 9.304 acres of land, being Tax Parcel Nos. 15 251 01 020, 15 251 01 027, and 15 251 01 028 located at 3458, 3468, & 3478 Mountain Road (the "Subject Property"). The Subject Property is zoned MU-5 pursuant to CZ-18-22125, with a land use designation of Regional Center. The Applicant is seeking a Major Modification of the conditions #1, #10, and #12 (a copy of the conditions is attached hereto as <u>Exhibit A</u>) to allow for the development of a single 5-story, mixed-use building with 140 apartment units and 42,981 sq. of office/retail space, in lieu of the two 8-story office buildings and one 2-story retail building shown on the 2018 approved site plan. The proposed mixed-use building consists of underground parking, office and retail space on the ground floor, and 4 floors of apartment units above. Each floor containing residential units is proposed to have a conference room, along with office services, private office space, phone lines, answering services, and more. Each unit will have at least 1 dedicated parking space in the underground parking facility.

The office building was initially planned with the idea of following DeKalb County's LCI plan, which involved the construction of a County municipal building and all its operation facilities on Memorial Drive. The County LCI proposal has yet to start, and it is unclear when or if it will ever actualize. The live/work proposal was derived from the initial concept idea but will accommodate the current market demands and make the greater Avondale Park project more feasible. Additionally, this proposed live/work building is consistent with the Regional Center land use designation. The DeKalb County 2021 Comprehensive Plan states that some preferred uses include apartments and office space. Both of those uses are included in the proposed live/work building.

In addition, the Applicant is seeking to amend the elevations for single family-detached and single family-attached homes. The original elevations were approved pursuant to CZ-1822125 but are no longer feasible for the Applicant to use. The Applicant is seeking to use the elevations included as <u>Exhibit B</u>. For these reasons, the Applicant is seeking a Major Modification, to allow for the development of a 5-story mixed-use, live/work building in place of the 3 initially approved 8-story office/retail buildings and to allow for the use of the proposed elevations for single family homes.

Proposed Building Materials	Brick, Stone, and Siding
Unit Sizes	800 sqft – 1,800 sqft
Number of Bedrooms/Unit	1-3 bedrooms/unit
Number of Units	140 units
Garages Available	Underground Parking Facility
Number of Parking Spaces	225 spaces
Amenities	Conference room on each floor, office services for all residents, such as private office space, phone lines, and answering services
Security Cameras	Yes, throughout the entire building
Anticipated Price	Rent from \$1,300/mo - \$3,000/mo
Who will these units be marketed to?	Professionals, freelancers, and small business owners

This document is submitted both as a Statement of Intent and Impact Analysis with regard to this Application, a preservation of the Applicant's constitutional rights, and the Impact Analysis. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

(a) The existing land uses and zoning classification of nearby property;

The Subject Property is located on Mountain Drive and is zoned MU-5, with a land use designation of RC. This area is quite diverse in zoning classifications and land uses. Zoning classifications of surrounding properties include C-1, OI, R-75, MU-5, and MR-2. Land uses of surrounding properties include RC and SUB.

(b) The effect on adjacent properties;

The proposed mixed-use building is suitable for the area and will not adversely affect adjacent properties. The proposed project will be an asset to the greater community adding a mixture of dwelling units and office/retail space.

(c) Whether the subject property has a reasonable economic use as currently zoned;

The Subject Property has no reasonable economic use as currently conditioned. Due to the impact of COVID 19, the need for office/retail space has significantly diminished. Therefore, building two 8 story office buildings is not financially feasible in the current rental market.

(d) Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed modification will allow for a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed building will be uniquely configured to provide workspace to individuals who are working from home or have a hybrid home/office work schedule. While there are other apartment buildings in the area, the proposed modification will provide a different living experience that is tailored to the recent changes in how people work and live. When this is combined with the fact that the Subject Property is across from the Kensington MARTA Station, which provide easy access to other parts of the Metro Atlanta area, the proposed project is a win for the area.
(e) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;

The proposed use will not negatively impact the the adjacent property owners. The reduction in the eight of the buildings from 8 stories to 5 stories, should be viewed as a positive, as the building will be more in line with the height of other buildings along Mountain Drive. As for the proposed use, this live work space is more comparable to the surrounding uses than the previously approved 8 story office towers.

(f) Whether the zoning proposal is in conformity with the policies and intent of the land use plan;

The proposed live/work/retail building is in conformity with the policies and intent of the Regional Center character area.

(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; and

The proposed use will not cause any excessive or burdensome use on the existing streets, transportation facilities, utilities, or schools in the area. The proposed building will be predominantly for young professionals and those who desire a live work environment. Therefore, there should be little impact on the public school system. Additionally, the use of the existing streets will be lessened by the reduction in the intensity of use, as an 8-story office tower would generate a significant amount of traffic.

(h) 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.

As previously stated, the impact of COVID 19 on the office rental market has been significant. Businesses have come to realize that their employees can be just as productive at home as they can be coming to the office every day. As a result, many businesses are reducing their office space needs by allowing their employees to work from home, or other remote locations. This means that residential homes and the incorporation of more

meaningful workspace, is not a priority. Some businesses are even providing their employees with a stipend to improve their at home work spaces. This is the future, and we must change with it. The proposed modifications are needed adjustments to the rapidaly changing office/retail market.

III. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights has been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 1st day of July, 2021.

Respectfully submitted,

Michèle L. Battle, Esq. Attorney For Applicant

















24' TOWNHOME

20104 AA26002897 09.22.20 ©2020 Housing Design Matters



HOUSING DESIGN MATTERS Exhibit B





28' SF 20104 AA26002897 09.23.20 ©2020 Housing Design Matters



HOUSING DESIGN MATTERS



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>CZ-21-1245061</u>

Parcel I.D. #: 15 251 01 020, 15 186 04 027, & 15 186 04 028

Address: 3458, 3468, and 3478 Mountain Drive

<u>Decatur, Georgia</u>

WATER:

Size of existing water main:	6" CI and 16" DI Water Main	(adequate/inadequate)
------------------------------	-----------------------------	-----------------------

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>Indian Creek Basin</u>

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: <u>Approximately 318 feet West of property</u>

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. Will need permission from Director to tap less than 8" or greater than 12" water line. Will need sewer capacity approval. Suspect capacity limited ocatton. - D Taylor

Signature: _____

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 ir Columbia Drive (surrounding area of 1484		//2013 at 1530 Columbia Drive and on 08/15/2006 at 1497
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 ir	nstalled on 08/05	i/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.		

DeKalb County Board of Health 445 Winn Way – Box 987 Decatur, GA 30031 404.294.3700 • www.dekalbhealth.net

DeKalb County School District Development Review Comments

Submitted to:	DeKalb County	Case #: Parcel #:	CZ-21-1245061 15-251-01-020/-027/-028
Name of Development: Location:	Avondale Park 3458 Mountain Drive		
Description:	Mixed-use development with 51 single-far apartments.	nily attached, 1	8 single-family detatched, and 140
Impact of Development:	When fully constructed this development	would be expe	cted to generate 46 students: 2 at A

Impact of Development: When fully constructed, this development would be expected to generate 46 students: 2 at Avondale Elementary School, 3 at Druid Hills Middle School, 6 at Druid Hills High School, 25 at other DCSD schools, and 10 at private school. Druid Hills High School is expected to be at or above capacity. However, the impact from this development is expected to be minimal.

Current Condition of Schools	Avondale Elementary School	Druid Hills Middle School	Druid Hills High School	Other DCSD Schools	Private Schools	Total
Capacity	495	1,175	1,392			
Portables	0	0	0			
Enrollment (Fcast. Oct. 2021)	412	974	1,405			
Seats Available	83	201	-13			
Utilization (%)	83.2%	82.9%	100.9%			
New students from development	2	3	6	25	10	46
New Enrollment	414	977	1,411	1		
New Seats Available	81	198	-19			
New Utilization	83.6%	83.1%	101.4%			

		Attend	Attend other		
		Home	DCSD	Private	
Yield Rates		School	School	School	Total
Elementary		0.0114	0.0785	0.0303	0.0401
Middle		0.0133	0.0321	0.0152	0.0202
High		0.0310	0.0116	0.0053	0.0159
Total		0.0186	0.0407	0.0169	0.0254
Student Calculations					
Proposed Units		209	٦		
Unit Type	Ν	lixed			
Cluster	Druid Hill	s High School			
		Attend	Attend other		
		Home	DCSD	Private	
Units x Yield		School	School	School	Total
Elementary		2.39	16.40	6.34	25.13
Middle		2.78	6.71	3.17	12.66
High		6.47	2.41	1.11	9.99
Total		11.64	25.52	10.62	47.78
		Attend	Attend other		
		Home	DCSD	Private	
Anticipated Stude	ents	School	School	School	Total
Avondale Elementary		2	16	6	24
Druid Hills Middle S	chool	3	7	3	13
Druid Hills High Sc	hool	6	2	1	9
Total		11	25	10	46





DERALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER <u>mmalexander@dekalbcountvga.gov</u> AND/OR LASONDRA HILL <u>lahill@dekalbcountvga.gov</u>

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-11-1245061 Parcel Address: 3458, 3468, 3476 Marshaul M.	1.D. =: 15-251-01-020,027,028
, 	Adjacent Roadway (s):
(classification)	(classification)
Capacity (TPD)	Capacity (TPD)
Latest Count (TPD)	Latest Count (TPD)
Hourly Capacity (VPH)	Hourly Capacity (VPH)
Peak Hour, Volume (VPH)_	Peak Hour, Volume (VPH)
Existing number of traffic la	nes Existing number of traffic lanes
Existing right of way width	Existing right of way width

Please provide additional information relating to the following statement:

Proposed number of traffic lanes

Proposed right of way width

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.

Proposed number of traffic lanes

Proposed right of way width

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:

REVIEWED AND Found Northing that i disruppi Tratic flow	vould
Signature	ETA d M from



DeKalb County Government

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

Agenda Item

File ID:	2018-1912	

Substitute

8/28/2018

Public Hearing: YES NO Department: Planning and Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 4 & 6

Major Modification - CZ-18-22125 - Carlos Arenas

INFORMATION CONTACT: Marian Eisenberg

PHONE NUMBER: (404) 371-2155

PURPOSE:

A Major Modification of conditions of zoning pursuant to CZ-15-19943, for a mixed townhome, multifamily residential, and commercial development with 7.52 units per acre and 184, 800 square feet of commercial space, in an MU-5 (Mixed Use-5) district. The property is located on the north side of Mountain Drive, approximately 250 feet east of Farrar Court at 3458, 3468, and 3478 Mountain Drive in Decatur. The property has approximately 358 feet of frontage on Mountain Drive and contains 9.32 acres.

NEED/IMPACT:

Not applicable.

FISCAL IMPACT:

Not applicable.

RECOMMENDATION:

The mixture of non-residential and residential uses in the proposal is consistent with the following policies of the 2035 Comprehensive Plan: "Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services." (Regional Center Character Area Policy No. 5) and "Allow increased density to encourage urban lifestyles that support mixed use in activity centers." (Land Use Policy No. 3) Comments by the Transportation Division in 2015 and in May 2018, indicate that the surrounding street system will not be excessively burdened by traffic that would be generated by the proposed development. For the May zoning cycle, the DeKalb County School Board commented that there is adequate capacity in the designated high, middle, and elementary schools to accommodate the new students who were expected to live in the development, which was proposed to contain more residential units than the current proposal as revised. Therefore, the Department of Planning and Sustainability recommends "Approval" with conditions. The conditions have been revised to be relevant to the modified site plan and to eliminate redundancy or reiteration of established procedures of the Department of Planning & Sustainability.

Conditions to CZ 18-22125 Major Modification of Conditions for Avondale Park CZ-15-19943 August 27, 2018

The project site shall be developed in substantial conformity with the location of streets, land 1. uses and buildings as shown on site plan titled "Proposed Development at Avondale Park", prepared by Proterra Development LLC, dated June 13, 2018. A buffer with a depth of 10 to 20 feet shall be provided between the proposed alley ("Catalan Circle") of the proposed townhomes and the western property line (abutting the Farrar Court single-family subdivision) as shown on the aforementioned site plan. Existing trees within the transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist. Invasive species such as bamboo may be removed from the buffer and additional plantings can be added to form a visual screen. Where invasive species are removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. A screen shall be installed along the entire length of the west property line and at the rear property lines of the single-family homes along the east property line, which shall consist of 1) an opaque fence with the finished side facing outwards and with a height of a minimum of six feet; 2) sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae; and 3) over-story oak trees shall be planted approximately 40 feet off-center as part of the tree recompense.

2. The landscape plan will be in substantial compliance to Exhibit E Avondale Park. The final landscaping plan shall be approved by the County arborist and shall take into consideration the recompense required under the tree ordinance. Within the development over-story street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the development and the immediate vicinity of the development along Mountain Drive or along Farrar Court.

3. The development shall comply with Sketch Plan requirements for subdivision prior to the issuance of a Land Disturbance Permit.

4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department for compliance to the regulations of Section 27-5.6.1 of the County Code prior to the issuance of any building permits. The residential fixtures will be the "Savannah" lamp. Lighting shall be established such that no direct light is cast upon or adversely affects adjacent properties and roadways. Light fixtures shall limit direct rays onto adjacent residential properties. All lighting fixtures (luminaries) shall be cutoff luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. Approval of the lighting fixtures will be subject to review by the Planning and Sustainability Department.

5. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require, at a minimum, additional row(s) of silt fencing and bales of straw to protect the adjacent properties.

6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control as approved by. [incomplete]

7. Open space and park space shall be as shown on the site plan cited in Condition No. 1.

8. The townhomes and single-family detached units shall have a minimum floor area of 1,200 square feet.

9. All residential buildings shall be designed to have a pitched roof.

10. The building materials shall be those listed in Exhibit B Construction Details [of CZ-15-19943]. The building elevations shall be substantially similar to those depicted in Exhibit C and Exhibit D of CZ-15-19943, as attached. The rear elevations of the commercial buildings shall be similar to the front facades and shall be comprised of similar materials. The facades of the parking decks shall be consistent with the remainder of the building and shall use the same buildings materials. The side elevations of all residential buildings shall have windows and architectural detailing as required in Section 275.6 (I)(1) of the County Code.

11. Commercial uses shall be limited to those uses allowed in the_NS (Neighborhood Shopping) district. The following uses are prohibited within the Project Site:

- a. Animal hospital, veterinary clinic, or boarding or breeding kennels
- b. Convent or monastery
- c. Private elementary, middle, or high school
- d. Hotel, motel, extended stay hotel/motel, or boarding or rooming house
- e. Movie theater or bowling alley
- f. Farm or garden supply store
- g. Liquor store, including retail liquor store as accessory use to hotels, motels and high rise office building
 - h. Adult entertainment establishment or adult service facility
 - i. Nightclubs or late-night establishments

j. Coin-operated laundry or dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations and coin-operated laundry facilities within the interior of any multi-family apartment building)

- k. Home appliance repair or service establishment
- I. Special events facility
- m. Drive-through facility (other than dry-cleaning pick-up station)
- n. Pawn shop
- o. Check cashing establishment
- p. Place of worship
- q. Convenience store
- r. Gas station

12. Maximum building height of Buildings D shall be one story. Maximum building heights of Buildings B and C non-residential buildings shall be eight stories. Buildings B and C may have first floor retail as limited by Condition 11 above. Maximum building height of Building A shall be two stories, Locations of Buildings A, B, C and D shall be in general compliance with the locations shown on the site plan as defined in Condition 1 entitled "Avondale Park and dated June 13, 2018. The only deviation of these building locations pertains to Building A, which can be shifted to more closely align to the curve of Mountain Drive. The townhomes-along the west side of the site shall be no more than 35 feet high.

13. Subject to Georgia Department of Transportation approval, the developer shall provide a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there are is a minimum of seven trees.

14. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of materials and colors to match building materials of primary buildings.

15. Limit access to two access points on Mountain Drive.–No direct vehicular access shall be permitted from the subject property to Farrar Court.

16. No more than one ground sign shall be permitted on the Mountain Drive frontage. The ground sign shall be a monument style sign with a base and framework made of brick or stone and a maximum height of 6 feet.

17. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

18. A sidewalk shall be extended from the east property line of the subject property to the sidewalk stub located approximately 70 feet from the eastern edge of the driveway into the Tax Commissioner's office.

19. The developer shall notify residents of properties on Farrar Court, by way of mailbox flyers, 24 hours in advance of any blasting.

Avondale Park Construction Materials

During construction contact

Felipe Castellanos

Tel: 404-857-1369 Fax: 888-419-1191

CONSTRUCTION DETAILS

ESIDENTIAL SINGLE FAMILY ATTACHED	
	Brick (soldier details, 45 angle details, stone detail)
	Concrete composite siding (hardie plank siding, panels, shingles)
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
	Real Stucco
Mix-Use-Commertial/Multi-Family BLDG	
	Cladding & Breakmetal (aluminum and metal panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
RETAIL BUILDINGS	
	Cladding & Breakmetal (panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others) Sintetic Stone and Sintetic Stone Panels



ExhibitC



PRONT ELEVATION TOWNHOUSES



REAR ELEVATION TOWNHOUSES



SIDE ELEVATION TOWNHOUSES

LXNIDITE

NZ-280 NORCHERM (LC)





DeKalb County Department of Planning & Sustainability

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

STAFF ANALYSIS

Case No.:	CZ-18-22125	Agenda #: D. 4		
Location/Address:	3458, 3468, and 3478 Mountain Drive	Commission District: 4 Super District: 6		
Parcel ID(s):	15-251-01-020, -027, & -028			
Request:	A Major Modification of conditions of zoning pursuant to CZ-15-19943, for a mixed commercial, multifamily residential, and single-family residential development in an MU-5 (Mixed Use-5) district. The requested Major Modification would allow changes to the mixture of uses and housing types in the proposed development and change the layout of streets and buildings on the site plan.			
Property Owner(s):	Avondale Park, LLC			
Applicant/Agent:	Carlos Arenas/Avondale Park, LLC			
Acreage:	9.32 acres			
Existing Land Use:	Undeveloped, wooded			
Surrounding Properties:	To the northwest, north, and northeast: the Oak Creek Apartment Homes; to the east: the DeKalb County Tax Commissioner's Office; to the southeast: DeKalb County Juvenile Court; to the south and southwest: the Park Plaza office park; to the west: the Farrar Court single-family subdivision.			
Adjacent Zoning:	North: MR-2 South: O-I East: C-1 West: R-75 Northeast: MR-2 Northwest: MR-2 Southeast: O-I Southwest: O-I			
Comprehensive Plan:	RC (Regional Center) X	Consistent Inconsistent		

Proposed Density: 7.5 units/acre	Existing Density: N.A. (undeveloped)
Proposed Units/Square Ft.: 70 units/184,800 s.f. nonresidential floor area	Existing Units/Square Feet: N.A. (undeveloped)
Proposed Lot Coverage: Not applicable Proposed Open Space: 21.6%	Existing Lot Coverage: None (undeveloped)

Zoning History: In 2015, the Board of Commissioners approved a redevelopment proposal for the site, pursuant to CZ-15-19943, which consisted of 11 single-family lots, 35 townhome units, 60 multifamily residential units, 149,100 square feet of office space, and 35,700 square feet of retail space. The BOC approved conditions

regarding the site plan, a buffer on the west side of the property, the landscape plan, light fixtures, runoff and sedimentation, stormwater management, open space, floor area of residential units, building form, and allowed uses. The conditions are included in the staff recommendation at the end of this report.

Because of its proximity to a MARTA station, the proposal was reviewed by the ARC as an "Area Plan" and was approved with no zoning conditions. A letter from MARTA dated May 20, 2016, states: "The pedestrian network along Mountain Drive to the station is poor. No sidewalks currently exist along Mountain Drive in front of the development. We urge the developer to work with the local jurisdiction, GDOT, and MARTA to improve the pedestrian connections to the station along Mountain Drive." Similar conditions exist today, except that the current development proposal includes sidewalks along the front of the property. However, there appears to be no safe way for pedestrians to cross from the north side of Mountain Drive to the MARTA station entrance on the south side of Mountain Drive.

The 2015 proposal rezoned the property from C-1 (Local Commercial) to PC-3 (Pedestrian Community). PC-3 was converted to MU-5 when the zoning map was updated in September, 2015. The property acquired the C-1 classification in 1985 when the Board of Commissioners rezoned the property from R-75 with no conditions.

The applicant has requested the Major Modification to allow changes to the mixture of uses and housing types in the proposed development, compared to the 2015 site plan. During the deferral period, the application has been revised to increase the office and retail square footage back to 2015 amounts and decrease the residential units. The revisions are as follows:

- Reduced residential from 271 townhome and live-work units to 70 units, consisting of 19 single-family detached units and 51 fee-simple, single-family attached townhomes;
- Revised the layout of the townhomes so that 41 units are now located 15 36 feet from the west property line and 10 units are located 10 feet from the west property line. Formerly, 39 townhomes were located 10 feet from the west property line, forming almost a solid wall along the west side of the site.
- Increased office square footage from 84,000 square feet to 149,100 square feet;
- Decreased retail square footage from 115,200 square feet to 35,700 square feet;
- Indicated that stormwater detention would be accomplished in underground pipes, located beneath the largest park and the smaller park in necessary.

The following table compares the current proposal (as revised since May) with the 2015 proposal.

Current Proposal	2015 Proposal
Residential Uses: (Total units)	Residential Uses:
19 single-family detached homes	35 single-family attached townhomes
51 fee-simple attached townhomes	60 multi-family units
Total: 70 units	11 single-family detached units
	Total: 106 units
Non-residential Uses:	Non-residential Uses:
Office – 149,100 s.f.	Office 149,100 s.f.
Retail – 35,700 s.f.	Retail – 115,200 s.f.
Open Space:	Open Space:
21.6%	20.1%
All residential units w/in .25 mile from park	All residential units w/in .25 mile from park or square

PROJECT ANALYSIS

The subject property is a 9.32 acre site on the north side of Mountain Drive, a four-lane collector. The property is comprised of three parcels that appear to have once been developed with single-family homes. Although the properties are vacant, the remnants of three driveway entrances from Mountain Lane, and cleared areas, approximately 150 feet from each front property line, indicate that homes were formerly located on the parcels. Around the cleared areas, the lots are densely wooded.

The property is located slightly less than a quarter of a mile northeast of the Kensington-Memorial Drive MARTA station. It is included in the 2035 Comprehensive Plan as part of the "Business Lifestyle Center Tier", which suggests use for office space or office-related land uses. It was not included in the 2013 Kensington-Memorial Drive LCI Supplement (which followed a 2002 LCI study), but was shown to be adjacent to a mixed office and commercial center. Adjoining and surrounding land uses include the DeKalb County Tax Commissioner's office to the east, the Park Plaza office park across Mountain Drive to the south, single-family residential developments to the west, and the Avondale Hills mixed use development, under construction, to the west.

The modified proposal under consideration consists of 70 residential units, two buildings that each contain 74,550 square feet of office space and 1,500 square feet of retail, a 31,200 square foot retail building located at the front of the site, and a 1,500 square foot retail building in the larger of two parks. A 36,560 square foot park is located at the front third of the site, and a 9,255 square foot park is located in the rear third of the site. 290 spaces for non-residential uses are provided in a parking deck; 56 surface spaces for non-residential parking are provided next to the non-residential buildings and the larger park. Vehicular access to the site is provided by two curb cuts on Mountain Drive. Interior vehicular circulation is provided by 16 - 28-foot wide private streets and alleys. All except ten of the townhome units have a pedestrian circulation system that allows the front doors to face one of the parks or the front of another townhome.

The townhomes are proposed to be a maximum of 35 feet high. Although the majority of units along the western property line are farther away from the property line than shown on the previous site plan, they still need to be screened with a combination evergreen landscape screen and opaque wall. In addition, because the rear yards of the single-family homes on the eastern side of the site will overlook the County Tax Commissioner's office and parking lot, they should be screened to provide privacy to the residents of the homes.

Staff has advised the developer that if any of the buildings are more than 30 feet high, the International Fire Code requires adjoining streets to have a paved width of at least 26 feet. Because some of the streets and alleys are 16 and 24 feet wide, some modifications to the site plan might be necessary when the plan is reviewed by Fire Department staff for the land development permit.

Access and Transportation Considerations

The Transportation Division of Public Works has commented that Mountain Drive has adequate capacity to absorb vehicular traffic that is expected to be generated by the proposed development. The Georgia Regional Transportation Authority (GRTA) approved the Area Plan Review for the 2015 mixed-use development, which included more office and commercial space, without transportation conditions. However, the County's Transportation Division reviewed the 2015 proposal and recommended that two lanes be removed from Mountain Drive, as follows: "Provide the traffic study and the conceptual design for a road diet (road lanes reduced) on Mountain Drive to include the removal of two vehicular lanes and the addition of bicycle lanes and enhanced pedestrian crosswalks to the Kensington MARTA station based on CTP Project 6031 prior to the issuance of any land disturbance permits." These or similar improvements are not included in the list of currently-funded SPLOST projects, which appears to be the only funding source for such projects at this time. The proposal for the development was submitted to the Transportation Division, which recommends that the developer extend a

sidewalk along the front of the property to the stub of a sidewalk that ends approximately 70 feet east of the driveway to the Tax Commissioner's building. From there, pedestrians may walk to the intersection of Mountain Drive and Memorial Drive and then on a sidewalk along the north side of Memorial Drive to the Kensington-Memorial MARTA station.

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 mixture of non-residential and residential uses in the proposal is consistent with the following policies of the 2035 Comprehensive Plan: "Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services." (Regional Center Character Area Policy No. 5) and "Allow increased density to encourage urban lifestyles that support mixed use in activity centers." (Land Use Policy No. 3)

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

The zoning proposal will permit development of a mixed-use project that is suitable in consideration of its location across the street from a MARTA station. If adequately screened, it will be compatible with the adjoining single-family properties to the west.

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

The property has reasonable economic use as currently zoned; however the site plan under consideration is preferable to the site plan approved in 2015.

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

Staff has recommended that the townhomes along the west property line and the single-family homes along the east property line be screened with a combination evergreen screen and solid fence. If developed in accordance with these recommendations, the proposal is not expected to adversely affect the use or usability of the single-family properties that adjoin the west property line of the subject site, and the single-family properties will be more livable. The residential lots at the north end of the site are compatible with the multifamily residential development on the adjoining property to the north.

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 proposal is consistent with the 2013 Kensington Livable Centers Initiative (LCI) Study, which calls for mixed use development near the Kensington-Memorial MARTA station. The residential component of the development is expected to increase the number of MARTA riders, thereby supporting the MARTA rapid transit system.

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 property or in the surrounding area.

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:

Comments by the Transportation Division in 2015 and, more recently, by the Traffic Engineering Division, indicate that the surrounding street system will not be excessively burdened by traffic that would be generated by the proposed development. The DeKalb County School Board has commented that there is adequate capacity in the designated high, middle, and elementary schools to accommodate new students who are expected to live in the development.

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

The 2035 Comprehensive Plan identifies shrinking green spaces due to development as a continuing trend. It contains a goal to "Preserve trees and other natural resources to protect the environment." (Natural Resource Policy No. 4) The tree ordinance allows the replacement of 8-inch or larger trees with 4-inch trees, and allows the arborist to determine the number of replacement trees as "the maximum number of trees that can be sustained on the parcel less the impervious area on the parcel." (14-39(m))

MU-5 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)	Base: 40 d.u.s/acre; w/bonuses: 60 d.u.s/ac.	7.5 units/acre	Yes
MIN. STREET FRONTAGE	50	358	Yes
OVERALL SITE SETBACK	Rear: Min. 10 ft.	10 ft.	Yes
MIN. OPEN SPACE (corrected)	10% of total parcel acreage	21.6%	Yes
	All residential units w/in .25 mile from park	All units w/in 305 ft. from park or closer	Yes
MIN. TRANSITIONAL BUFFER	50 ft. with fence	10 feet	Variance will be necessary for some portions of the buffer along the west property line.
MIX OF USES (SQUARE FOOTAGE OF BUILDING(S))	Min. 20% non-residential	36.03% non-residential	Yes
BUILDING SEPARATION	As per Fire Code	S-F detached: 14 ft. Townhomes: 10 ft. – 45 ft.	Will be determined at bldg. permit review

Compliance with District Standards:

MU-5 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA, WIDTH, MAXIMUM LOT COVERAGE	Single-family residential: Not allowed in MU-5 but approved as part of the 2015 proposal	Single-family residential: 3,500 s.f.; 35 ft. width; 55% lot coverage	Compliance cannot be determined; single-fam. approved as part of the 2015 proposal
	Townhomes: Not applicable to proposed fee- simple townhomes.	Townhomes: Not applicable	Not applicable
MINIMUM UNIT SIZE	S-F detached: Not allowed in MU-5 but approved as part of the 2015 proposal	S-F detached: Not allowed in MU-5 but approved as part of the 2015 proposal	Yes
	S-F attached: 850 s.f.	S-F attached: 850 s.f.	
PARKING	Retail : min. 1/500 sf.; max. 1/200 s.f. = min. 71.4; max. 178.5		
	Office: min. 1/500 sf.; max. 1/250 sf = min. 298; max. 596		
	Combined retail and office parking : min. 369; max. 775 (25% reduction for MARTA proximity = min. 276 spaces; max. 581 spaces)	Combined retail and office parking = 348 spaces	Yes
	S-F Attached: min. 1.25/unit = 64 spaces; max. 3.25/unit = 166 spaces	S-F Attached: 1.45 spaces/unit = 102 spaces	Yes
	S-F Detached: min. 2/unit; max. 4/unit = min. 38; max. 76	S-F Detached: 4/unit = 38 spaces	Yes
	Bicycle parking: 1 space/20 vehicular parking spaces = 24 spaces	No information provided re: bicycle parking	Bicycle parking must be provided or a variance must be granted.
TREE ISLANDS IN PARKING LOT	One island for every 10 pkng. spaces = one island required in surface pkng. lot	Four islands shown on site plan	Yes

MU-5 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. BLDG. HEIGHT w/out bonuses)	Mixed use, non-residential: 8 stories or 100 ft., whichever is less	Mixed use: max. 8 stories	Yes
	S-F Attached: max. 35 ft.	S-F Attached: max. 35 ft.	Yes
TRANS'L HEIGHT PLANE	Applicable if subject property adjoins an "R" district such as the R-75 district to the west.	Information not provided.	Information not provided; however, limitation of the height to no more than 35 feet will enable compliance.
PERIMETER LANDSCAPE STRIP (Sec. 5.4.4(C))	Min. 5 ft. wide; required along north property line	Not drawn but buildings are 11.5 – 20 feet from property line.	A five-foot strip next to the property line must be landscaped, or a variance must be obtained.
ACCESS POINTS	1 access point	Two access points	Yes

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The mixture of non-residential and residential uses in the proposal is consistent with the following policies of the 2035 Comprehensive Plan: "Create compact mixed use districts and reduce automobile dependency and travel to obtain basic services." (Regional Center Character Area Policy No. 5) and "Allow increased density to encourage urban lifestyles that support mixed use in activity centers." (Land Use Policy No. 3) Comments by the Transportation Division in 2015 and in May 2018, indicate that the surrounding street system will not be excessively burdened by traffic that would be generated by the proposed development. The DeKalb County School Board commented that there is adequate capacity in the designated high, middle, and elementary schools to accommodate the new students who were expected to live in the previously-proposed development for the May zoning cycle, which contained 201 more units than the current proposal as revised. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions. The conditions have been revised to be relevant to the modified site plan and to eliminate redundancy or reiteration of established procedures of the Department of Planning & Sustainability.

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.

- 1. The 9.32 acres tract (the "Project Site") project site shall be developed in general conformity with the location of streets, land uses and buildings as shown on the conceptual site plan "Proposed Development at Avondale Park", prepared by Proterra Development LLC, dated June13, 2018. A screen shall be installed along the entire length of the west property line and at the rear property lines of the single-family homes along the east property line, which shall consist of 1) an opaque fence with the finished side facing outwards and with a height of a minimum of six feet and 2) sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae. The latter shall be added to existing trees where existing trees help provide a screen. The area within which the screen shall be established shall not be disturbed except where necessary to remove bamboo or other invasive plants. attached Exhibit-A as Buildings A, A1, B, C, D, & E and entitled Avondale Park and dated November 13, 2015. Provide atransitional buffer between zero and twenty five feet wide between the alley of the proposed townhomesand the western property line (abutting the Farrar Court single family subdivision) as shown on the conceptual plan. Existing trees within the transitional buffer shall be preserved and supplemented with newtrees to form an effective visual screen as approved by the County Arborist prior to the issuance of any Land-Disturbance Permits. The buffer along the western property line from townhouse 18 to the southeast corner of parcel 15-251-01-016 shall be an undisturbed buffer of at least 25 feet and shall not be graded. The onlyexception for grading in this undisturbed buffer shall be to remove bamboo which is spreading eastwardfrom one lot on Farrar Court. Invasive species may be removed from the buffer and additional plantings canbe added to form a visual screen. Where invasive species [are] removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. An 8-foot tallopaque wooden fence shall be installed along the north and west property line.
- 2. The landscape plan will be in substantial compliance to Exhibit E Avondale Park. comply with Article 5 and Chapter 14 of the DeKalb County Code. <u>Preferred trees for streetscaping within the development are white oak, shumard red oak, southern red oak, or northern red oak. Trees planted for recompense of removed trees shall be planted within the If trees are replaced in the buffer, the preferred trees are one of or a combination of white oak, shumard red oak, southern red oak, or northern red oak. These are also the preferred trees for street trees within the development. The final landscaping plan shall be approved by the County arborist and [shall] take into consideration the recompense required under the tree ordinance. Within the development street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the immediate vicinity of the development along Mountain Drive or along Farrar Court.</u>
- 3. Comply with Sketch Plan requirements for subdivision prior to the issuance of a Land Disturbance Permit.
- 4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department for compliance to the regulations of Section 27-5.6.1 of the County Code prior to the issuance of any building permits. The residential fixtures will be the "Savannah" lamp. Lighting shall be established such that no direct light is cast upon or adversely affects adjacent properties and roadways. Light fixtures shall limit direct rays onto adjacent residential properties. All lighting fixtures (luminaries) shall be cutoff luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop dish refractors are prohibited. Approval of the lighting fixtures will be subject to review by the Planning and Sustainability Department.

- 5. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use temporary Best Management Practices (BMPs) for run off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require, at a minimum, additional row(s) of silt fencing and bales of straw to protect the adjacent properties.
- 6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control as approved by. [incomplete]
- 7.<u>6.</u> A minimum of 20% open space shall be provided. A minimum of 7.6% of the open space shall be provided in pedestrian usable parks or squares. Open space and park space shall be as shown on the site plan cited in Condition No. 1.
- 8.7. The townhomes shall have a minimum floor area of 1,200 square feet.
- 9.8. All residential buildings shall be designed to have a pitched roof.
- 10.9. The building materials shall be those listed in Exhibit B Construction Details [of CZ-15-19943]. The building elevations shall [be substantially similar to those depicted in] Exhibit C and Exhibit D [of CZ-15-19943]. The rear elevations of the stacked flats and the commercial buildings shall be similar to the front facades and [shall be] comprised of similar materials. The facades of the parking decks shall be consistent with the remainder of the building and [shall] use the same buildings materials. The side elevations of all residential buildings shall not be solid, and will shall have windows and architectural detailing as required in Section 27-5.6(I)(1) of the County Code.
- **11.10.** Commercial uses [shall be] limited to [those permitted in the] NS (Neighborhood Shopping) uses. The following uses are prohibited within the Project Site:
 - a. Animal hospital, veterinary clinic, or boarding or breeding kennels
 - b. Convent or monastery
 - c. Private elementary, middle, or high school
 - d. Hotel, motel, extended stay hotel/motel, or boarding or rooming house
 - e. Movie theater or bowling alley
 - f. Farm or garden supply store
 - g. Liquor store, including retail liquor store as accessory use to hotels, motels and high rise office building
 - h. Adult entertainment establishment or adult service facility
 - i. Nightclubs or late-night establishments
 - j. Coin-operated laundry or dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations and coin-operated laundry facilities within the interior of any multi-family apartment building)
 - k. Home appliance repair or service establishment
 - I. Special events facility
 - m. Drive-through facility (other than dry-cleaning pick-up station)
 - n. Pawn shop
 - o. Check cashing establishment
 - p. Place of worship
 - q. Convenience store
 - r. Gas station

- <u>11.</u> Maximum building height of Buildings D and E shall be three stories. Maximum building heights of Buildings B and C non-residential buildings shall be eight stories. Maximum building height of Building A shall be two-stories, and maximum building height of Building A1 shall be one story. Locations of Buildings A, A1, B, C, D, and E shall be in general compliance with the locations shown on the concept plan Exhibit A entitled "Avondale Park and dated 11/13/15. The only deviation of these building locations pertains to Building A, which can be shifted to more closely align to the curve of Mountain Drive. The townhomes along the west side of the site shall be no more than 35 feet high.
- 12. Subject to Georgia Department of Transportation approval, <u>the developer shall</u> provide and <u>maintain</u> a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, <u>the developer shall</u> provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there are a minimum of seven trees.
- 13. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of material[s] and colors to match building materials of primary buildings.
- <u>14.</u> Recycle collection bins shall be provided for the tenants residing in the townhome and multifamily buildingsresidents.
- <u>15.</u> Limit access to two access points on Mountain Drive. Locations of curb cuts is subject to GDOT permits. Written confirmation of approval from Georgia Department of Transportation (GDOT) and the Transportation Division of Public Works is required prior to the issuance of any Land Disturbance Permits. No direct vehicular access shall be permitted from the subject property to Farrar Court.
- <u>16.</u> Provide the traffic study and the conceptual design on Mountain Drive from Covington Highway to Memorial Drive to include the removal of two vehicular lanes and the addition of bicycle lanes and enhanced pedestrian crosswalks across Mountain Drive to reach the subject property, Farrar Court and the Kensington MARTA station based on CTP Project 6031 prior to the issuance of an Land Disturbance Permits subject to approval of the Georgia Department of Transportation and the Transportation Division of Public Works. [Note: Traffic study was completed.]
- <u>17.16.</u> Secure bicycle storage lockers shall be provided within the parking deck of the stacked flat-multi-family residential buildings. The space shall be sufficient for a minimum of 20 bikes.
- 18.17. No more than two-one ground signs-shall be permitted on the along-Mountain Drive frontage shall be permitted. The ground sign shall be a and they will be monument style signs with a base and framework made of brick or stone and a maximum height of 6 feet.
- 19.<u>18.</u> The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
- <u>20.19.</u> A sidewalk shall be extended from the east property line of the subject property to the sidewalk stub located approximately 70 feet from the eastern edge of the driveway into the Tax Commissioner's office.
- 21.20. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, subject to approval or waiver by the County Arborist.

For recommended conditions without redlining, see the next page.
- 1. The project site shall be developed in general conformity with the location of streets, land uses and buildings as shown on the site plan "Proposed Development at Avondale Park", prepared by Proterra Development LLC, dated June 13, 2018. A screen shall be installed along the entire length of the west property line and at the rear property lines of the single-family homes along the east property line, which shall consist of 1) an opaque fence with the finished side facing outwards and with a height of a minimum of six feet and 2) sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae. The latter shall be added to existing trees where existing trees help provide a screen. The are a within which the screen shall be established shall not be disturbed except where necessary to remove bamboo or other invasive plants.
- The landscape plan shall comply with Article 5 and Chapter 14 of the DeKalb County Code. Preferred trees for streetscaping within the development are white oak, shumard red oak, southern red oak, or northern red oak. Trees planted for recompense of removed trees shall be planted within the immediate vicinity of the development along Mountain Drive or along Farrar Court.
- 3. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department for compliance to the regulations of Section 27-5.6.1 of the County Code prior to the issuance of any building permits. The residential fixtures will be the "Savannah" lamp. Drop dish refractors are prohibited.
- 4. During construction, the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require, at a minimum, additional row(s) of silt fencing and bales of straw to protect the adjacent properties.
- 5. Open space and park space shall be as shown on the site plan cited in Condition No. 1.
- 6. The townhomes shall have a minimum floor area of 1,200 square feet.
- 7. All residential buildings shall be designed to have a pitched roof.
- 8. The building materials shall be those listed in the chart that is attached to these conditions, titled "Construction Details." The building elevations shall be substantially similar to those depicted in Exhibit C and Exhibit D of CZ-15-19943, as attached. The side elevations of all residential buildings shall have windows and architectural detailing as required in Section 27-5.6(I)(1) of the County Code.
- 9. Commercial uses shall be limited to those permitted in the NS (Neighborhood Shopping) District. The following uses are prohibited within the Project Site:
 - a. Animal hospital, veterinary clinic, or boarding or breeding kennels
 - b. Convent or monastery
 - c. Private elementary, middle, or high school
 - d. Hotel, motel, extended stay hotel/motel, or boarding or rooming house
 - e. Movie theater or bowling alley
 - f. Farm or garden supply store
 - g. Liquor store, including retail liquor store as accessory use to hotels, motels and high rise office building
 - h. Adult entertainment establishment or adult service facility
 - i. Nightclubs or late-night establishments
 - j. Coin-operated laundry or dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations and coin-operated laundry facilities within the interior of any

multi-family apartment building)

- k. Home appliance repair or service establishment
- I. Special events facility
- m. Drive-through facility (other than dry-cleaning pick-up station)
- n. Pawn shop
- o. Check cashing establishment
- p. Place of worship
- q. Convenience store
- r. Gas station
- 10. Maximum building height of non-residential buildings shall be eight stories. The townhomes along the west side of the site shall be no more than 35 feet high.
- 11. Subject to Georgia Department of Transportation approval, the developer shall provide a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, the developer shall provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there are a minimum of seven trees.
- 12. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of materials and colors to match building materials of primary buildings.
- 13. Recycle collection bins shall be provided for the residents.
- 14. No direct vehicular access shall be permitted from the subject property to Farrar Court.
- 15. No more than one ground sign shall be permitted on the Mountain Drive frontage. The ground sign shall be a monument style sign with a base and framework made of brick or stone and a maximum height of 6 feet.
- 16. A sidewalk shall be extended from the east property line of the subject property to the sidewalk stub located approximately 70 feet from the eastern edge of the driveway into the Tax Commissioner's office.
- 17. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, subject to approval by the County Arborist.

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

Avondale Park Construction Materials

During construction contact

Felipe Castellanos

Tel: 404-857-1369 Fax: 888-419-1191

CONSTRUCTION DETAILS

ESIDENTIAL SINGLE FAMILY ATTACHED	
	Brick (soldier details, 45 angle details, stone detail)
	Concrete composite siding (hardie plank siding, panels, shingles)
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
	Real Stucco
Mix-Use-Commertial/Multi-Family BLDG	
	Cladding & Breakmetal (aluminum and metal panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
RETAIL BUILDINGS	
	Cladding & Breakmetal (panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others) Sintetic Stone and Sintetic Stone Panels



ExhibitC



PRONT ELEVATION TOWNHOUSES



REAR ELEVATION TOWNHOUSES



SIDE ELEVATION TOWNHOUSES

2015 APPROVED CONDITIONS

November 12, 2015

DEKALB COUNTY

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: November 17, 2015

._____

ITEM NO.

ACTION TYPE ORDINANCE

DI

SUBJECT: Rezoning Z-15-19943 Felipe Castellano

COMMISSION DISTRICTS: 4 & 6

HEARING TYPE

PUBLIC HEARING

DEPARTMENT: Planning & Sustainability	PUBLIC HEARING: x YES NO
ATTACHMENT: x YES NO PAGES: 56	INFORMATION CONTACT:Marian Eisenberg, Zoning Admin. (404) 371-2155

PETITION NO: Z-15-19943

PROPOSED USE: Mixed Use Development (Commercial, Office & Residential)

LOCATION: 3458, 3468 & 3478 Mountain Drive, Decatur, Georgia

PARCEL No.: 15-251-01-020, 15-251-01-027, 15-251-01-028

PURPOSE: To rezone property from C-1 (Local Commercial) to PC-3 (Pedestrian Community) District to allow a mixed-use development consisting of a maximum of 11 single-family detached units, 35 fee-simple townhomes, 60 multi-family units, 35,700 square feet of retail, and 149,100 square feet of office development. The property is on the north side of Mountain Drive, approximately 250 feet east of Farrar Court at 3458, 3468, and 3478 Mountain Drive in Decatur, Georgia. The property has approximately 361 feet of frontage along Mountain Drive and contains 9.3 acres.

RECOMMENDATIONS:

PLANNING COMMISSION: DENIAL

COMMUNITY COUNCIL: DEFERRAL

PLANNING STAFF: APPROVAL WITH CONDITIONS

PLANNING COMMISSION MEETING (11/05/15): On November 5, 2015, the Planning Commission recommended "Denial".

PLANNING STAFF ANALYSIS:

The proposed rezoning request is to develop the site for a mixed-use project consisting of fee-simple townhomes, single-family detached homes, multi-family apartments, offices, and retail uses under the PC (Pedestrian

Petition Number: Z+15-19943 Board of Commissioners: 11/17/15 JLR FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION: 2015-11-17 Item D1 Felipe Castellanos Z 15 19943

MOTION was made by Sharon Barnes Sutton, seconded by Kathie Gannon and passed 7-0-0-0 to approve with 20 revised conditions submitted by Commissioner Gannon dated November 17, 2015, D1 Z-19943, the rezoning application of Felipe Castellano. Commissioner Jester voted via telephone conference.

NOV 1 7 2015 ADOPTED: (DATE)

DEKALB COUNTY BOARD OF COMMISSIONERS NOV 1 7 2015

CERTIFIED:

(DATE) CLERK.

DEKALB COUNTY BOARD OF COMMISSIONERS

MINUTES:

Felipe Casellanos, 133 Johnson Ferry Road, Marietta, Ga. 30068, Ron Bivins, 230 E. Ponce DeLeon Avenue, Decatur, Ga. 30030, Matt Lentherman, 659 Farrar Court, Decatur, Ga. 30032, spoke in support.

Courtney McClellan, 696 Farrar Court, Decatur, Ga. 30032, spoke in opposition of the application.

FOR :Nancy Jester, Jeff Rader, Larry Johnson, Stan Watson, Sharon Barnes Sutton,
Mereda Davis Johnson, Kathie GannonAGAINST :NoneABSTAIN :NoneABSENT :None

Comm. Dio - Grannon Item No. D1 Date: 11/1715 CLerk's Office

D-100-11/17/15-BD Banna

Zoning Conditions Avondale Park Z-15-19943 November 17, 2015

- 1. The 9.32 acre tract (the "Project Site") shall be developed in general conformity with the location of streets, land uses and buildings as shown on the conceptual plan attached Exhibit A as Buildings A, A1, B, C, D, & E and entitled Avondale Park and dated November 13, 2015. Provide a transitional buffer between zero and twenty-five feet wide between the alley of the proposed townhomes and the western property line (abutting the Farrar Court single-family subdivision) as shown on the conceptual plan. Existing trees within the transitional buffer shall be preserved and supplemented with new trees to form an effective visual screen as approved by the County Arborist prior to the issuance of any Land Disturbance Permits. The buffer along the western property line from townhouse 18 to the southeast corner of parcel 15-251-01-016 shall be an undisturbed buffer of at least 25 feet and shall not be graded. The only exception for grading in this undisturbed buffer shall be to remove bamboo which is spreading eastward from one lot on Farrar Court. Invasive species may be removed from the buffer and additional plantings can be added to form a visual screen. Where invasive species is removed from the buffer, special consideration shall be given to prevent erosion and sedimentation during construction. An 8-foot tall opaque wooden fence shall be installed along the north and west property line.
- 2. The landscape plan will be in substantial compliance to Exhibit E Avondale Park. If trees are replaced in the buffer, the preferred trees are one of or a combination of white oak, shumard red oak, southern red oak or northern red oak. These are also the preferred trees for street trees within the development. The final landscaping plan shall be approved by the County arborist and take into consideration the recompense required under the tree ordinance. Within the development street trees may be planted off the right-of-way if they would otherwise interfere with buried utilities. Recompense should take place within the immediate vicinity of the development along Mountain Drive or along Farrar Court.
- Comply with Sketch Plat requirements for subdivision prior to the issuance of a Land Disturbance Permit.
- 4. An outdoor lighting plan shall be submitted, reviewed, and approved by the Planning and Sustainability Department prior to the issuance of any building permits. The residential fixtures will be the "Savanah" lamp. Lighting shall be established such that no direct light is cast upon or adversely affects adjacent properties and roadways. Light fixtures shall limit direct rays onto adjacent residential properties. All lighting fixtures (luminaries) shall be cutoff luminaries whose source is completely concealed with an opaque housing. Fixtures shall be recessed in the opaque housing. Drop Dish Refractors are prohibited. Approval of the lighting fixtures will be subject to review by the Planning and Sustainability Department.
- 5. During the construction phases the Developer shall post a contact phone number that nearby residents can call to discuss development and construction issues. The developer shall use

temporary Best Management Practices (BMPs) for run-off and temporary sedimentation storage in compliance with Section 14.38 (Soil Erosion and Sediment Control) subject to approval of the Land Development Division of the Planning and Sustainability Department. If the Land Development Division determines that the property owners of Farrar Court (in particular those who will not have the benefit of an undisturbed buffer) are susceptible to damage from erosion, the Department may require at a minimun additional row of silt fencing and bales of straw to protect the adjacent properties.

- 6. Provide compliance with Section 14-40 and Section 14-42 of the DeKalb County Code regarding storm water management and water quality control as approved by.
- 7. A minimum of 20% open space shall be provided. A minimum of 7.6% of the open space shall be provided in pedestrian usable parks or squares.
- 8. The townhomes and single-family detached units shall have a minimum floor area of 1,200 square feet.
- 9. All residential buildings shall be designed to have a pitched roof.
- 10. The building materials shall be those listed in Exhibit B Construction Details. The building elevations shall closely to Exhibit C and Exhibit D. The rear elevations of the stacked flats and the commercial buildings shall be similar to the front facades and comprised of similar materials. The facades of the parking decks shall be consistent with the remainder of the building and use the same building materials. The side elevations of all residential buildings shall not be solid, and will have windows.
- 11. Commercial uses limited to NS (Neighborhood Shopping) uses. The following uses are prohibited within the Project Site:
 - a. Animal hospital, veterinary clinic, boarding and breeding kennels
 - b. Convent and monastery
 - c. Private elementary, middle and high school
 - d. Hotels, motels, extended stay hotel/motels, boarding and rooming houses.
 - e. Movie theater or bowling alley.
 - f. Farm and garden supply store
 - g. Liquor Store, including retail liquor store as accessory use to hotels, motels and high rise office building.
 - h. Adult Entertainment establishments and adult service facilities
 - i. Nightclubs or late night establishments
 - j. Coin-operated laundry and dry-cleaning store (specifically excluding dry-cleaning pressing establishments or pick-up stations, and coin-operated laundry facilities within the in terior of any multi-family apartment building)
 - k. Home appliance repair and service
 - I. Special Events Facilities
 - m. Drive-through facilities (other than dry-cleaning pick-up stations)
 - n. Pawn Shops
 - o. Check Cashing Establishments
 - p. Place of worship
 - q. Convenience store

r. Gas station.

- 12. Maximum building height of Building D & E shall be three stories. Maximum building height of Building B & C shall be eight stories. Maximum building height of Building A shall be two stories, and maximum building height of Building A1 shall be one story. Locations of Buildings A, A1, B, C, D, & E shall be in general compliance with the locations shown on the concept plan Exhibit A entitled "Avondale Park" and dated 11/13/15. The only deviation of these building locations per tains to Building A, which can be shifted to more closely align to the curve of Mountain Drive.
- 13. Subject to Georgia Department of Transportation approval, provide and maintain a 6-foot wide sidewalk and a 10-foot wide landscape strip within the Mountain Drive right-of-way prior to the issuance of any certificates of occupancy. Within the landscape strip, provide a minimum of one street tree for every 50 feet of street frontage along Mountain Drive or as approved by the County Arborist so long as there are a minimum of seven trees.
- 14. Refuse areas shall be screened from public streets and shall be fenced or screened with a combination of material and colors to match building materials of primary buildings.
- 15. Recycle collection bins shall be provided for the tenants residing in the townhome and multifamily buildings.
- 16. Limit access to two access points on Mountain Drive. Location of curb cuts is subject to GDOT permits. Written confirmation of approval from Georgia Department of Transportation (GDOT) and the Transportation Division of Public Works is required prior to the issuance of any Land Disturbance Permits. No direct vehicular access shall be permitted from the subject property to Far rar Court.
- 17. Provide the traffic study and the conceptual design on Mountain Drive from Covington Highway to Memorial Drive to include the removal of two vehicular lanes and the addition of bicycle lanes and enhanced pedestrian crosswalks across Mountain Drive to reach the subject property, Farrar Court and the Kensington MARTA station based on CTP Project 6031 prior to the issuance of any Land Disturbance Permits subject to approval of the Georgia Department of Transportation and the Transportation Division of Public Works.
- 18. Secure bicycle storage lockers shall be provided within the parking deck of the stacked flat residential buildings. The space shall be sufficient for a minimum of 20 bikes.
- 19. No more than two ground signs along Mountain Drive shall be permitted and they will be monument style signs with a base and framework made of brick or stone and a maximum height of 6 feet.
- 20. The approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Historic Preservation Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.



txhibitA

Exhibit B

Avondale Park

During construction contact

Cristina Carver

Tel: 404-857-1369 Fax: 888-419-1191

1

CONSTRUCTION DETAILS

RESIDENTIAL SINGLE FAMILY	MATERIAL DETAILS FOR FASADES	
	Brick (soldier details, 45 angle details, stone detail)	
	Concrete composite siding (hardie plank siding, panels, shingles)	-
	Natural Stone (stack stone, slate stone, tile stone and others)	
	Sintetic Stone and Sintetic Stone Panels	_
	Real Stucco	
RESIDENTIAL TOWNHOUSES		
	Brick (soldier details, 45 angle details, stone detail)	
	Concrete composite siding (hardie plank siding, panels, shingles)	_
	Natural Stone (stack stone, slate stone, tile stone and others)	
	Sintetic Stone and Sintetic Stone Panels	
81 XI 12	Real Stucco	
RESIDENTIAL CONDO UNITS		<u> </u>
	Brick (soldier details, 45 angle details, stone detail)	
	Concrete composite siding (hardie plank siding, panels, shingles)	_
	Natural Stone (stack stone, state stone, tile stone and others)	
	Sintetic Stone and Sintetic Stone Panels	
	Real Stucco	

COMMERCIAL OFFICE BUILDINGS	Cladding & Breakmetal (aluminum and metal panel systems)	
	Concrete composite panels	
	Glass venners and/or panels	
	Real Stucco	
	Brick	
	Natural Stone (stack stone, slate stone, tile stone and others)	
	Sintetic Stone and Sintetic Stone Panels	
RETAIL BUILDINGS	Cladding & Breakmetal (panel systems)	
	Concrete composite panels	
	Glass venners and/or panels	
	Real Stucco	
	Brick	
· ·	Natural Stone (stack stone, slate stone, tile stone and others)	
	Sintetic Stone and Sintetic Stone Panals	





Exhibitc





ExhibitC



PRONT ELEVATION TOWNHOUSES



REAR ELEVATION TOWNHOUSES



SIDE ELEVATION TOWNHOUSES

LXNIDITE

NZ-280 NORCHERM (LC)



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 <u>MSPANN@DEKALBCOUNTYGA.GOV</u> OR JOHN REID <u>JREID@DEKALBCOUNTYGA.GOV</u>

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: <u>CZ-18-12/25</u>	Parcel I.D. #: /5-251-0/-020
Address: <u>3458, 3468 3476</u>	
MOUNTAIN DRIVE	
DECATUR CM.	
2	Adjacent Roadway (s):

(classification)

(classification)

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	

Lapacity (TPD)	
Latest Count (TPD)	
Hourly Capacity (VPH)	
Peak Hour. Volume (VPH)	2
Existing number of traffic lanes	
Existing right of way width	
Proposed number of traffic lanes	_
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>6/7^{TII}</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:

Gilien Signature:



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

CO COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.: <u>CZ-18-22125</u>

Parcel I.D. #: 15-251-01-020, 027 & 028

Address: 3458, 3468 and 3478 Mountain Drive

Decatur, GA.

WATER:

Size of existing water main: 16" D.I. Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

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

SEWER:

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

Is sewer adjacent to property: Yes (_) No (X) If no, distance to nearest line: <u>Approximately 282 feet Northwest of</u>
<u>Property</u>

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

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

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

COMMENTS:

* Please note that the sewer must be completed and subr	capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) nitted for review. This can be a lengthy process and should be addressed early in the process.
· · · · · · · · · · · · · · · · · · ·	
	$\bigcap \bigcap \bigcap$
	• Signature:////////////////////////////////



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
 Research Application Review

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

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 Drive,	, Decatur, GA
Amendment	
 Please see genaral comments. 	
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,
745,741,731,721,715,713,707,705,70	01,695,681,675,669 665 Valley Brook Road, Decatur, GA; 742 and 73
Amendment	
- Please see general comments.	
Case # 18-064-02-154,18-064	-02-156
	-02-100
N.7	SLUP-18-22140 2018-1897 18-091-01-052
6198 Memorial Drive	
Amendment	
- Please see general comment letter	r.
N.8	Z-18-22137 2018-1853 16-062-02-005, 16-062-02-027, 16-062-02-028, 16-062 02-029
1320 1339 and 1348 Danola Road a	und 5636 Redan Road, Stone Mountain, GA
Amendment	

- 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	Analysis Da	ate:	4/11/2018
Submitted to:	DeKalb County	Case #: Parcel#:	Z-18-22125	
Name of Development: Location:	Avondale Park 3458-3478 Mountain Drive	i di dein.	13-231-31-4	520/21/20
Description:	Mixed-Use development on currently undeveloped lots on townhomes and multi-family over commercial space. Seel 2015. The proposed development previously had fewer un	king modifical	lions to zoning	
Impact of Development:	The new plan is expected to generate 34 students: 14 at Avondale ES, 5 at Druid Hills MS, 9 a Druid Hills HS, 5 at another DCSD school and 1 in private school. The three zoned schools an all expected to have capacity for additional students.		lls MS, 9 at chools are	

		Druid Hills		Other DCSD	Private	
Current Condition of Schools	Avondale ES	MS	Druid Hills HS	Schools	Schools	Total
Capacity	678	1,182	1,405			
Portables	0	1	4			
Enrollment (Fcst Oct. 2018)	510	947	1,302			
Seats Available	168	235	103			
Utilization (%)	75.2%	80.1%	92.7%			
New students from development	14	5	9	5	1	34
New Enrollment	524	952	1,311			
New Seats Available	154	230	94			
New Utilization	77.3%	80.5%	93.3%			

Summary	of Student Calculati	ons	
	APT (175)	TH (96)	TOTAL
Avondale ES	12	2	14
Druid Hills MS	4	1	5
Other DCSD Schools	7	2	9
Other DSCD Schools	4	1	5
Private Schools	0	1	1
Total	27	7	34

•

Нои	ising 1: 175 Apa	nunents		
	Attend Home	Attend other	Private	
Yield Rates	School	DCSD School	School	Total
Elementary	0.068574	0.013124	0.002128	0.083826
Middle	0.025183	0.002483	0.001419	0.029085
High	0.041736	0.002365	0.000946	0.045046
Total	0.1355	0.0180	0.0045	0.1580
Student Calculations	011000	0.0100	0.00-10	0.1000
Proposed Units 175				
Unit Type APT				
Cluster Druid Hills	i			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	12.00	2.30	0.37	14.67
Middle	4.41	0.43	0.25	5.09
High	7.30	0.41	0.17	7.88
Total	23.71	3.14	0.79	27.64
र का प्रकार				21104
	Attend Home	Attend other	Private	
Anticipated Students	School	DCSD School	School	Total
Avondale ES	12	2	0	14
Druid Hills MS	4	1	0	5
Druid Hills HS	7	1	0	8
Total	23	4	0	27
	Attend Home	Attend other	Private	
	School	DCSD School	School	Total
Yield Rates		0 0 0 4 0 4 1 7		0.007400
Elementary	0.019850	0.012117	0.005156	
Elementary Middle	0.019850 0.009796	0.004383	0.001805	0.015984
Elementary Middle High	0.019850 0.009796 0.017015	0.004383 0.001547	0.001805 0.001289	0.015984
Elementary Middle	0.019850 0.009796	0.004383	0.001805	0.015984
Elementary Middle High Total	0.019850 0.009796 0.017015	0.004383 0.001547	0.001805 0.001289	0.015984
Elementary Middle High Total	0.019850 0.009796 0.017015	0.004383 0.001547	0.001805 0.001289	0.015984 0.019850
Elementary Middle High Total Student Calculations Proposed Units 96	0.019850 0.009796 0.017015	0.004383 0.001547	0.001805 0.001289	0.015984
Elementary Middle High Total Student Calculations	0.019850 0.009796 0.017015 0.0467	0.004383 0.001547	0.001805 0.001289	0.015984
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH	0.019850 0.009796 0.017015 0.0467	0.004383 0.001547 0.0180	0.001805 0.001289 0.0082	0.015984
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills	0.019850 0.009796 0.017015 0.0467 Attend Home	0.004383 0.001547 0.0180 Attend other	0.001805 0.001289 0.0082 Private	0.015984 0.019850 0.0730
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield	0.019850 0.009796 0.017015 0.0467 Attend Home School	0.004383 0.001547 0.0180 Attend other DCSD School	0.001805 0.001289 0.0082 Private School	0.015984 0.019850 0.0730
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary	0.019850 0.009796 0.017015 0.0467 Attend Home <u>School</u> 1.91	0.004383 0.001547 0.0180 Attend other DCSD School 1.16	0.001805 0.001289 0.0082 Private School 0.49	0.015984 0.019850 0.0730 Total 3.56
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle	0.019850 0.009796 0.017015 0.0467 Attend Home <u>School</u> 1.91 0.94	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42	0.001805 0.001289 0.0082 Private School 0.49 0.17	0.015984 0.019850 0.0730 Total 3.56 1.53
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High	0.019850 0.009796 0.017015 0.0467 Attend Home <u>School</u> 1.91 0.94 1.63	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12	0.015984 0.019850 0.0730 Total 3.56 1.53 1.91
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle	0.019850 0.009796 0.017015 0.0467 Attend Home <u>School</u> 1.91 0.94	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42	0.001805 0.001289 0.0082 Private School 0.49 0.17	0.015984 0.019850 0.0730 Total 3.56 1.53
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High	0.019850 0.009796 0.017015 0.0467 Attend Home School 1.91 0.94 1.63 4.48	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12	0.015984 0.019850 0.0730 Total 3.56 1.53 1.91
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High Total	0.019850 0.009796 0.017015 0.0467 Attend Home School 1.91 0.94 1.63 4.48	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15 1.73	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12 0.78	0.015984 0.019850 0.0730 Total 3.56 1.53 1.91 7.00
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High	0.019850 0.009796 0.017015 0.0467 Attend Home School 1.91 0.94 1.63 4.48 Attend Home	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15 1.73 Attend other	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12 0.78 Private	0.015984 0.019850 0.0730 Total 3.56 1.53 1.91
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High Total Anticipated Students	0.019850 0.009796 0.017015 0.0467 Attend Home School 1.91 0.94 1.63 4.48 Attend Home School	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15 1.73 Attend other DCSD School	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12 0.78 Private School	0.015984 0.019850 0.0730 Total 3.56 1.53 1.91 7.00 Total
Elementary Middle High Total Student Calculations Proposed Units 96 Unit Type TH Cluster Druid Hills Units x Yield Elementary Middle High Total Anticipated Students Avondale ES	0.019850 0.009796 0.017015 0.0467 Attend Home School 1.91 0.94 1.63 4.48 Attend Home School 2	0.004383 0.001547 0.0180 Attend other DCSD School 1.16 0.42 0.15 1.73 Attend other DCSD School 1	0.001805 0.001289 0.0082 Private School 0.49 0.17 0.12 0.78 Private School 1	Total 3.56 1.53 1.91 7.00 Total 4

Housing 1: 175 Apartments

Avondale Park Major Modification Letter of Intent



Letter of Application Identifying the proposed zoning classification, the reason for the modification request, the existing and proposed use of the property, and detailed characteristics of the proposed use (e.g., floor area, height of buildings, number of units, mix of unit types, hours of operation, etc.

Overview

The zoning classification for the parcel is MU-5. This classification allow a mix of uses and a variety of housing, office and commercial choices on parcels within close proximity to the Kensington Marta Station. This development strategy also aligns with those set forth in the 2013 Kensington LCI which promotes Transit Oriented Development. The proposed site plan promotes walkability, connectivity and traditional neighborhood development principles.

Uses

Proposed uses within the site include commercial, mixed-use, single family attached, Single family detached, office and Retail the estimated hours of operation for the commercial businesses include: retail uses from 8:30am-9:00pm, and restaurant uses 7:00am-12:00pm.

Use	Units	Square Feet	Height
Retail (A)	N/A	31200	26' Min, 120' Max
Retail (B and C)	N/A	3000	26' Min, 120' Max
Office (C)	N/A	74,550	26' Min, 120' Max
Office (B)	N/A	74550	26' Min, 120' Max
Office (E)	N/A	112,000	26' Min, 120' Max
Retail (D)	N/A	1500	12'
Single Family Attached	51	N/A	35' Max
Single Family Detached	19	N/A	35' Max
Parking Deck	290	N/A	120' Max



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

Chief Executive Officer DEPARTMENT OF PLANNING & SUSTAINABILITY Dire Michael Thurmond Andrew A. Baker, A	
RECEIVED MAJOR MODIFICATION APPLICATION	
FEB 2 7 2018 () () () () () () () () () (
Date Biomitted:	
Existing Conditional Zoning No.: <u>26-19943</u>	
APPLICANT NAME: AVONDOLE Buck HC (Choos Addings)	
Daytime Phone#: 404 9573207Fax #: 404 973 2167 E-mail: Carlos Proteres. US	-
Mailing Address: 133 JOHUSON FERCY R.P. SUITE 501 MARIETTA GA 30068	
OWNER NAME: Avon pale Prek 110. (If more than one owner, attach contact information for each owner)	
Daytime Phone#: 404 9573207 Fax #: 404 9732167 E-mail: Felipe@ Proteoro.US	
Mailing Address: 404 707 9975 133 JOHNSON FRAZE RA HARLELES GA 30068	
SUBJECT PROPERTY ADDRESS OR LOCATION: 3458/3468 3478 HOUNTAIN PC	_
Percentre GA 30037 , DeKalb County, GA, 30032	-0
District(s): 6 Land Lot(s): Block(s): Parcel(s): 1525001-099	1027/028
Acreage or Square Feet: $+9$ 9 ^{web} Commission District(s): 4 Existing Zoning: <u>$10-5$</u>	_
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject this application.	. of
Signature of Applicant:	
Printed Name of Applicant: _ for the Addition	

15-251-01-0810,0007,028

d proterra development

February /27/2018 REF: Avondale Park

Impact Analysis of the anticipated impact of the proposed use on the surrounding properties, in response to the standards and factors specified in **Section 27-7.3.4.** of the DeKalb County Zoning Ordinance.

Section 27-832. Standards and factors governing review of proposed amendments to official zoning maps. The following standards and factors are found to be relevant to the exercise of the County's zoning powers and shall govern the review of all proposed amendments to the official zoning maps:

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

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

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

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

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.

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

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.

Analysis

- A. MU-5 zoning designations are compatible with Neighborhood Center Character/Zoning Area that parcel 15 250 01 020 /027/028 listed under in Table 6-3 of the 2005-2025 DeKalb County Comprehensive Plan.
- **B.** The proposed site plan respects the adjacent development types. As noted on the plan, single family attached housing lines the North and east boundaries of the parcels, complementing the existing single family detached directly adjacent to the site. The mixed-use and commercial uses face Mountain Drive and the Kensington Marta Station.
- C. The current zoning designation is MU-5. The previously approved site plan contemplated 110 residential units divided in to single family detached, single family attached and fee simple condominiums. The proposed site plan takes a units reduction to 96 residential

units all single family attached, Making a more uniform product that will allow for similar density and an more manageable future HOA.

The approved site plan conserved 3 separate building for office and commercial space, the new propose site plan shows the same building being integrated in to one with a mixture of uses that will allow for section 27-2.18 of the current zoning code to facilitate the flexibility of uses and promote economic development in line with transit oriented development and the Kensington LCI.

- D. The site plan modification will not adversely affect the existing uses. Adjacent uses include single family homes, which are being respected with similar development type on the parcel in question. These homes' usability will not be changed. The area also includes garden office uses, a church and the Kensington Marta Station. Additionally, the usability of these properties will not be adversely affected.
- E. The previously approved site plan had dead end streets that conflicted with the operation of DeKalb fire department and DeKalb sanitation the proposed site plan allows for a for an open plan for emergency vehicles to move throughout the site, resolving issues with traffic flow with in the lay out.
- F. This parcel does not contain historic buildings, sites, districts or archeological resources.
- G. The proposed site plan promotes highly connected new streets throughout the parcel. The addition of a variety of housing options will increase the amount of people in the school district, including children, but will not be enough to affect local schools. Also the proximity with Kensington MARTA station will potentially allow for the new community to access massive transit and will bring more ridership to MARTA as contemplated on TOD.

Avondale Park Construction Materials

During construction contact

Felipe Castellanos

Tel: 404-857-1369 Fax: 888-419-1191

CONSTRUCTION DETAILS

ESIDENTIAL SINGLE FAMILY ATTACHED	
	Brick (soldier details, 45 angle details, stone detail)
	Concrete composite siding (hardie plank siding, panels, shingles)
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
	Real Stucco
Mix-Use-Commertial/Multi-Family BLDG	
	Cladding & Breakmetal (aluminum and metal panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others)
	Sintetic Stone and Sintetic Stone Panels
RETAIL BUILDINGS	
	Cladding & Breakmetal (panel systems)
	Concrete composite panels
	Glass venners and/or panels
	Real Stucco
	Brick
	Natural Stone (stack stone, slate stone, tile stone and others) Sintetic Stone and Sintetic Stone Panels

Proposed Site Plan



Site Plan dated 06-13-18



Townhomes

Townhomes

Zoning Map



Land Use Map



Aerial Photo



Site Photos



from parking lot of Tax Assessor's Office.