



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: May 1 , 2018, 6:30 P.M.
Board of Commissioners Hearing Date: May 22, 2018, 6:30 P.M.**

STAFF ANALYSIS

Case No.: CZ-18-22125 **Agenda #:** N. 5

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) **Consistent** **Inconsistent**

Proposed Density: 29 units/acre	Existing Density: N.A. (undeveloped)
Proposed Units/Square Ft.: 271 units/14,000 s.f. nonresidential floor area	Existing Units/Square Feet: N.A. (undeveloped)
Proposed Lot Coverage: Not applicable Proposed Open Space: 21%	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. In addition, the layout of streets and buildings has changed. According to the applicant, the 2015 site plan did not meet County street standards for fire truck turnaround radii.

<u>Current Proposal</u>	<u>2015 Proposal</u>
Residential Uses: (Total 271 units) 96 single-family attached townhomes 175 multifamily “live-work” units	Residential Uses: (Total 106 units) 35 single-family attached townhomes 60 multi-family units 11 single-family detached units
Non-residential Uses: Office – 84,000 s.f. Retail – 115,200 s.f.	Non-residential Uses: Office -- 149,100 s.f. Retail – 35,700 s.f.
Open Space: 21% 10% s.f. in parks No park or square at least one acre (largest park is approx. 36,000 s.f.) All residential units w/in .25 mile from park	Open Space: 20.1% 7.65% in parks or square no park or square at least one acre 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, on each parcel, an area without mature trees at locations approximately 150 feet from each front property line, indicate that homes were formerly located on the parcels. Beyond 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 townhome development, under construction, to the west.

The modified proposal under consideration in this report consists of 96 single-family attached townhomes and a building with 175 multifamily units and 12,800 square feet of ground floor retail space. A one-acre park is located at the front third of the site. A retail building with approximately 1,200 square feet of floor area is located within the park. The multifamily and retail building is located towards the front of the site, with 63 surface parking spaces behind a street-fronting wing of the building. Vehicular access to the site is provided by two curb cuts on Mountain Drive. Interior vehicular circulation is provided by 22 – 24-foot wide alleys. All of the townhome units have front-loaded garages and 10-foot rear yards.

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.

Building Size and Scale

The townhomes are proposed to be a maximum of 35 feet high. Ten-foot rear yards are proposed for the units between the back walls of the townhomes and the western property line. This distance is not adequate to buffer the properties on the other side of the property line, which are developed with single-family homes. Although most of the rear yards are wooded, two are cleared to the property line, and the owners have the option of clearing their yards at any time. To screen the townhomes, Staff recommends a combination evergreen landscape screen and opaque wall.

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 the alleys are 22-24 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.

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 property is located within a Regional Center activity center, which allows up to 120 dwelling units per acre. The proposal is consistent with the following policies of the 2035 Comprehensive Plan: “Enhance the County’s existing supply of housing.” (HP3) and “Ensure that new development and redevelopment is compatible with existing residential areas.” (LUP6)

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 with land uses on adjacent and nearby properties.

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

It appears that the property does not have reasonable economic use as conditioned on the 2015 site plan to the extent that the 2015 site plan does not meet road width standards and cannot, therefore, be developed.

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 be limited to no more than 35 feet in height, and that a screening wall be provided along the west property line. 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.

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)) As a heavily wooded site, the project offers an opportunity to exceed minimum standards. Therefore, Staff is working with the applicant to craft conditions that maintain the environmental and health benefits that result from preservation of the tree canopy.

Compliance with District Standards:

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.	29 units/acre	Yes
MIN. STREET FRONTAGE	50	358	Yes
OVERALL SITE SETBACK	Rear: Min. 10 ft.	10 ft.	Yes
MIN. OPEN SPACE	10% of total parcel acreage Park or square at least one acre All residential units w/in .25 mile from park	21% Largest park is approx. 36,000 s.f. All units w/in 305 ft. from park or closer	Yes A variance will be necessary Yes
MIN. TRANSITIONAL BUFFER	50 ft. with fence	10 feet	A variance will be necessary.
MIX OF USES (SQUARE FOOTAGE OF BUILDING(S))	Min. 20% non-residential	41.25% non-residential	Yes
MIN. LOT AREA, WIDTH, LOT COVERAGE	Not applicable to proposed fee-simple townhomes.	Not applicable	Not applicable
BUILDING SEPARATION	As per Fire Code	Side-to-side: 25 ft. Rear-to-rear: 20 ft. Front-to-front: 60 ft.	Will be determined during review of building permit application
MINIMUM UNIT SIZE	S-F attached: 850 s.f. M-F: 1 brm. – 500 s.f.; 2 brm. – 650 s.f.; 3-brm. – 800 s.f.	S-F attached: 850 s.f. M-F: 1 brm. – 500 s.f.; 2 brm. – 650 s.f.; 3-brm. – 800 s.f.	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 S-F Attached: max. 35 ft.	Mixed use: max. 8 stories 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.
PARKING	Retail – min. 1/500 sf.; max. 1/200 s.f. = min. 28; max. 70 Multifamily residential – min. 1.5/d.u.; max. 3/d.u. = min. 263; max. 525 Combined retail and m-f residential parking : min. 291; max. 595 S-F Attached: min. 1.25 = 120 spaces; max. 3.25 = 312 spaces Bicycle parking: 1 space/20 vehicular parking spaces = 24 spaces	Combined retail and m-f residential parking = 291 S-F Attached: 2 spaces/unit = 192 spaces No information provided re: bicycle parking	Yes Yes Bicycle parking must be provided or a variance must be granted.
TREE ISLANDS IN PARKING LOT	One island for every 10 parking spaces – one island required in surface parking lot	Not provided	Administrative approval of the Master Plan will be required.
PERIMETER LANDSCAPE STRIP (Sec. 5.4.4(C))	Min. 5 ft. wide; required along north property line	Provided	Yes
ACCESS POINTS	2 access points	Two access points	Yes

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The proposal is consistent with the following policies of the 2035 Comprehensive Plan: “Enhance the County’s existing supply of housing.” (HP3) and “Ensure that new development and redevelopment is compatible with existing residential areas.” (LUP6) 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. 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.

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 Sept. 13, 2017. A screen shall be installed along the entire length of the west 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 10-foot wide strip 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 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 [are] 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. ~~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 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. ~~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]~~

~~7.6. 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. The building elevations shall [be substantially similar to those depicted in] Exhibit C and Exhibit D. ~~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(l)(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
- l. 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

~~11. Maximum building height of Buildings D and E shall be three stories. Maximum building heights of Buildings B and 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, 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, the developer shall 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, 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.
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.
14. Recycle collection bins shall be provided for the ~~tenants residing in the townhome and multifamily buildings~~ residents.
15. ~~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.~~
- ~~16. 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.]~~
- ~~17.~~16. 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.~~18. ~~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.~~19. 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.

RECOMMENDED CONDITIONS

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 Sept. 13, 2017. A screen shall be installed along the entire length of the west 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 10-foot wide strip within which the screen shall be established shall not be disturbed except where necessary to remove bamboo or other invasive plants.
2. The landscape plan will be in substantial compliance to Exhibit E Avondale Park. 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.
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. 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. Open space and park space shall be as shown on the site plan cited in Condition No. 1.
7. The townhomes shall have a minimum floor area of 1,200 square feet.
8. All residential buildings shall be designed to have a pitched roof.
9. The building materials shall be those listed in Exhibit B Construction Details. The building elevations shall [be substantially similar to those depicted in] Exhibit C and Exhibit D. The side elevations of all residential buildings shall have windows and architectural detailing as required in Section 27-5.6(l)(1) of the County Code.
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
 - l. 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
11. Maximum building height of Building B shall be eight stories. 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, 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.
 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.
 14. Recycle collection bins shall be provided for the residents.
 15. No direct vehicular access shall be permitted from the subject property to Farrar Court.
 16. Secure bicycle storage lockers shall be provided within the parking deck of the multi-family building for a minimum of 20 bikes.
 17. No more than one ground sign shall be permitted on the Mountain Drive frontage shall be permitted. The ground sign shall be a monument style signs with a base and framework made of brick or stone and a maximum height of 6 feet.
 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. 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, Maps, and Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- ✓ • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ • **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- ✓ • **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.

2015 APPROVED CONDITIONS

November 12, 2015

DEKALB COUNTY

ITEM NO. D1

HEARING TYPE
PUBLIC HEARING

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: November 17, 2015

ACTION TYPE
ORDINANCE

SUBJECT: Rezoning Z-15-19943 Felipe Castellano

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES NO

PAGES:

56

INFORMATION
CONTACT: Marian Eisenberg, Zoning Admin.
PHONE NUMBER: (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

FOR USE BY COMMISSION OFFICE/CLERK ONLY

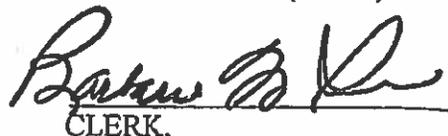
ACTION : 2015-11-17 Item D1 Felipe Castellanos Z 15 19943

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.

ADOPTED: NOV 17 2015
(DATE)


PRESIDING OFFICER
DEKALB COUNTY BOARD OF
COMMISSIONERS

CERTIFIED: NOV 17 2015
(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 Gannon

AGAINST : None

ABSTAIN : None

ABSENT : None

Comm. DG-Gannon
Item No. D1 Date: 11/17/15
Clerk's Office

~~D-10~~
11/17/15
BA
Gannon

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 minimum 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 interior of any multi-family apartment building)
 - k. Home appliance repair and service
 - l. 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 pertains 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 multi-family 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 Farrar 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.

Avondale Park

During construction contact

Cristina Carver

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

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

Exhibit C



PROFESSIONAL ARCHITECTS
101 W. 10th St. Suite 100
Wichita, KS 67202
Tel: 316.261.1234
Fax: 316.261.1235

Proctors
Limited
Company

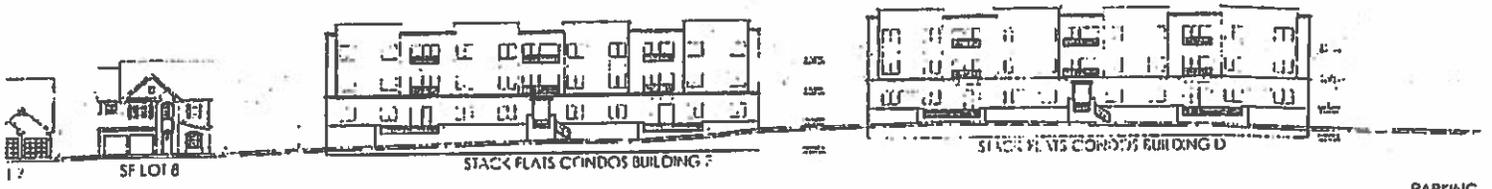
Avondale Park

1825

CAS SIDE ELEVATION

NOV 15 2010

115
A-2
of 12



12
 SF LOT 8
 10' 0" x 12' 0" (120' x 144' 0")
 10' 0" x 12' 0" (120' x 144' 0")
 10' 0" x 12' 0" (120' x 144' 0")

Protech's
 Limited
 Company

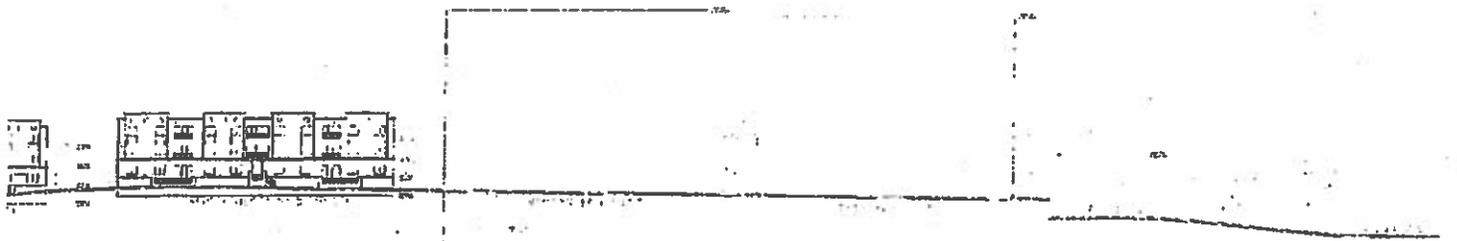
Avondale Park

1525
 1525

EAST SIDE ELEVATION
 1525
 1525

PARKING
 NIS
 A-3
 12' 0"

Exhibit C



PROTERRA LIMITED
111 WEST WASHINGTON STREET
CHICAGO, IL 60601
TEL: 312.427.1000
WWW.PROTERRA.COM

Protterra
Limited
Concepts

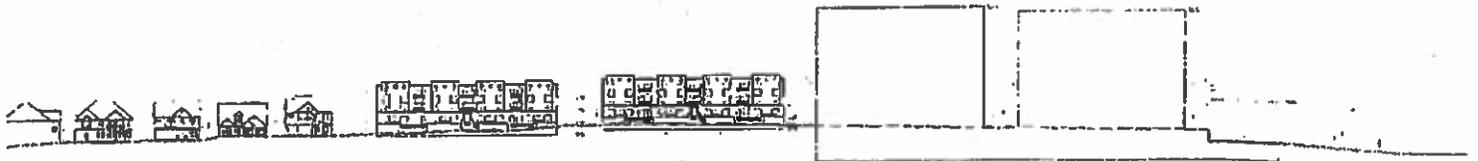
Avondale Park

1525

EAST SIDE ELEVATION
DATE: 06/15/2011

06/15/2011
A-4
of 01

Exhibit C



EAST SIDE ELEVATION

415

A-5

J 02

PROTECTOR ASSOCIATES, INC.
1000 N. CENTRAL AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112

Proterra
Listed
Company

Avondale Park

1525

303-733-1111

303-733-1111

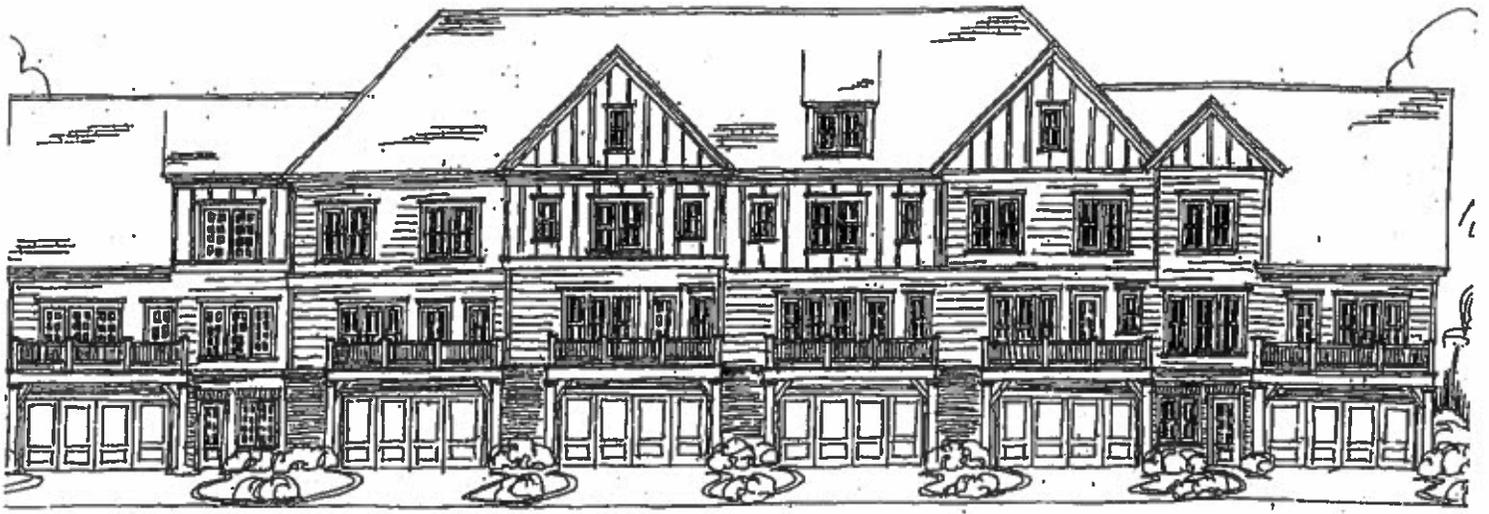
303-733-1111

Exhibit D

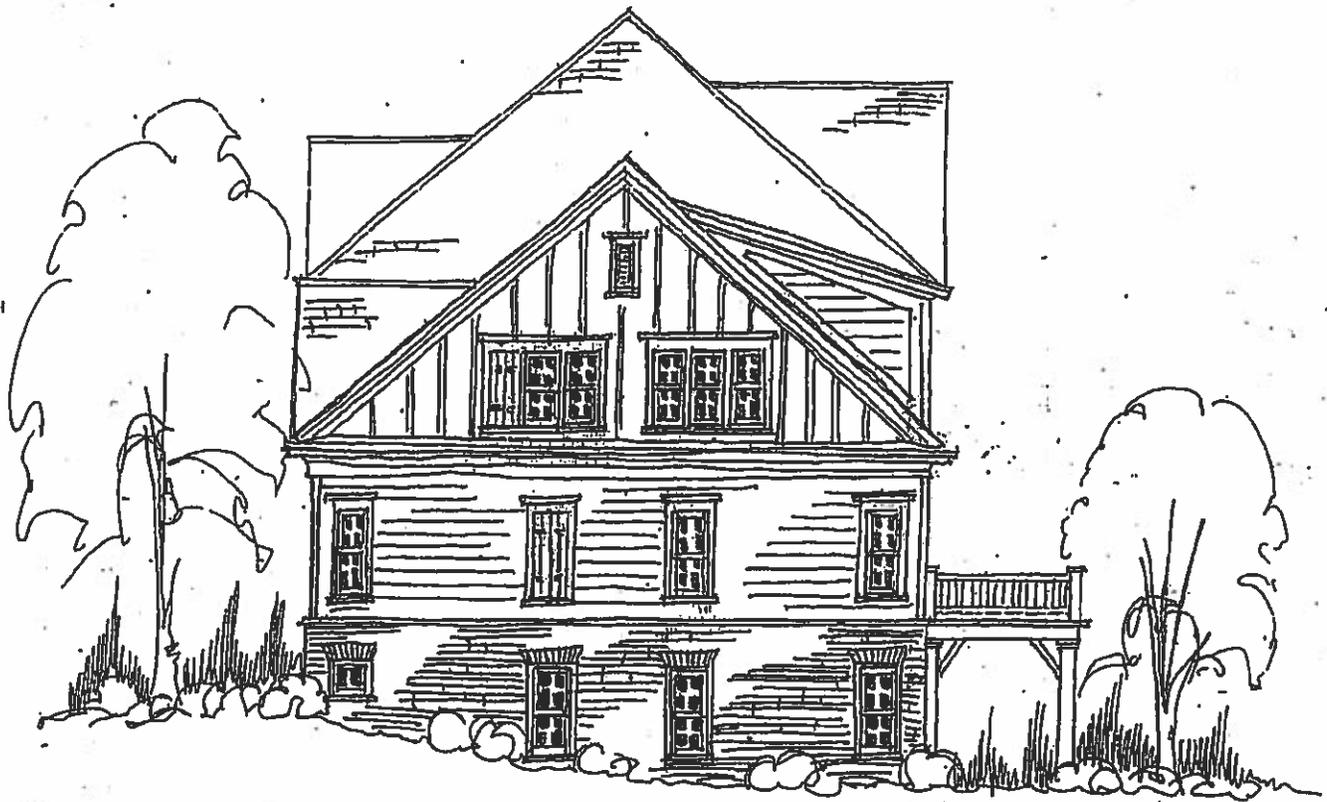


FRONT ELEVATION TOWNHOUSES

EXHIBIT D



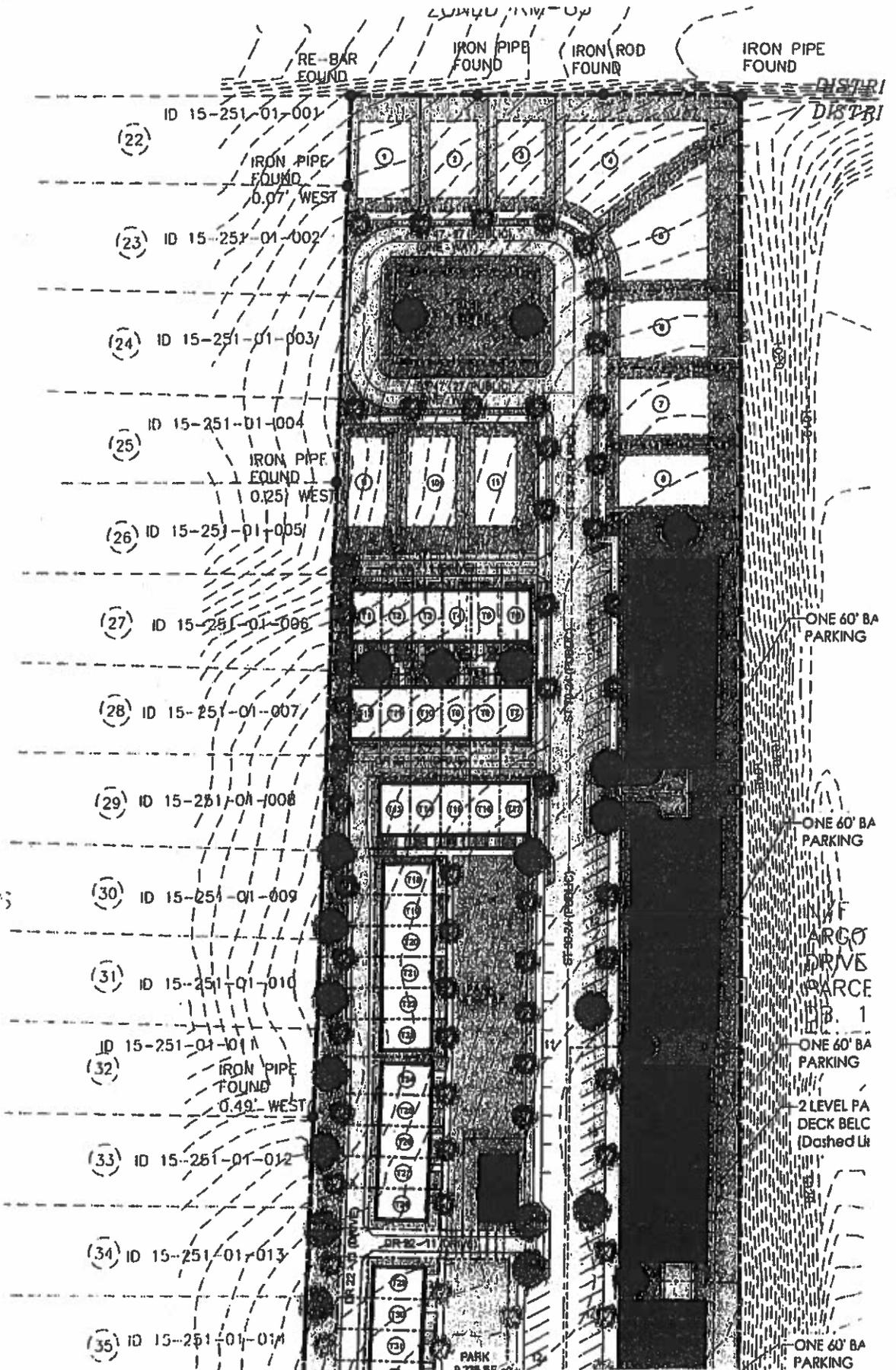
REAR ELEVATION TOWNHOUSES



SIDE ELEVATION TOWNHOUSES

EXHIBIT E

N/2
287 NORTH 117



GRID NORTH
ON MAP

✓
R

AIRRAI...
B. 15, 26, 111
ON 15 27 25

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 is 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 MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: CZ-18-22/25 Parcel I.D. #: 15-251-01-020

Address: 3458, 3468, 3476
Mountain Drive
Decatur, Ga.

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 lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH 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:

Field and plans reviewed. Found nothing that would disrupt traffic flow.

Signature: David M. Bass



**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 JREID@DEKALBCOUNTYGA.GOV

**CO COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: CZ-18-22125

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: N/A

SEWER:

Outfall Servicing Project: Indian Creek Basin

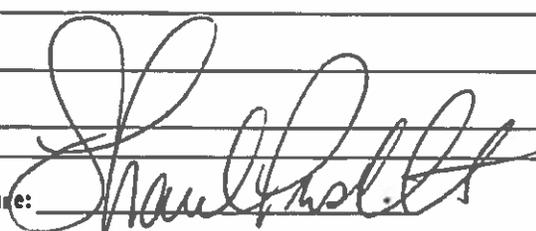
Is sewer adjacent to property: Yes () No () If no, distance to nearest line: Approximately 282 feet Northwest of Property

Water Treatment Facility: Snapfinger Creek WTF () adequate () inadequate

Sewage Capacity; * (MGPD) Current Flow: 21.77 (MGPD)

COMMENTS:

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

Signature: 



4/16/2018

To: Ms. Madolyn Spann, Planning Manager
Mr. John Reid, Senior Planner
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 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

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 general 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,...

745,741,731,721,715,713,707,705,701,695,681,675,669 665 Valley Brook Road, Decatur, GA; 742 and 73

Amendment

- Please see general comments.

-Case # 18-064-02-154,18-064-02-156

N.7

SLUP-18-22140 2018-1897 18-091-01-052

6198 Memorial Drive

Amendment

- Please see general comment letter.

N.8

Z-18-22137 2018-1853 16-062-02-005, 16-062-02-027, 16-062-02-028, 16-062-02-029

1230,1238, and 1248 Panola Road and 5636 Redan Road, Stone Mountain, GA

Amendment

- Please 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 Date: 4/11/2018

Submitted to: DeKalb County **Case #:** Z-18-22125
Parcel#: 15-251-01-020/27/28

Name of Development: Avondale Park
Location: 3458-3478 Mountain Drive

Description: Mixed-Use development on currently undeveloped lots on Mountain Drive, including townhomes and multi-family over commercial space. Seeking modifications to zoning granted in 2015. The proposed development previously had fewer units including a detached product.

Impact of Development: The new plan is expected to generate 34 students: 14 at Avondale ES, 5 at Druid Hills MS, 9 at Druid Hills HS, 5 at another DCSD school and 1 in private school. The three zoned schools are all expected to have capacity for additional students.

Current Condition of Schools	Druid Hills			Other DCSD Schools	Private Schools	Total
	Avondale ES	MS	Druid Hills HS			
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 Calculations

	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

Housing 1: 175 Apartments

Yield Rates	Attend Home School	Attend other DCSD School	Private 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				
Proposed Units	175			
Unit Type	APT			
Cluster	Druid Hills			
Units x Yield	Attend Home School	Attend other DCSD School	Private 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
Anticipated Students	Attend Home School	Attend other DCSD School	Private 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

Housing 2: 96 Townhomes

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.019850	0.012117	0.005156	0.037123
Middle	0.009796	0.004383	0.001805	0.015984
High	0.017015	0.001547	0.001289	0.019850
Total	0.0467	0.0180	0.0082	0.0730
Student Calculations				
Proposed Units	96			
Unit Type	TH			
Cluster	Druid Hills			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	1.91	1.16	0.49	3.56
Middle	0.94	0.42	0.17	1.53
High	1.63	0.15	0.12	1.91
Total	4.48	1.73	0.78	7.00
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Avondale ES	2	1	1	4
Druid Hills MS	1	0	0	1
Druid Hills HS	2	0	0	2
Total	5	1	1	7



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

RECEIVED MAJOR MODIFICATION APPLICATION

FEB 27 2018

CZ-18-22125

Date Submitted: FEB 27 2018

Case No.: ~~215-19943~~

Existing Conditional Zoning No.: 215-19943

APPLICANT NAME: Avondale Park LLC (Carlos Alvarez)

Daytime Phone#: 404 9573207 Fax #: 404 9932167 E-mail: Carlos@Proterra.US

Mailing Address: 133 JOHNSON Ferry Rd Suite 501 Marietta GA 30068

OWNER NAME: Avondale Park LLC
(If more than one owner, attach contact information for each owner)

Daytime Phone#: 404 9573207 Fax #: 404 9932167 E-mail: Felipe@Proterra.US

Mailing Address: 404 7079975 133 JOHNSON Ferry Rd Marietta GA 30068

SUBJECT PROPERTY ADDRESS OR LOCATION: 3458/3468/3478 Mountain Pk
Decatur GA 30032, DeKalb County, GA, 30032

District(s): 6 Land Lot(s): Block(s): Parcel(s): 15 251-01-020, 027, 028

Acreage or Square Feet: +9 ques Commission District(s): 4 Existing Zoning: MU-5

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Signature of Applicant:

Printed Name of Applicant: Carlos Alvarez

15-251-01-020, 027, 028

February 16, 2018

PUBLIC NOTICE

To

Request for a Major Modification

Filed by: Avondale Park LLC

Located at: 3478, 3458, 3468 Mountain Drive

Decatur, GA 30032

Current Use- Vacant

Zoning - MU-5

Pre-Submittal Community Meeting to take place at: **Avondale Pizza Cafe**

Locations: 2823 E College Ave, Decatur, GA 30030

Date & Time: Monday, February 26, 2018 at 7:00PM

Food will be provided

404-395-6440

Please RSVP lisa.waites@eikonpartners.com

MEETING SIGN-IN SHEET

Project: Avondale Park Major Modification	Meeting Date: 2/26/2018
Facilitator: Carlos Arenas	Place/Room: Avondale Pizza Cafe

Name	Last	Address	Phone	E-Mail
Mika	Mueller-Rougier	702 Farrar Ct	410-604-5223	muellerrougier1@gmail.com
Natun & Niran	Patel	668 Farrar	404-660-5525	nirupatel1@hotmail.com
Andrew	Shshqy	664 Farrar Court	404-388-7488	andrewshshqy@hotmail.com
Morgan	Rou	658 FC		morganroucheband@gmail.com
Ray	Cruz	669 Farrar Ct	420-760-404	raydcruz@gmail.com
Connie	White	652	375-0350	conniewhite652@gmail.com
Courtney	McClellan	696 Farrar	404-723-6182	CRM.GEORGIA@gmail.com
Barbara	Lane	709 Farrar	678-973-3952	blane1@comcast.net
Will	Transneck	690 Farrar	(561) 667-4131	trangood@gmail.com
Emily	Halvay	659 Farrar	4) 580-2178	evh271@gmail.com
Annie	Italiano	623 Farrar	470-532-8658	anneitaliano1@gmail.com
Vicki	WEBB	3137 ROCKBROOK	404-624-0600	VIC@FURIOUSDREAMS.COM
Meagan	Hussey	681 Farrar	(678) 362-6343	m.e.hussey@gmail.com

**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, Multifamily. Live work units the estimated hours of operation for the commercial businesses include: retail uses from 8:30am-9:00pm, and restaurant uses 7:00am-11:00pm.

Use	Units	Square Feet	Height
Mix use Commercial Multifamily (B)	Max 175	N/A	26' Min, 120' Max
Commercial/Retail (A)	N/A	12,800	26' Min, 120' Max
Commercial/Retail (C)	N/A	1200	35' Max
Single Family Attached	96	N/A	35' Max



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

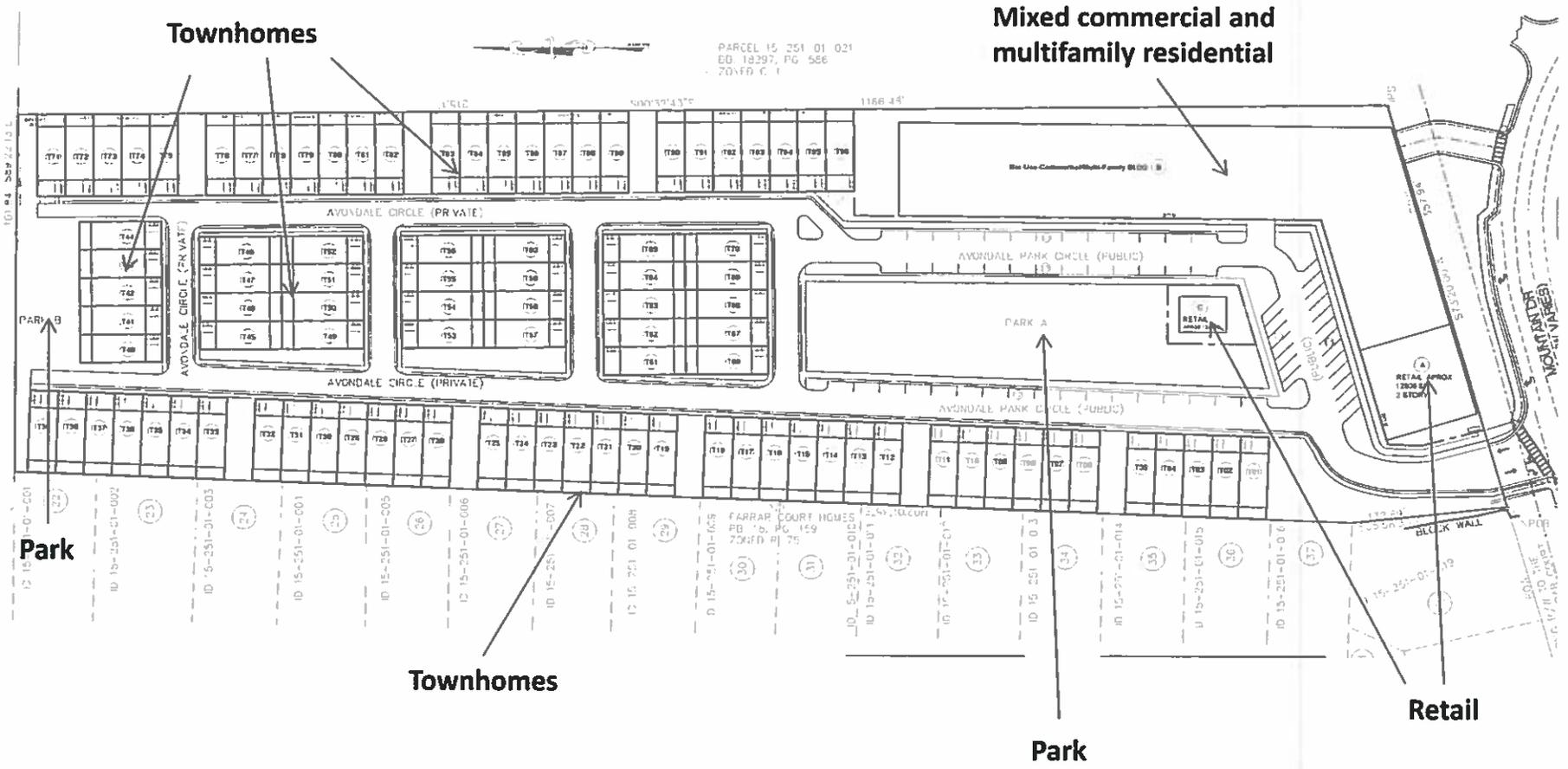
During construction contact

Felipe Castellanos

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

CONSTRUCTION DETAILS

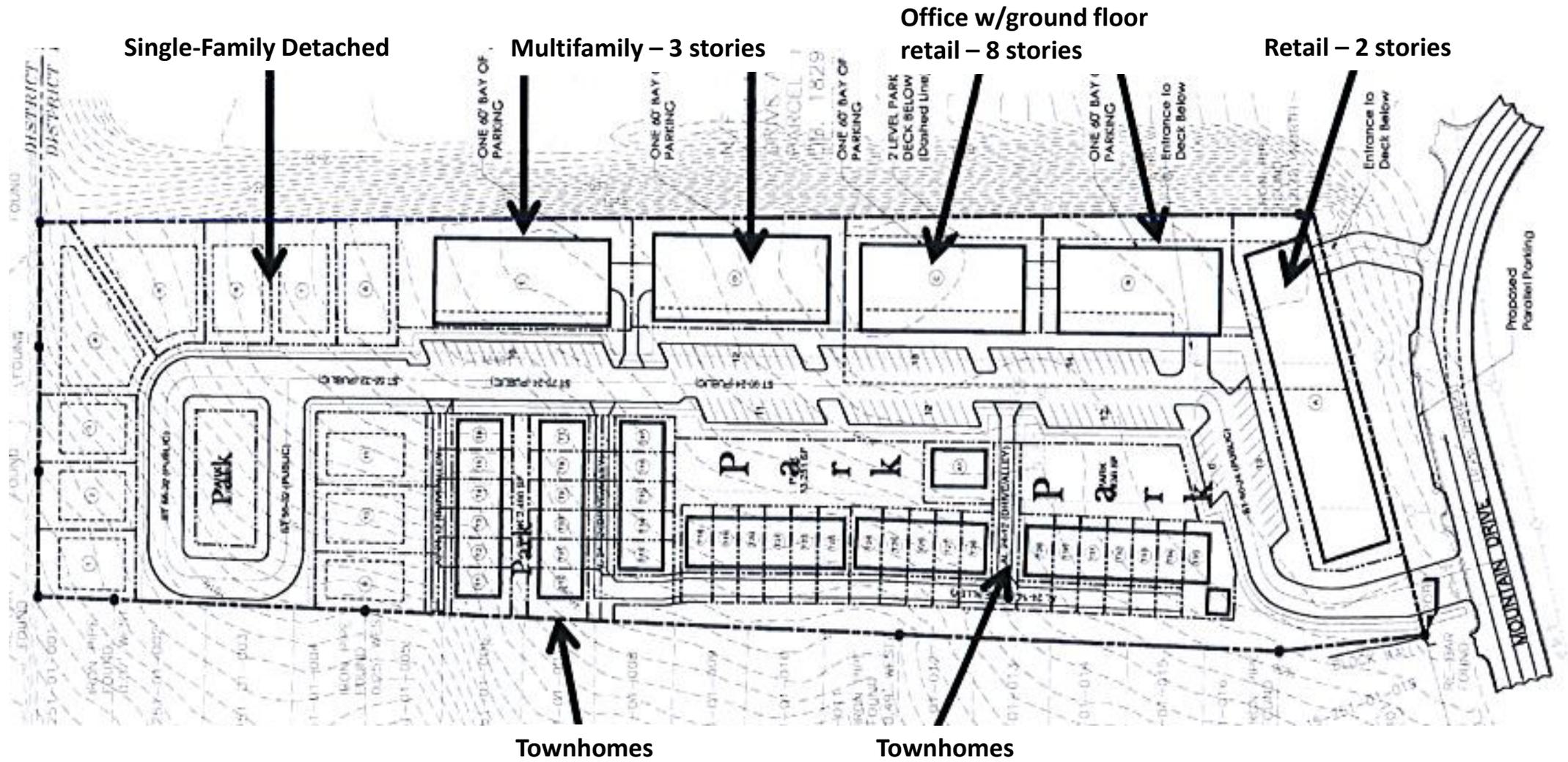
RESIDENTIAL SINGLE FAMILY ATTACHED			
			Brick (soldier details, 45 angle details, stone detail)
			Concrete composite siding (hardie plank siding, panels, shingles)
			Natural Stone (stack stone, slate stone, tile stone and others)
			Sintetic Stone and Sintetic Stone Panels
			Real Stucco
Mix-Use-Commercial/Multi-Family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



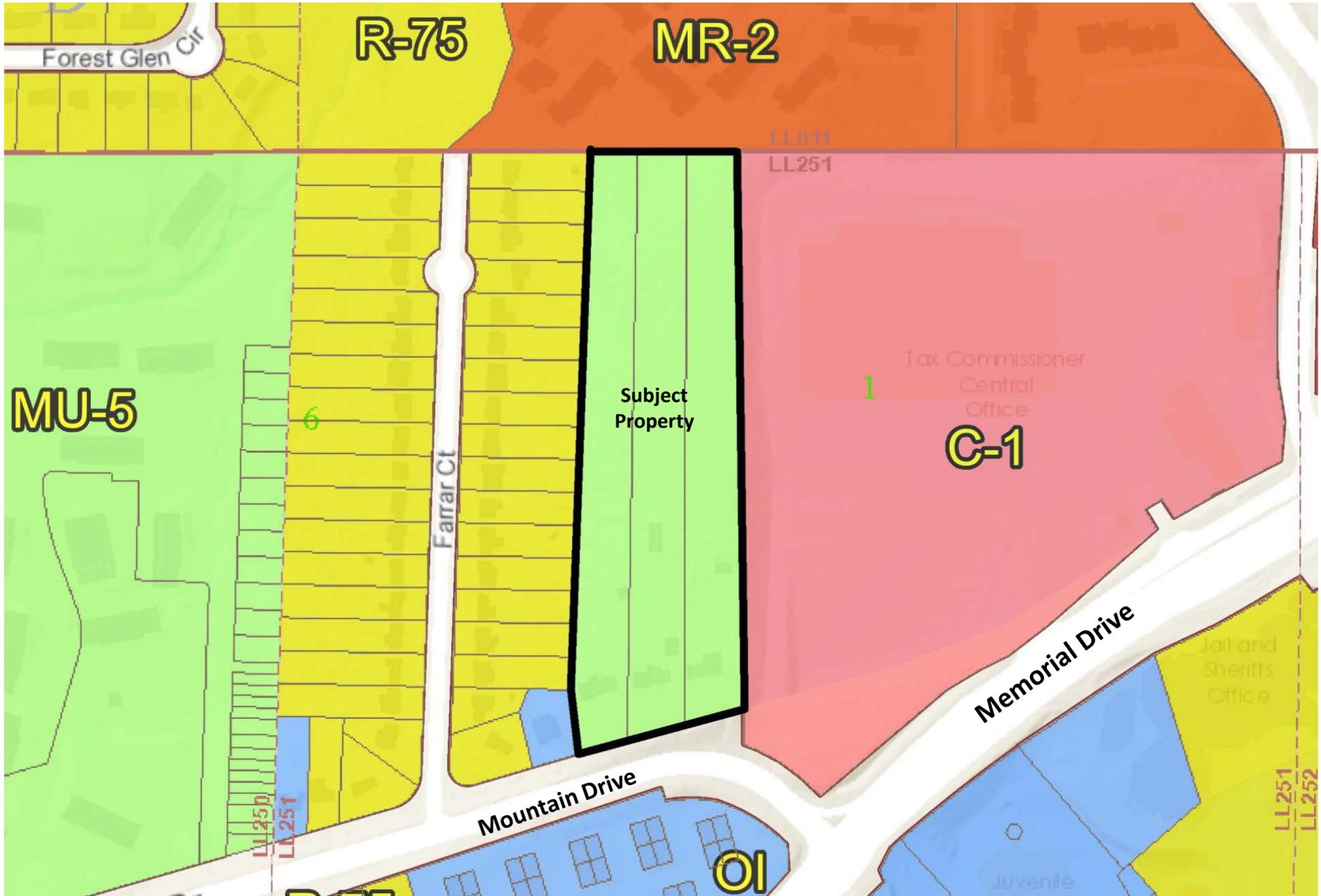
PARCEL 15 251 01 021
ED. 18297, PG. 566
70'XFD. C. 1

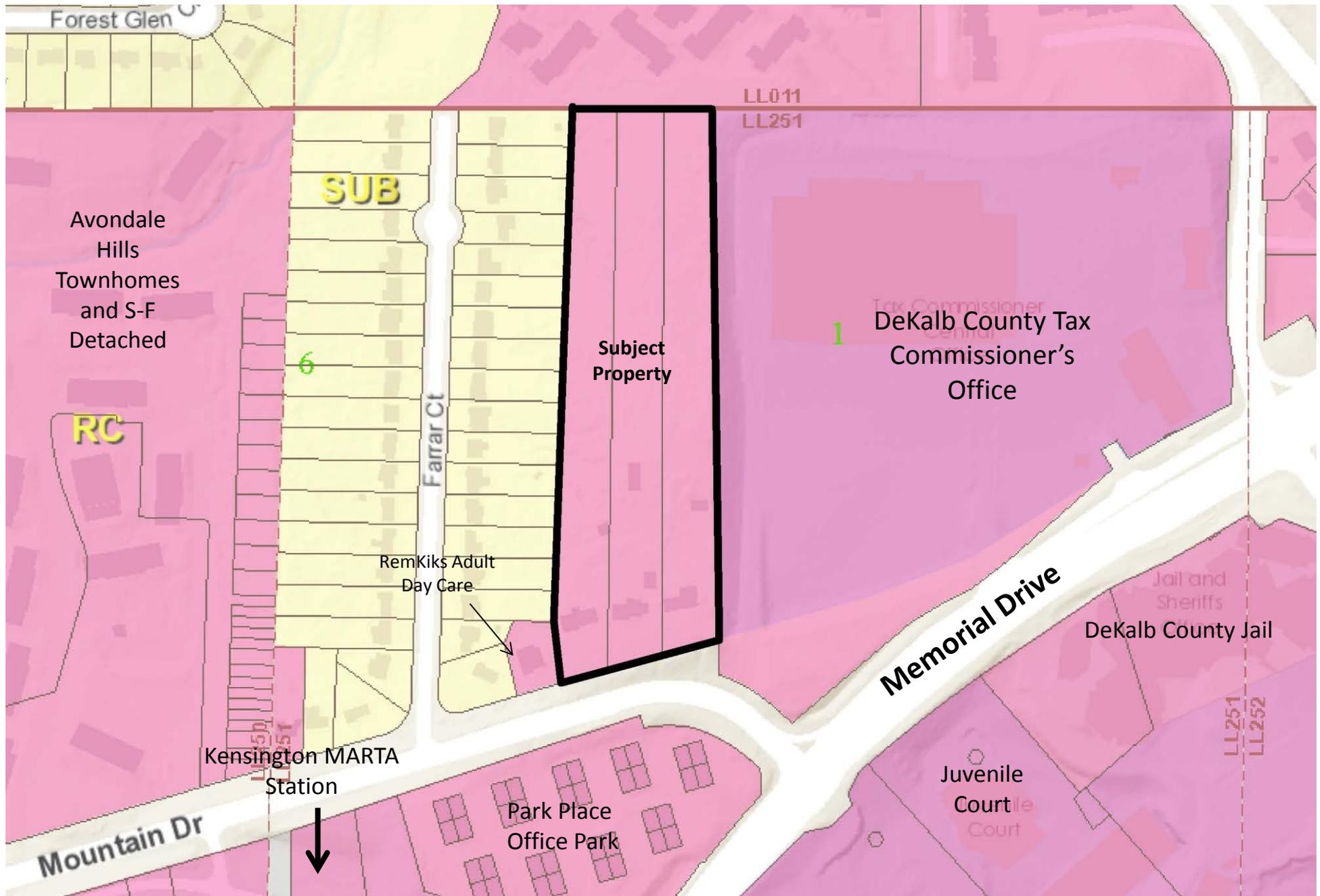
SED DEVELOPMENT AT
AVONDALE PARK
AVONDALE PARK DR DECATUR GA 30032

proterra development llc
info@proterra.us
TEL: 404.887.5969
132 Johnson Ferry Road Suite 116
Atlanta, Georgia 30328
FAX: 404.873.2187













Front of subject property on Mountain Drive.



East side of subject property, viewed from parking lot of Tax Assessor's Office.