

March 28, 2017

DEKALB COUNTY

ITEM NO. N.12

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: March 28, 2017

HEARING TYPE
PUBLIC HEARING

ACTION TYPE
ORDINANCE

SUBJECT: Alliance Realty Services,LLC LP-17-21280

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: ☒ YES NO

ATTACHMENT: ☒ YES NO

PAGES:

7

INFORMATION

CONTACT: Marian
Eisenberg, Zoning
Admin.

PHONE NUMBER:
404-371-2155

PETITION NO: LP-17-21280

PROPOSED USE: The proposed project is a Land Use Amendment which is a request to change the current land use designation from Light Industrial (LIND) to Neighborhood Center (NC)

LOCATION: The North side of East Ponce de Leon Ave and the East side of North Arcadia Avenue along both sides of Grove place at 153, 161, 165 Grove Place, 2700 Grove Street and 2716, 2706, 2700, 2688, 2734 and 2748 East Ponce de Leon in Decatur, GA.

PARCEL No.: 15 248 01 001, 15 248 02 001, 15 248 02 002, 15 248 02 003, 15 248 30 003, 15 248 30 004, 15 248 30 006, 15 248 30 007, 15 248 30 007, 15 248 30 009, 15 248 30 013 and 15 248 30 014.

PURPOSE: The subject property is currently designated LIND (Light Industrial) that consist of low intensity manufacturing, including wholesale trade, and distribution activities that do not generate excessive noise, vibration, air pollution or other nuisance characteristics.This designation exist along East Ponce De Leon and the east side of North Arcadia with commercial and multi-family development. The requested Neighborhood Center (NC) designation is the third most intense of the 2025 Comprehensive Plan’s “Activity Center” designations which allows up to 24 units per arce and residential development . This designation permits Townhomes,Apartment, commercial, office, and mixed-use developments. Under the LIND designation, proposed residential development is not allow .

March 28, 2017

RECOMMENDATIONS:

PLANNING COMMISSION: Withdrawal w/o Prejudice

COMMUNITY COUNCIL: Full Cycle Deferral

PLANNING STAFF : Denial

PLANNING STAFF ANALYSIS

The proposed amendment to designate the area as Neighborhood Center is inconsistent with surrounding and recent developments. The staff concluded not change the land use designation from Light Industrial (LIND) to Neighborhood Center (NC) to preserve the County's Light Industrial character area. Staff recommendation is denial for the proposed land use amendment .

COMMUNITY COUNCIL VOTE/RECOMMENDATION: 10-0-0 Full-Cycle Deferral

PLANNING COMMISSION VOTE/RECOMMENDATION: Withdrawal w/o Prejudice 6-0-0. J.
West moved, V. Moore seconded for withdrawal without prejudice per the applicant's request.



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: March 8, 2017, 6:30 P.M.

Board of Commissioners Hearing Date: March 28, 2017, 6:30 P.M.

STAFF ANALYSIS

Case No.:	LP-17-21280	Agenda #:	N. 12
Location/Address:	The north side of East Ponce De Leon Avenue and the Eastside of North Arcadia Avenue along both sides of Grove Place at 153,161,165 Grove Place, 2700 Grove Street, and 2716, 2706, 2700, 2688, 2734 and 2748 East Ponce De Leon in Decatur, Georgia .	Commission District:	4
		Super District:	6
Parcel ID(s):	15-248-01-001,15-248-02-001,15-248-02-002,15-248-02-003,15-248-30-003,15-248-30-004,15-248-30-006,15-248-30-007,15-248-30-009,15-248-30-013,15-248-30-014		
Request:	A Land Use Amendment to change from Light Industrial (LIND) to Neighborhood Center (NC) for a mixed-use redevelopment of 24 units to acre.		
Property Owner(s):	Bagley Group LLC, Anthony Roy Newman, Rabon Larve Newman, The Estate of Ronald T. Melton, The Estate of Alton P. Adams, Jr., Wendy M. McClellan, Southeastern Plumbing Co., Kelly E. Rimmer, Donald Wilmot, Devenco Productions, Inc., Marion Hayes Eugeno, Mary Fort Eugeno.		
Applicant/Agent:	Alliance Realty Services, LLC, c/o Kathryn M. Zickert, Esq.		
Acreage:	8.9 acres		
Existing Land Use:	Light Industrial (LIND)		
Surrounding Properties:	To the northwest, north, and northeast: Automobile Repair, Retail and Commercial shops. To the east, southeast, south, southwest: Rail Road Tracks, Commercial & Local Retail stores and Oriental Market west: single-family residential.		
Adjacent Land Use :	North: (LIND) (SUB) South: (CRC) (LIND) and(COS) East: (LIND) West: (SUB)		
Comprehensive Plan:	Light Industrial	<input type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Inconsistent

Proposed Density: 24 Units – new construction	Existing Density: None
Proposed Units/Square Ft.: 270 Units	Existing Units/Square Feet: None
Proposed Land Use/Permitted Zoning Districts:	Current Land Use/Permitted Zoning Districts: Light Industrial (LIND) / C-2,OD,OI,M,M-2

STAFF RECOMMENDATION: Denial

The proposed project is a Land Use Amendment to change the current designation from Light Industrial (LIND) to Neighborhood Center (NC) for the purpose of a mixed-use development with a total of 270 units and a comprised density of 30.3 units per acre (or 24.1 units per acre if you discount the 55 units supposedly in the Decatur area). The proposed amendment to designate the area as a Neighborhood Center is inconsistent with surrounding land use. The area surrounding the subject property contains many established small businesses that primarily focus on manufacturing, warehouses, trade and the automotive industry, making it an ideal Light Industrial corridor. The 2014 Economic Development Strategic Plan states one of the County's issues is that there are few well-defined employment centers and suggests policymakers look at industrial areas as a means to diversify and enhance the County's base economy. In 2016 Georgia Tech's School of City & Regional Planning conducted a Industrial Land & Economy study for Dekalb County. The study recommended incentivizing improvements to industrial areas as well as modernizing roads and interchanges to facilitate industrial developments. Their findings also highlighted the County's shrinking Light Industrial footprint and suggested that the County should develop policies and guide-lines to preserve and protect the remaining Light Industrial/Industrial land use character areas. The staff recommendation is to not change the land use designation from Light Industrial to Neighborhood Center in an effort to preserve the County's decreasing Light Industrial character area. Therefore, the Planning Department is recommending that the applicant explore a smart-growth, mixed-use industrial concept that will allow other uses that's more compatible with light industrial. Such developments could better suit given policies that support Light Industrial areas. As it stands, the proposed land use amendment is not in accordance with the 2025 Comprehensive plan on the following basis:

- LICAP6: Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses.
- LICAP7: Minimize the re-zoning of light industrial properties to residential uses.

SUBJECT PROPERTY AND SURROUNDING AREA

The subject property is located along Grove Place, Grove Street and Ponce de Leon Avenue as further defined by the associated boundary map. The property has approximately 990 feet of frontage along North Arcadia Avenue, 726 feet of frontage along Grove Place, 250 feet of frontage along Grove Street and 472 feet of frontage along East Ponce de Leon Avenue and contains 8.903 acres. The Applicant seeks to develop the Subject Property into a mixed use development containing retail, a grocery store and a +/- 270 unit housing

development at a density of 24 units per acre. The subject property is surrounded by mostly Light Industrial usages with Suburban, Commercial and Commercial Redevelopment Corridor farther on the periphery.

LAND USE ANALYSIS

The applicant has requested to amend the plan to NC (Neighborhood Center), a classification permitting a density of up to 24 dwelling units per acre. (LIND) Light Industrial does not permit any residential development and therefore need for a Land Use Amendment (LP-17-21280). The request to change the land use to NC (max residential density of 24 units /acre) was requested because the development includes mixed use buildings. The requested amendment from LIND to NC is inconsistent with the 2025 Comprehensive Plan.

LAND USE AND ZONING ANALYSIS

Section 27-829F of the Zoning Ordinance, “Amendments to Comprehensive Plan land use maps; application forms; criteria” states that the following standards and factors shall govern the review of all proposed amendments to the land use maps.

Whether the proposed land use change will permit uses that are suitable in view of the uses and development of adjacent and nearby property.

The proposed land use plan change does not permit uses that would be consistent and suitable in view of the use, and development, and future land use plan industrial classifications of adjacent and nearby property.

Whether the proposed land use change will adversely affect the existing use or suitability of adjacent or nearby property.

In all probability, the proposed land use plan amendment for the subject property will not adversely affect the existing use or suitability of adjacent properties. However, due to its location in a well-established LIND land use corridor that does not appear to be in transition, the proposed development is not advisable.

Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The proposed land use amendment plan will not cause an excessive burden on public services.

Whether the amendment is consistent with the written policies in the Comprehensive Plan text.

The proposed land use plan amendment is not consistent with the intent, goals and policies of DeKalb County’s 2005-2025 Comprehensive Plan. A Neighborhood Center category encourages a concentration of activities such as general retail and higher-density housing. The proposed development would foster a number of general policies and strategies of the County’s Comprehensive plan, including but not limited to:

- LICAP6: Protect existing and zoned industrial lands from unnecessary intrusion by conflicting land uses.
- LICAP7: Minimize the re-zoning of light industrial properties to residential uses

Whether there are environmental impacts or consequences resulting from the proposed changed.

No, there will not be such impacts resulting from this proposed change.

Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near county boundary lines.

A portion of the total acreage for the proposed development is within the jurisdictional boundaries of the city of Decatur. The applicant has conferred and continues to confer with representatives from both the City of Decatur and DeKalb County to ensure the proposed development is acceptable to both jurisdictions.

Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.

The subject property is surrounded by mostly Light Industrial usages with Suburban, Commercial and Commercial Redevelopment Corridor farther on the periphery. The primary character of the subject property is light industrial and the county aim is to protect and preserve that land use.

Whether there are impacts on historic buildings, subject property's, districts or archeological resources resulting from the proposed change.

There will not be an impact in any of the items noted here.

Attachments:

1. Site Plan
2. Existing Land Use Map
3. Future Land Use/Character Area Map





