# **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.:	Z-18-22138	Agenda #: N. 6
Location/Address:	745, 741, 731, 721, 715, 713, 707, 705, 701, the rear of 701, 695, 681, 675, 669, and 665 Valley Brook Road, Decatur, 742 and 739 Ford Place, Scottdale, and 759 Milton Street, Scottdale.	Commission District: 4 Super District: 6
Parcel ID(s):	18-064-02-020, -022, -013 through -019, -021, 156	-023, -037, -038, -066, -152 through -154,
Request:	To rezone property from R-75 (Residential Med Mix) for a residential development consisting of homes and 45 attached townhome units at a december of the second sec	of 46 lots for urban single-family detached
Property Owner(s):	Various	
Applicant/Agent:	Arrowhead Investors, LLC c/o Bryan Flint	
Acreage:	12.83 acres	
Existing Land Use:	Single-family residential, woods, and streams	
Surrounding Properties:	To the north: Stonewyck Manor townhomes arresidential; in all other directions: single-famil	, , ,
Adjacent Zoning:	North: RSM and MR-1 South: R-75 East: R-7 Northwest: R-75 Southeast: R-75 Southwest	
Comprehensive Plan:	Suburban X 0	Consistent

## **PROJECT ANALYSIS**

**Proposed Units: 91** 

Proposed Density: 7 units/acre

**Proposed Lot Coverage: 70%** 

The subject property is a 12.83 assemblage of 18 parcels into one development site with frontage on Valley Brook Road, and minor arterial. Most of the lots are developed with single-family detached homes on parcels that range in size from approximately 8,450 square feet to approximately 32,633 square feet. One parcel, located at the terminus

Existing Density: .86 units/acre

Existing Lot Coverage: (estimate) 5%

**Existing Units: 11** 

of Milton Street, is crossed by a stream; this parcel is proposed to be left as open space. DeKalb County maps also show a stream running across 739 Ford Place; the site plan indicates that this parcel is intended to be developed. The landscape plan does not indicate whether any of the mature trees will be preserved.

The proposal is for a residential development consisting of 46 lots for urban single-family detached homes and 45 attached townhome units at a density of 7 units per acre. Vehicular access is proposed to be provided by a combination of 24-foot wide private drives and 16-foot wide alleys with 20-foot easements. The site plan shows three parks, a "master amenity" area, and a courtyard next to the stormwater facility.

The adjoining properties to the north are developed with a 20-unit townhome development called Stonewyck Manor, and a 170-unit multifamily residential development called Valley Brook Crossing Apartments. Stonewyck Manor has a density of 13 units per acre, and Valley Brook Crossing has a density of 12.11 units per acre. In addition, a multifamily residential development called Gateway at Cedar Brook Apartments is located across Valley Brook Road, to the southwest. Gateway has 254 units and a density of 21 units per acre. The single-family residential neighborhoods across Valley Brook Road to the west, Storybook Estates and Valley Brook Manor, are developed at densities of 2.73 units per acre and 2.92 units per acre, respectively.

A small retail node is located at the intersection of Valley Brook Road and East Ponce de Leon Avenue, less than ¼ mile from the midpoint of the row of homes that are proposed to face Valley Brook Road. A multitenant commercial building on the west side of Valley Brook Road contains a laundromat, convenience food store, and fast food restaurant. A Family Dollar store is located on the other side of Valley Brook Road.

#### 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 zoning proposal is consistent with the following policies and strategies of the 2035 Comprehensive Plan: "Enhance the County's existing supply of housing." (HP3) The siting of single-family detached homes along Valley Brook Road, and the location of the development along a minor arterial is consistent with the policy to "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: While the density of the overall development is greater than that of the surrounding single-family residential neighborhood, the single-family detached building form of the homes along the Valley Brook Road frontage corresponds to the building form found in the neighborhood. The three-story height of the homes along Valley Brook Road would be similar in height to the three-story townhomes of the Stonewyck Manor development on the adjoining property to the north. At seven units per acre, the proposed density of the development is lower than that of the townhome and multifamily residential properties to the north, which are developed at 13 and 12.11 units per acre, and the multifamily residential development to the southwest, which has a density of 21 units per acre. Thus, it departs from the precedent initiated by the higher-density townhome and multifamily developments on adjoining and nearby properties.
- **C.** Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned: The property to be affected by the zoning proposal has reasonable economic use as currently zoned for single-family detached homes.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. A 20-foot buffer is proposed along the south property line, and the north property line adjoins developments with buildings of similar size and scale.

# 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:

Staff is unaware of any other conditions that would support either approval or disapproval of the zoning proposal.

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

There are no historic buildings, sites, districts, or archaeological resources on or near the subject property.

# 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:

The Department of Public Works Traffic Engineering Division has commented that the proposed development would not impair traffic flow on surrounding streets. The School District has indicated in its comments that there is adequate capacity for the number of elementary, middle, and high school students who are projected 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 asserts a goal to "Preserve trees and other natural resources to protect the environment." (Natural Resource Policy No. 4) The tree survey submitted by the applicant shows that there are approximately 139 significant trees on the site (trees with trunks measuring 18 inches or larger "at breast height", or approximately 4.5 feet above the point where the tree meets the highest grade of soil). 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:**

RSM STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE	Base: 4; with bonuses: up to 8 d.u.s/acre	7 units/acre.  Bonuses: Proposed MARTA bus shelter: 20% bonus = .8 units/acre  Enhanced open space to equal 27% of site: 50% bonus = 2 units/acre  Proximity to retail = 20% = .8 units/acre  4 + .8 + 2 + 8 = 7.6 units/acre	Yes
MIN. OPEN SPACE	20%	28.1%	Yes
MIN. LOT AREA	Urban s-f detached: 1,350 s.f.  "Fee simple" townhomes: not applicable	Urban s-f detached: 2,871 s.f. Townhomes: N.A.	Yes N. A.

RSM :	STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN.	LOT WIDTH	Urban s-f detached: 25 ft.  "Fee simple" townhomes:	33 ft. Not applicable	Yes Not applicable
		not applicable		
MAX.	LOT RAGE	70% of total parcel acreage	71.9	Lot coverage must be reduced or a variance will be necessary.
TOWNHOME SETBACKS	FRONT	With no alley access: 20 ft. With alley access: 10 ft.	20 ft.	Yes
TOWNHOME	SIDE	None required; building separation must comply with fire code	May be determined during building permit review.	May be determined during building permit review.
	REAR W/ ALLEY	15 ft.	20 ft.	Yes
MINII SIZE	E du		May be determined during building permit review.	
MAX. HEIGH	BLDG. HT	Urban single-family detached: 35 feet	Information not provided.	May be determined during building permit
		Single-family attached: 45 feet or 3 stories	Information not provided	review.
PARKING		Detached S-F: min. 2 spaces per d.u. = 92 spaces; max. 4 spaces per d.u. = 184 spaces	Total: 319 spaces	Yes
		Attached S-F: min. 1.75 spaces per d.u. = 79 spaces; max. 3 spaces per unit = 135 spaces		
		Total min. = 171 spaces Total max. = 319 spaces		
		Total max. – 313 spaces		

#### STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The zoning proposal is consistent with the following policies and strategies of the 2025 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) The proposed three-story detached homes along Valley Brook Road would be similar in height to the three-story townhomes of the Stonewyck Manor development on the adjoining property to the north, while maintaining consistency of building type with the single-family homes in the larger neighborhood. At seven units per acre, the proposed development departs from the precedent set by the higher-density townhome and multifamily developments on adjoining and nearby properties. The Department of Public Works Traffic Engineering Division has commented that the proposed development would not impair traffic flow on surrounding streets. The School District has indicated in its comments that there is adequate capacity for the number of elementary, middle, and high school students who are projected to live in the development. The development would involve the destruction of natural habitat and significant tree loss; however, integrated design strategies can preserve more of the tree canopy than often happens when large tracts of land are redeveloped. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

- 1. The development shall consist of a maximum of 46 single-family lots and 45 attached townhome units.
- 2. The single-family homes shall be a maximum of 35 feet in height. The townhomes shall be a maximum of 45 feet
- 3. The subdivision sign shall be a maximum of eight feet high and shall have a brick- or stone-finished base.
- 4. In order to save as many significant trees as possible, utilities shall be installed by tunneling under tree roots, unless waived by the Arborist.
- 5. The development shall comply with standards and regulations of Chapter 14, subject to approval by the Transportation Division.
- 6. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

#### Attachments:

- 1. Department and Division Comments
- 2. 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

#### **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.

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

# COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

<b>—</b> 4 —		
Case No.: 2-18-221	38 Parcel I.D. #: _/8	-064:02-020
Address: VAlly Busk	Rd	
	Adjacent Road	<u>way (s):</u>
	(classification)	(classification)
Latest Co Hourly Co Peak Hou Existing r Existing r Proposed	(TPD)  ount (TPD)  apacity (VPH)  r. Volume (VPH)  number of traffic lanes  ight of way width  number of traffic lanes  right of way width	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
Please provide additional informat	ion relating to the following stateme	ent.
generate an average of lifteen (15) factor. Based on the above formula with approximately peak hour	vehicle trip end (VTE) per 1, 000 sq a, thesquare foot place of w vehicle trip ends.	ITE) <u>6/7<sup>TH</sup></u> Edition (whichever is applicable), churches quare feet of floor area, with an eight (8%) percent peak hou worship building would generate vehicle trip ends,
a maximum of units per acres,	ove referenced formula, the() , and the given fact that the project :	TE's per day per dwelling unit, with a ten (10%) percent Single Family Residential) District designation which allows site is approximately acres in land area, daily d with residential development of the parcel.
COMMENTS:		
Field and plans	Tantic flow.	LXID parblem Ylog
		Signature: Mark & M. Ross



# 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>Z-18-22138</u>	
Parcel I.D.	0. #: 18-064-02-020, 022, 013 through 019, 021, 023, 037, 038, 066, 152 through 154, 156	
Address: 742, 739 F	745, 741, 731, 721, 715, 713, 707, 705, 701, 695, 681, 675, 669, 665 Valley Brook, Road, Ford Place and 759 Milton Street	
	Decatur and Scottsdale, GA.	
WATER:		
Size of exis	sting water main: 6" AC, 2" GA Water Main (adequate/inadequate)	
	rom property to nearest main: Adjacent to Property	
Size of line	required, if inadequate: <u>N/A</u>	
SEWER:		
Outfall Ser	rvicing Project: South Fork Peachtree Creek Basin	
	ljacent to property: Yes (X) No (_) If no, distance to nearest line:	
	atment Facility: RM Clayton WTF () inadequate	
	pacity; * (MGPD) Current Flow: 122 (MGPD)	
COMMENT		
Please note	e that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) apleted and submitted for review. This can be a lengthy process and should be addressed early in the process.	
		1
		1
		1
		1
	And I have	_
	Signature: Signature:	_

## DEKALB COUNTY

## 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

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 E	Drive, Decatur, GA
☐ Amendment	
- Please see genaral comments	3.
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,
745,741,731,721,715,713,707,70	25,701,695,681,675,669 665 Valley Brook Road, Decatur, GA; 742 and 73
☐ Amendment	
- Please see general commentsCase # 18-064-02-154,18-	
N.7	SLUP-18-22140 2018-1897 18-091-01-052
6198 Memorial Drive	
Amendment	
- Please see general comment I	letter.
N.8	Z-18-22137 2018-1853 16-062-02-005, 16-062-02-027, 16-062-02-028, 16-062-02-029
☐ Amendment	ad and 5636 Redan Road, Stone Mountain, GA
<ul> <li>Pleese see general comments</li> </ul>	

- 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

- 100

Analysis Date:

4/11/2018

Submitted to:

**DeKalb County** 

Case #: Parcel#: Z-18-22138

18-064-02-020, et al.

Name of Development:

Valley Brook and Ford PL

Location:

Valley Brook Road North of Ford Place, 745 Valley Brook Road

Description:

Current single-family lots redeveloped as 76 townhomes and 26 single-family

Impact of Development:

The new plan is expected to generate 13 students: 3 at McLendon ES, 2 at Druid Hills MS, 2 at

Druid Hills HS, 2 at another DCSD school and 4 in private school. The three zoned schools are

all expected to have capacity for additional students.

Current Condition of Schools Capacity Portables Enrollment (Fcst Oct. 2018) Seats Available Utilization (%)	McLendon ES 513 4 425 88 82.8%	Druid Hills MS 1,182 1 947 235 80.1%	Druid Hills HS 1,405 4 1,302 103 92.7%	Other DCSD Schools	Private Schools	Total
New students from development	3	2	2	2	4	13
New Enrollment New Seats Available New Utilization	428 85 83.4%	949 233 80.3%	1,304 101 92.8%			

Summary of Student Calculations

	SF (26)	TH (76)	TOTAL
McLendon ES	1	2	3
Druid Hills MS	1	1	2
Other DCSD Schools	1	1	2
Other DSCD Schools	1	1	2
Private Schools	3	1	4
Total	7	6	13

Housing 1: 26 Single-Family

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Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.055373	0.033966	0.051684	0.141024
Middle	0.023477	0.009205	0.030342	0.063023
High	0.035393	0.005637	0.025245	0.066275
Total	0.1142	0.0488	0.1073	0.2703
Student Calculations				
Proposed Units 26	1			
Unit Type SF	•			
Cluster Druid Hills	<b>5</b>			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	1.44	0.88	1.34	3.66
Middle	0.61	0.24	0.79	1.64
High	0.92	0.15	0.66	1.73
Total	2.97	1.27	2.79	7.03
	Attend Home	Attend other	Private	
Anticipated Students	School	DCSD School	School	Total
McLendon ES	1	1	1	3
Druid Hills MS	1	0	1	2
Druid Hills HS	1	0	1	2
Total	3	1	3	7
<u> </u>				

Housing 2: 76 Townhomes

no	using 2: 76 Towl	nomes		
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	0.003130	0.037123
High	0.017015	0.001547	0.001289	0.019850
Total	0.0467	0.0180	0.0082	0.0730
Student Calculations				
Proposed Units 76	1			
Unit Type TH				
Cluster Druid Hills	1			
	Attend Home	Attend other	Private	
Units x Yield	School	DCSD School	School	Total
Elementary	1.51	0.92	0.39	2.82
Middle	0.74	0.33	0.14	1.21
High	1.29	0.12	0.10	1,51
Total	3.54	1.37	0.63	5.54
	Attend Home	Attend other	Private	
Anticipated Students	School	DCSD School	School	Total
McLendon ES	2	1	1	4
Druid Hills MS	1	0	0	1
Druid Hills HS	1	0	0	1
Total	4	1	1	6

# Furman, Melora L.

From:

susan rossi <rossi\_susan@hotmail.com>

Sent:

Monday, April 16, 2018 5:52 AM

Cc:

Bryan Flint; Rader, Jeff; Gannon, Kathie; Eisenberg, Marian; Furman, Melora L.; Alexander,

Michelle M.; Bradshaw, Stephen R.

Subject:

Correction: Summary of 4-10-18 Community Meeting Re: Proposed Rezoning and Re-

Development on Valley Brook Road

Correction: The public hearing on Tuesday, April 17th begins at 6:30 pm.

In my email below, I incorrectly wrote that the meeting is at 7 pm.

From: susan rossi <rossi\_susan@hotmail.com>

Sent: Sunday, April 15, 2018 7:23 PM

Cc: Bryan Flint; Commissioner Jeff Rader; Kathie Gannon; Marian Eisenberg; Melora L. Furman; Michelle Alexander;

Steve Bradshaw

Subject: Summary of 4-10-18 Community Meeting Re: Proposed Rezoning and Re-Development on Valley Brook Road

A list of individuals cc'd can be found at the end of this email.

# Dear Greater Valley Brook Community Members,

In addition to providing a brief summary of the 04-10-18 meeting, I am forwarding an email that I received from Bryan Flint of Arrowhead Investors. Please scroll down to read the email that was sent to everyone who attended his meeting. Attached are the pdf's which he provided and referenced in his email. If you attended the meeting and feel that I have provided incorrect or misleading information, please contact me so that I can correct or clarify the information—thanks!

In Review: Mr. Flint is asking to rezone 17 properties on or adjacent to Valley Brook Road so that he can tear down the existing homes and replace them with higher-density housing.

Approximately 40-50 people attended the April 10th meeting at which Mr. Flint presented his revised sight plan. The primary changes are the following:

- The total number of units (attached townhome lots and urban single family lots) has been reduced from 102 to 91.
- The number of 20' attached townhome lots has been reduced from 76 to 45.
- The number of 31' detached urban single family lots has been increased from 26 to 46.
- The townhome lots are located on the interior off the development and abut the adjacent apartment complex property.
- The detached single family lots are located along Valley Brook Road as well as abutting the adjacent detached single family lots on Ford Place. (No townhome lots abut the single family lots on Ford Place.)
- Mr. Flint will need to apply for--and receive approval of--a zoning variance in order to adjust some of the setbacks that he is seeking in his revised plan. (A setback is the distance by which a building is set back from the property line.)

# Misc. Other Information that has not changed:

- The proposed plan shows two entrances to the development--one directly across from Lowrance Drive, the other directly across from Judylyn Drive.
- All of the detached single family homes will have driveways/garages on the rear of the lots and be entered from the internal street (not from Valley Brook Road).
- The projected price of the townhomes is \$300-400 K.
- The projected price of the detached homes is \$400-500 K.
- An HOA (Homeowners' Association) will be established to govern the property.

Numerous questions were raised and concerns were expressed. A clear majority of those attending the meeting expressed opposition to the proposed rezoning, primarily due to the density of the plan and the known or expected impact on our community. While a few people remained silent, no one spoke in favor of either the revised plan or the proposed rezoning.

The dates that Mr. Flint listed in his email are the dates of the upcoming public hearings (the first of which is this Tuesday, April 17th at 7pm-6:30 pm).

Tomorrow (Monday) morning, I will send an email with information about how to show your support or opposition at the public hearings--please be looking for that email!

Please help spread the word!! I encourage you to forward this email to your neighbors, civic association members, etc. and/or print and share it with your neighbors. Please forward/share this email in its entirety. (Please do NOT cut and paste portions of this email into another email or post—doing so has produced misleading information and has misrepresented me. Thank you.)

I hope you all are doing well!

### Susan Rossi

- \* Informing Our Community About Proposed Changes in Zoning and Land Use Since 2005
- \* Encouraging Participation in Community Discussions and the Public Hearings Since 2005
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2971 Fantasy Lane Decatur, GA 30033

404-797-7927 mobile

rossi\_susan@hotmail.com

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Commissioner Jeff Rader (Dekalb County, District 2)

Commissioner Steve Bradshaw (Dekalb County, District 4)

Commissioner Kathie Gannon (Dekalb County, Super District 6)

Commissioner Gregory Adams (Dekalb County, Super District 7)

Marian Eisenberg (Dekalb County Zoning Administrator)

Michelle Alexander (Dekalb County Planning Manager)

Melora Furman (Dekalb County Senior Planner assigned to this application) Bryan Flint (of Arrowhead Investors, LLC, the rezoning applicant)

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From: Bryan Flint <bflint067@gmail.com> Sent: Thursday, April 12, 2018 11:56 AM

To: 'Bryan Flint'

Subject: Valley Brook Meeting 4-10-18

Everyone,

The site plan, site rendering and product examples Jeff Kingsfield with Providence Group presented are attached. The upcoming calendar and links to Arrowhead and Providence Group websites are below.

Community Council	4/17	@ Covington Library	6:30 PM
Planning Commission	5/1	@ Maloof Auditorium	6:30 PM
Board of Commissioners	5/22	@ Maloof Auditorium	6:30 PM

http://theprovidencegroup.com/?gclid=Cj0KCQjwh7zWBRCiARIsAId9b4pxIpEA-KVKk4EZISfMYIJaIMg5kycupN2DExBfW0mZQxJMiQw10uwaArauEALw wcB

http://arrowheadre.com/

Please email or call with any questions.

Bryan Flint Arrowhead RE Partners 404-867-3572

# Furman, Melora L.

From: Sarah Jones Page <sarahjoneswrites@gmail.com>

**Sent:** Sunday, April 15, 2018 9:23 PM

To: susan rossi

Cc: Bryan Flint; Rader, Jeff; Gannon, Kathie; Eisenberg, Marian; Furman, Melora L.; Alexander,

Michelle M.; Bradshaw, Stephen R.

Subject: Re: Summary of 4-10-18 Community Meeting Re: Proposed Rezoning and Re-

Development on Valley Brook Road

Attachments: 410 meeting recap.docx

Hi Susan,

Thank you for this recap. I would be hesitant to say that a clear majority expressed opposition, when there were not more than 20 individual speakers, and some of the speakers asked questions rather than showed outright opposition to the project.

Two of the main oppositions raised were traffic and trees. I mentioned at the meeting that we need to discuss traffic outside of just this development, as the inevitable redevelopment of North DeKalb Mall will impact Valley Brook (both with traffic and development) outside of this residential project. I'm sure you've seen that North DeKalb Mall just sent community meeting notices regarding their redevelopment and rezoning, so that seems to be a conversation we should have as a neighborhood sooner than later.

I hope the DeKalb folks CC'ed on this email can provide us guidance to initiating a traffic study for Valley Brook, because our two-lane minor arterial road will be taxed with the residential redevelopment, but paralyzed by the North DeKalb Mall rezoning.

Attached is the description of the meeting I drafted for the civic association to send out, and should be distributed shortly.

Again, Susan, thank you for all you do for our community, and I look forward to continued conversation on our awesome neighborhood.

Sarah

Sarah Jones Page Westbury Drive Mobile: 404-663-2279

On Sun, Apr 15, 2018 at 7:23 PM, susan rossi < rossi susan@hotmail.com > wrote:

A list of individuals cc'd can be found at the end of this email.

**Dear Greater Valley Brook Community Members,** 

Hi neighbors,

Tuesday evening, Bryan Flint with Arrowhead RE Partners held a community meeting to discuss the proposed rezoning and development at Valley Brook and Ford Place. The proposal has changed to reduce the number of homes and increase the percentage of single family homes. The revised site plan and proposed elevations are attached to this email.

The plan was adjusted to **reduce the number of homes from 102 to 91 single-family and townhomes**. Before, the only single family homes in the plan fronted Valley Brook. Now, all existing single family homes that border the assemblage will be adjacent to single family homes. Townhomes will be in the interior and border the existing townhomes and apartments. **The proposed entrances and exits will align with Judylyn and Lowerance on Valley Brook**. There is no plan to use Ford Place for access.

Jeff Kingsfield, architect for The Providence Group, was on hand to discuss elevations. Some citizens expressed concern at the turn-of-the-century styling, which was removed from the proposed elevations attached. New elevations show farmhouse styling for single-family and Williamsburg-brick inspired styling for townhomes.

# Some comments from the community:

- · Traffic: concerns about entrances and exits where they are proposed, cars leaving the road and entering homes on the curve, volume of traffic
- · Tree canopy: concerns about the amount of trees that would be lost
  - o Bryan offered to let anyone walk the property with him and the county arborist to discuss the trees
  - o Jeff pointed out that at the Orion development, they preserved the tree buffer between the neighborhoods and cleared it of invasive species.
- Sewer capacity: questions if the aging sewer system could take the development
  - o Brian discussed the work the county has done to clean lines. Mentioned that a holding tank previously required at the Orion development is no longer required due to added capacity.
- Home style: concerns about fitting with existing community character

Next steps for the developer: The plan will be reviewed by all pertinent DeKalb departments (Roads, Fire, Water/Sewer, Transportation, etc.) and the Planning staff will provide an analysis prior to Community Council.

Community Council is the next public meeting, Tuesday, April 17, 6:30 p.m., at the Covington Branch Library, 3500 Covington Highway, Decatur, 30032.

If you would like to share feedback regarding this development, Valley Brook Civic is still accepting surveys: <a href="http://www.memberplanet.com/s/valleybrookcivic/survey\_valleybrook\_at\_fordplace">http://www.memberplanet.com/s/valleybrookcivic/survey\_valleybrook\_at\_fordplace</a>

If you have any questions, please contact the association at valleybrookcivic@gmail.com.

Sarah Page for the Valley Brook Civic Association

To: Eisenberg, Marian

Subject: RE: new developement

Marian,

Thanks for your insight last week. I will indeed go to the upcoming meetings.

I have learned through community forums that a new site plan proposal has already been created with reduced density, and moving the detention pond.

Thanks again, Chris

From: Brinson, Chris

Sent: Friday, April 13, 2018 2:36 PM

To: Eisenberg, Marian < meisenberg@dekalbcountyga.gov >

Subject: new developement

https://www.dekalbcountyga.gov/sites/default/files/user405/Z%2018%2022138%20Valley%20Brook%20Road.pdf

To: Eisenberg, Marian

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Subject: new developement

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# Furman, Melora L.

From:

susan rossi <rossi\_susan@hotmail.com>

Sent:

Monday, April 16, 2018 3:28 PM

Cc:

Bryan Flint; Rader, Jeff; Gannon, Kathie; Eisenberg, Marian; Furman, Melora L.; Alexander,

Michelle M.; Bradshaw, Stephen R.

Subject:

Call to Action--Public Hearing Tuesday, April 17th--Rezoning Application on Valley

**Brook Road** 

Attachments:

Arrowhead Z 18 22138--Opposition .pdf; Concord Drive Solicitation Letter 2016,

10-13.jpg

Importance:

High

A list of individuals cc'd can be found at the end of this email.

Dear Greater Valley Brook Community Members,

Tomorrow/Tuesday, April 17th is the first public hearing at which the Arrowhead Investors' application will be heard. The purpose of this meeting is for you to express your support or opposition to their request to rezone and redevelop the properties. This is NOT an information-gathering meeting.

Date:

Tuesday, April 17th

Time:

6:30 pm

**Location:** Covington Library

3500 Covington Highway (just 3.5 miles from the center of our community!)

Decatur, GA 30032

The District 4 Community Council will review the application, listen to community members speaking both for and against the application, and vote to make a recommendation that will be forwarded to the Board of Commissioners.

You can show your support or opposition in the following ways:

- Choose someone to represent you and to speak on your behalf (this is the most efficient way for a large group of people to be heard--time will be limited, and other applications will be reviewed). I highly recommend that you know exactly what your representative is going to say BEFORE you choose him/her.
- Stand while your representative is speaking to show your support. Everyone who is able to go is encouraged to go--your presence speaks volumes!
- Wear a color that represents your position: green for go/support or red for stop/oppose

I will be speaking in opposition to the application for the reasons provided in the attached pdf "Arrowhead Z 18 22138--Opposition". I will be representing myself and others who give me permission to do so. (Note: The attached letter from John DeYonker is referenced in the attached pdf and confirmed by Bryan Flint).

If you would like to give me permission to speak on your behalf, please copy and paste the information between the lines below into an email reply, and provide the requested information:

I/we oppose the Arrowhead Investors rezoning application (# Z 18 22138) and give Susan Rossi permission to represent me/us at Dekalb County, GA public hearings on 04-17-18 (Community Council), 05-01-18 (Planning Commission), and 05-22-18 (Board of Commissioners).

I am/we are (full name/s):

I/we own this/these nearby properties (full street address):

I/we do not own property but we live here (full street address):

I/we would like to add the following comments:

\_\_\_\_

Please help spread the word!! I encourage you to forward this email to your neighbors, civic association members, etc. and/or print and share it with your neighbors. Please forward/share this email in its entirety. (Please do NOT cut and paste portions of this email into another email or post—doing so has produced misleading information and has misrepresented me. Thank you.)

I hope you all are doing well, and I hope to see you tomorrow! Please consider carpooling!

#### Susan Rossi

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Decatur, GA 30033

404-797-7927 mobile

rossi susan@hotmail.com

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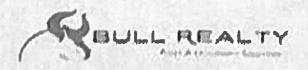
# Reasons for Opposing Arrowhead Investor's Rezoning Application Z 18 22138 Created (and updated) by Susan Rossi on 04-16-18

In the text below, "we" means I, Susan Rossi, and everyone who has given me permission to speak on their behalf (regarding this rezoning application only).

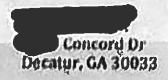
- 1. Most importantly, we believe that this application is for spot rezoning, and we oppose such rezoning. We believe that spot rezoning is the antithesis of careful, thoughtful, well-planned community-supported development. A discussion of creating a comprehensive development plan for our community was discussed as early as 2005. Given the history of rezoning applications on Valley Brook Road (5 in 13 years), and given the current increasing interest in higher-density development in the general area, we are highly motivated to pursue some vehicle for creating a comprehensive development plan for Valley Brook Road (and McLendon Drive, if those neighbors are interested in doing so). In that pursuit, I (Susan Rossi) have begun researching our options and holding monthly meetings to discuss those options with interested community members. Our first meeting was held on March 27<sup>th</sup>, and our next meetings are scheduled for April 24<sup>th</sup> and May 15<sup>th</sup>. We are actively seeking support and guidance from the Dekalb County Planning Department, our Commissioners, and from leaders in other communities who have successfully addressed similar concerns.
- 2. We do NOT believe that the requested zoning--RSM (Small Lot Residential Mix)--is appropriate for these properties or any properties on Valley Brook Road. We do not believe that higher density development is in keeping with the character of the neighborhood. We do not believe that the size of Valley Brook Road is sufficient to accommodate the additional traffic generated from the proposed development or others that might follow once a precedent for rezoning is set. We are not interested in seeing Valley Brook Road widened to accommodate more traffic or encourage more cut-through traffic (especially since the road was JUST completely resurfaced—the old layers removed, two new layers laid down, and the entire street re-striped).

Additionally, we are aware of numerous other high-density developments within a 3-5 mile radius of our community that have been recently completed, are currently under construction, have been approved for construction, or are waiting for approval of their rezoning and/or development plans. While we find all of this new development rather overwhelming, we feel that the other locations are better suited to handle the impact of the increased population than our immediate community.

- 3. What we DO want is for all properties on Valley Brook Road to maintain their current zoning. We would like to see the continued restoration and renovation of homes and yards on Valley Brook Road. We would also support the demolition of existing homes if replaced with homes constructed in a similar size and style as other homes in our community. We believe that these options are ways to address issues of code compliance or blighted properties that are far superior to rezoning. We also believe that one of the best ways to provide affordable housing in our community is to KEEP the affordable housing that we already have.
- 4. We are not willing to risk the likelihood that approval of this rezoning application will set a precedent for similar rezoning applications and development on Valley Brook Road. We are aware that there are two other assemblages of properties on Valley Brook Road whose owners (past or present) submitted applications to rezone those properties for the purpose of building townhomes in 2005 and 2007. While those applications were denied or withdrawn due to overwhelming community opposition, we are aware that if the Arrowhead Investors' application is approved, it is highly likely that future applications for would be approved and that we would see the entire character of Valley Brook Road significantly changed. We are also aware that, in October 2016, Mr. Flint-through a representative of his--sought to purchase every property on Concord Drive in order to assemble them for redevelopment (see attached letter). We feel fortunate that there was not enough interest among those property owners, and we intend to continue sending the message that we have sent since 2005—we believe that current density of homes on Valley Brook Road is quite appropriate and that higher-density development is not.
- 5. And, of course, we share the same concerns that other communities throughout Dekalb County have:
  - the loss of existing large, mature trees and everything associated with the trees: the natural habitat and the wildlife dependent upon them, the cooling effect of the shade produce by the trees, the filtration and absorption of water, the quality of our air, the natural beauty they provide, the reduction of noise
  - inadequate space for similar new trees to replace the ones removed
  - increased stress on our already deteriorating infrastructure, especially our water and sewer systems
  - increased stress on our already overcrowded schools
  - increased traffic and congestion



October 13, 2016



Dear

Would you consider selling your property on Concord Dr in Decatur, GA?

We are working with a well-capitalized development group looking to assemble all the properties along Concord Drive for redevelopment.

If you would consider selling, please let me know.

Sincerely,

John Defonker

V:P. Land and Development (404) 876-1640 x 142

JDeYonker@BullRealty.com

## Furman, Melora L.

From: susan rossi <rossi\_susan@hotmail.com>

**Sent:** Sunday, April 22, 2018 4:07 PM

Cc: Bryan Flint; Rader, Jeff; Gannon, Kathie; Eisenberg, Marian; Furman, Melora L.; Alexander,

Michelle M.; Bradshaw, Stephen R.

Subject: Summary of 04-17-18 Community Council Meeting/Public Hearing, What's Next, Call to

Action

Attachments: Arrowhead Z 18 22138--Opposition .pdf

A list of individuals cc'd, and their titles, can be found at the end of this email.

## Dear Greater Valley Brook Community Members,

At the public hearing held on Tuesday, April 17th, the Community Council voted to recommend DENIAL of the Arrowhead Investor's rezoning application (Z 18 22138) based on both community opposition and technical concerns identified by the Vice Chairman of the Council. The recommendation for denial will be forwarded to the Board of Commissioners who will hear the matter at the third of three scheduled public hearings on May 22nd. The Board of Commissioner's decision will be based on the recommendations from the Community Council, the Planning Commission, and the Planning Department staff, as well as support or opposition shown by community members speaking at/attending the Board of Commissioner's meeting. The Board of Commissioners will vote to approve, deny, or defer the application.

Thank you to the 41 people who gave me permission to speak on their behalf on Tuesday, April 17th, and thank you to all (approximately 50) who attended the meeting to show your opposition! When I spoke at the public hearing, I began by giving my personal responses to some of the things that were said by others who spoke before me, and stated several concerns. I then provided each Council member with a copy of the list of 41 names and addresses of those who gave me permission to represent them (in just 24 hours!), and I read directly from the document I sent you the day before (and which is again attached to this email).

Tuesday, May 1st, is the next/second of three public hearings at which the Arrowhead Investors' application will be heard.

Date: Tuesday, May 1st

Time: 6:30 pm

Location: Maloof Auditorium

1300 Commerce Street Decatur, GA 30030

# PLEASE SHOW YOUR SUPPORT OR OPPOSITION!! You can do so in the following ways::

- Choose someone to represent you and to speak on your behalf. This is the most efficient way for a
  large group of people to be heard. I highly recommend that you know exactly what your
  representative is going to say BEFORE you choose him/her.
- Stand while your representative is speaking to show your support. Everyone who is able to go is encouraged to go--your presence speaks volumes!
- Wear a color that represents your position: green for go/support or red for stop/oppose

## I hope you all are doing well, and I look forward to hearing from you!!

#### Susan Rossi

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2971 Fantasy Lane Decatur, GA 30033 404-797-7927 mobile rossi\_susan@hotmail.com

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Marian Eisenberg (Dekalb County Zoning Administrator)

Michelle Alexander (Dekalb County Planning Manager)

Melora Furman (Dekalb County Senior Planner assigned to this application)

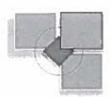
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# DeKalb County Department of Planning & Sustainability

Michael L. Thurmond Chief Executive Officer Andrew A. Baker, AICP Director



# APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

		Z/CZ	No. <u>Z -18 - 22138</u> Filing Fee:
Date Received: _	MAR 0 1 2018	Application No.:	Filing Fee:
	-		067@gmail.com
Applicant Mailing 350 Research	Address: Ct., Suite 100, Peachtree 0	Corners, Georgia 30092	
	Exhibit "A" re than one owner, attach as E		************
Owner's Mailing	Address: Various - See atta	ched	
Owner(s) Phone:		Fax:	<u> </u>
Address/Location	of Subject Property: Valley	Brook Road (see attache	d)
District(s): 18	Land Lot(s): 64	Block: <u>02</u>	Parcel(s: see attached
Acreage: <u>12.83</u> 5	<u> </u>	ommission District(s): 2, 6	
Present Zoning C	Category: R-75	Proposed Zoning Car	tegory: RSM
Present Land Us	e Category: <u>Suburban</u>	******************************	************
		E FOLLOWING BEFORE SI	
attachments and	ne completed in its entirety be filing fees identified on the a all be determined as incomplete	ttachments. An application,	nt accepts it. It must include the which lacks any of the required
I— acceptance wi	Disclosure o	f Campaign Contributions	r 36-67A, the following questions
must be answere	ed:	campaign contributions to	a local government official within
If the answer is showing;	yes, you must file a disclos	sure report with the govern	ing authority of DeKalb County
1. The	e name and official position atribution was made.	of the local government	official to whom the campaign
2. The		n of each campaign contrib f this application and the dat	ution made during the two years
The disclosure m	iust be filed within 10 days afte loard of Commissioners, DeKa	er the application is first pled lb County, 1300 Commerce	and must be submitted to the Brive, Decatur, Ga. 30030.
Charles NE	LAPLANDE	SIGNATURE OF AP	2/28/18 PLICANT / DATE
EXERATION DA	TELSEA M	Check One: Owner _	Agent X
Page Page Page	DECOLAST Ponds de Leon Avenu (2-2021.37 / 215 – [Planning Fax Web Address http://	/www.dekalbcountyga.gov/plani	: Fax] (404) 371-3007 ning
Page 15,3 (AL	BCOU MAN Address: planning	ganddevelopment@dekalbcoun	<u>lyga.gov</u> Revised 1/1/17

# MAR 0 1 2018 PROPERTIES INCLUDED IN REZONING REQUEST ARROWHEAD INVESTORS, LLC

TAX PARCEL-ID	ADDRESS
18 064 02 013	731 Valley Brook Road, Decatur, Ga. 30033
18 064 02 014	715 Valley Brook Road, Decatur, Ga. 30033
18 064 02 015	713 Valley Brook Road, Decatur, Ga. 30033
18 064 02 016	707 Valley Brook Road, Decatur, Ga. 30033
18 064 02 017	705 Valley Brook Road, Decatur, Ga. 30033
18 064 02 018	the rear of 701 Valley Brook Road, Decatur, Ga. 30033
18 064 02 019	695 Valley Brook Road, Decatur, Ga. 30033
18 064 02 020	681 Valley Brook Road, Decatur, Ga. 30033
18 064 02 021	675 Valley Brook Road, Decatur, Ga. 30033
18 064 02 022	669 Valley Brook Road, Decatur, Ga. 30033
18 064 02 023	665 Valley Brook Road, Decatur, Ga. 30033
18 064 02 037	742 Ford Place, Scottdale, Ga. 30079
18 064 02 038	739 Ford Place, Scottdale, Ga. 30079
18 064 02 066	759 Milton Street, Scottdale, Ga. 30079
18 064 02 152	741 Valley Brook Road, Decatur, Ga. 30033
18 064 02 153	721 Valley Brook Road, Decatur, Ga. 30033
18 064 02 154	745 Valley Brook Road, Decatur, Ga. 30033
18 064 02 156	701 Valley Brook Road, Decatur, Ga. 30033

**Notice Date:** 

Mailed February 9, 2018

MAR n 1 2018

# **PUBLIC NOTICE**

To

Request for rezoning Filed by: Arrowhead Investors, LLC Bryan Flint 404-867-3572

For Property Located at 681, 695, 701, 705, 707,713, 715, 721, 731, 741, 745 Valley Brook Road, Decatur, Ga. 30033 665, 669, 675 Valley Brook Road, Scottdale, Ga. 30079 739, 742 Ford Place, Scottdale, Ga. 30079 & 759 Milton Street, Scottdale, Ga. 30079

Current Use-

**R-75 Single Family Residential** 

Proposed Use- RSM (Residential Small Lot. Mix)

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

North Decatur United Methodist Church

Location:

1523 Church Street, Decatur, GA 30030

Date/Time:

Monday, Feb. 26, 2018 at 7:00 PM

MEETING SIGN-IN SHEET	
Project: Unilley Brook Rd	Meeting Date: Feb. 26, 2018
Facilitator:	Location: N. Decatur United Makalist

Name	Address	Phone	E-Mail
Janna Tammen	JOY3 NOTHARNE JOSHdale GA 3	00 79	payteummen & bellsout
Ryland Tammen	" //	205253809	g rtammen@bellsocth
Est Bath			butterent @yaloo, com
Sherrell Warbington	721 Valley Brook Rd 721 Valley brook Rd Decetur, CA 3005 7	678-677-2132	doggy morre of hotma! 1.
Alicia O'Kelley	3105 North Ave	678-362-596	6 alicia 950@ yaho.
Dann Sten	784 mulph17	464 2162	054
Har o'Keney	3105 NORTH AVE	678-294-992	HOKELLEY@ZONTLANT
Elenwan	2755 Fantisy Lane	504-621-7447	ellen.y. wan @ gmail.com
James Illingnorth	tı tı	770-685-3228	ajillinguovth 2004 (aguai)
Kenna Simmons	3115 Hollyword Dr.	464-791-3588	Kenna sinimous@gmail
Laura McCarty	796 Cinderelle La	404 2297292	lawa . thousan meanly Dog
Karen Buerki	2883 Fantasy Lane	404-292-3056	Kbuerki@aol.com
Kathleen Hall	900 Tapper Dr.	404-499-0717	Simone 1946 & Wormail &
VICTORIA WESB	3137 COCKBHIGE 2975 Judyla Dr	484-6248	NCC FURIOUS AREAMS. CO
Carolya M Brown	2975 Judyla Dr	404-19556-7V	nce Furlows arbank. Co n carolyn.m. brown Demory. EUN
Amela Morris	778 Murphey St.	1	Langelaleemontis@g
Susan Tim Bergen	2959 JudyLyn.Dr.	1	smbergen33egmail.co
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Ben Kent		404 517 8030	benkent 109@grai
Stacie Greby	7-33 Ford Place	404-862-7	84 saveby@yahac
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Facilitator:				Location:	<u>U.</u>	Decatu	- Un	ted May	Shelst

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Rosemary Calhoun	3045 Vieta Brook Or	J	agmail Com
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James Lucass.	Address 798 Murphey Scottdale 3007	7 275.0260	lucassej egmail
MARC FARRIS	M CLENDON	404-626-3085	MARE, FACEISAU
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# LAW OFFICES SCHREEDER, WHEELER & FLINT, LLP 1100 PEACHTREE STREET, NE SUITE 800 ATLANTA, GEORGIA 30309-4516

(404) 681-3450 FACSIMILE: (404) 681-1046

Scott W. Peters

E-Mail: speters@swfllp.com Direct Dial: (404) 954-9836

February 28, 2018

Mr. Andrew A. Baker
Director
Department of Planning and Sustainability
DeKalb County
Clark Harrison Building
330 W. Ponce de Leon Ave.
Decatur, GA 30030

MAR 0 1 2018

In re: Letter of Application

Arrowhead Investors, LLC Valley Brook Road at Ford Place

Dear Mr. Baker:

Please accept this letter of application on behalf of Arrowhead Investors, LLC in support of its rezoning application in regard to the property located at Valley Brook Road at Ford Place, Decatur, GA 30033. Arrowhead Investors seeks rezoning of the property from its present R-75 zoning classification to the RSM zoning classification for purposes of development as a subdivision including a mix of attached and detached single family homes. The property is designated as "Suburban" in the 2035 Comprehensive Plan which supports the zoning of the property for the RSM zoning classification and encourages infill redevelopment as proposed.

The subject property consists of approximately 12.835 acres located along Valley Brook Road, northwest of Ponce de Leon Avenue, just north of its intersection with North Decatur Road. An apartment complex named Gateway at Cedar Brook is located across Valley Brook Road, which is zoned MR-2. Immediately to the north of the property is located the Valley Brook Crossing Apartments, which are zoned MR-1. Further, a townhome development named The Courtyards of Decatur is located just north of the property along Stonewyck Place. To the south of the property at the intersection of Valley Brook Road and East Ponce de Leon Ave is a node of commercial development. The surrounding properties are a mixture of zonings, including R-75, MR-1, MR-2, RSM, and C-2. It should be noted that several of the properties that are included in this rezoning request are non-conforming, with several of the lots fronting along Valley Brook road not qualifying as legally developable lots under the existing R-75 zoning designation.

Arrowhead Investors proposes to develop 102 lots on the 12.835 acre tract, including twenty six (26) detached cottage lots along the Valley Brook Road frontage, and seventy six (76) attached townhomes for a net density of 7.9 units per acre. All detached cottages units will have

# LAW OFFICES SCHREEDER, WHEELER & FLINT, LLP

Mr. Andrew A. Baker Page 2 February 28, 2018

a minimum of 1,950 s.f. of heated floor area, while townhome units will include a minimum of 1,650 s.f of heated floor area.

This zoning proposal is suitable in view of the current use and development of adjacent and nearby properties. The development of cottage lots along the principal road frontage will maintain the detached single family appearance along Valley Brook Road, while also permitting greater density of townhouse development on the interior of the property, while also permitting the preservation of significant open space within the development. Attached hereto as Exhibit "A" is an analysis of the proposed development under the factors set forth in Section 27-832 of the Dekalb County Code.

There are numerous MARTA bus stops within a quarter mile of the property, and the applicant proposes to construct a bus shelter along Valley Brook Road. In addition, the proposed development will include Additional Enhanced Open Space % or more of the overall site), qualifying the development for a 100% Density Bonus in accordance with Section 2.12.5 of the Dekalb County Code. As a result, the density requested by the applicant is in conformance with the 2035 Comprehensive Plan.

The proposed subdivision under the RSM zoning district is consistent with the development of properties in the immediate vicinity. The development will provide quality residential development that will replace older single family homes that would be difficult to rehabilitate or redevelop due to existing nonconformities. The proposed development is consistent with the language and intent of the 2035 Comprehensive Plan and will provide an appropriate development compatible with surrounding properties.

Arrowhead Investors respectfully requests the approval of its rezoning request.

Sincerely,

Scott W Peters

SWP/jlm

Enclosures

MAR 0 1 2018

K.\8458\61 - Valley Brook\Rezoning Application\Letter of Application.docx

### EXHIBIT "A" STANDARDS GOVERNING THE EXERCISE OF ZONING POWER

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

Yes. The Subject Property is designated as "Suburban" in the 2035 Comprehensive Plan. The Suburban Character Area/Land Use Designation supports density of up to 8 units an acre, including single family detached, townhomes, assisted living facilities, neighborhood retail and certain other public facilities. The RSM zoning category is a permitted zoning designation under the Suburban Character Area Designation. There is no small area plan applicable to the Subject Property in the 2035 Comprehensive Plan. Suburban Character Area Policies support infill development as proposed, including: 4. Density Increases; 5. Walkability; 6. Infill Development; 7. Infill Development; 14. Sense of Place; and 15. Density.

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

Yes. Property immediately to the North of the Subject Property is Zone MR-1 for the Valley Brook Crossing Apartments. Additional RSM Property is also immediately adjacent to the property to the North for a townhome development on Stonewyck Place. Property located to the Southwest of the Subject Property across Valley Brook Road is zoned MR-2 for the Gateway at Cedar Brook Apartments. A commercial node exists at the intersection of Valley Brook Road and East Ponce de Leon Avenue. This residential development will be consistent with the development trends in the area and will preserve the residential character of the property while permitting improved utilization and development of the Subject Property. In addition, the redevelopment will eliminate a number of non-conforming lots which are included within the property that is the subject of this Application.

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

No. The property fronting along Valley Brook Road is characterized by older single family residences on lots of varying width, the majority of which are nonconforming under existing R-75 standards. Redevelopment under the existing R-75 Zoning designation is not economically feasible given the varied ownership of the properties, the differing conditions of the properties, and the cost associate with redevelopment.

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

No. The proposed development is consistent with the residential character of the area and the existing development of townhomes and apartments on nearby and adjoining properties. Further, the proposed development includes a buffer adjacent to all external property lines.

Further, existing properties to the rear along Ford Place have significant depth which provide an additional natural buffer between the development and existing residences.

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.

Yes. Development trends in the area encourage infill development with less individual exterior maintenance and more clustered development focusing on central amenities. The character of the area supports ownership by young professionals and older "empty-nesters" who are seeking to eliminate maintenance responsibilities and downsize to a townhome type development.

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

No. There are no historic buildings, sites, districts, or archeological resources on the Subject Property.

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.

No. Although the Subject Development will result in a moderate increase in traffic and demand for utilities in the vicinity, the development will not overly tax the use of these public facilities. The property is served by McClendon Elementary School, Druid Hills Middle School and Druid Hills High School. Local schools should not be negatively impacted by the development as it will cater to young professionals without school-aged children and empty nesters, while none of these schools are currently exceed capacity.

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K.\8458\61 - Valley Brook\Rezoning Application\Exhibit A. Standards.Zoning Powers docx

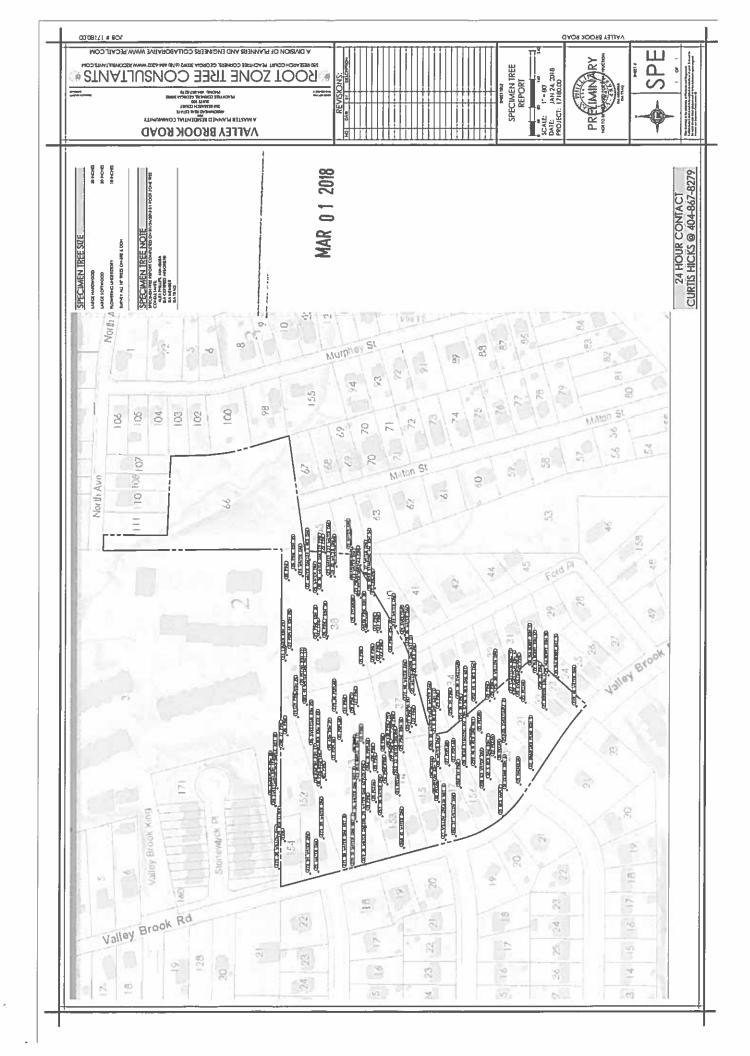
#### EXHIBIT "B" TO REZONING AND LAND USE CHANGE REQUEST OF ARROWHEAD INVESTORS, LLC

COMES NOW Arrowhead Investors, LLC and sets forth its constitutional objections as follows:

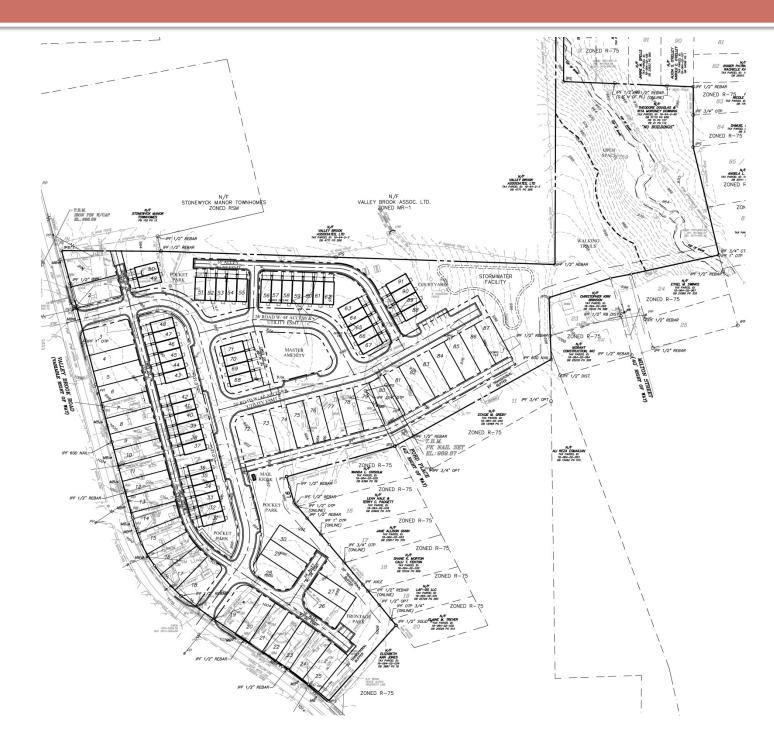
Applicant seeks a rezoning from R-75 to RSM to allow for the property to be developed for residential property with the adjacent tract described in the foregoing application. The present zoning classification of the subject property without the granting of such rezoning constitutes the taking of property without the payment of adequate compensation. Barrett v. Hamby, 235 Ga. 262, 219 S.E.2d 399 (1975). In addition, the arbitrary and capricious denial of the rezoning application would constitute a violation of due process and equal protection. Tuggle v. Manning, 244 Ga. 29, 159 S.E.2d 703 (1968). The denial of the rezoning request would not bear a substantial relation to the public health, safety, morals or general welfare. As a result, the denial of the rezoning request would be arbitrary and capricious. Sellars v. Cherokee County, 254 Ga. 496, 330 S.E.2d 882 (1985).

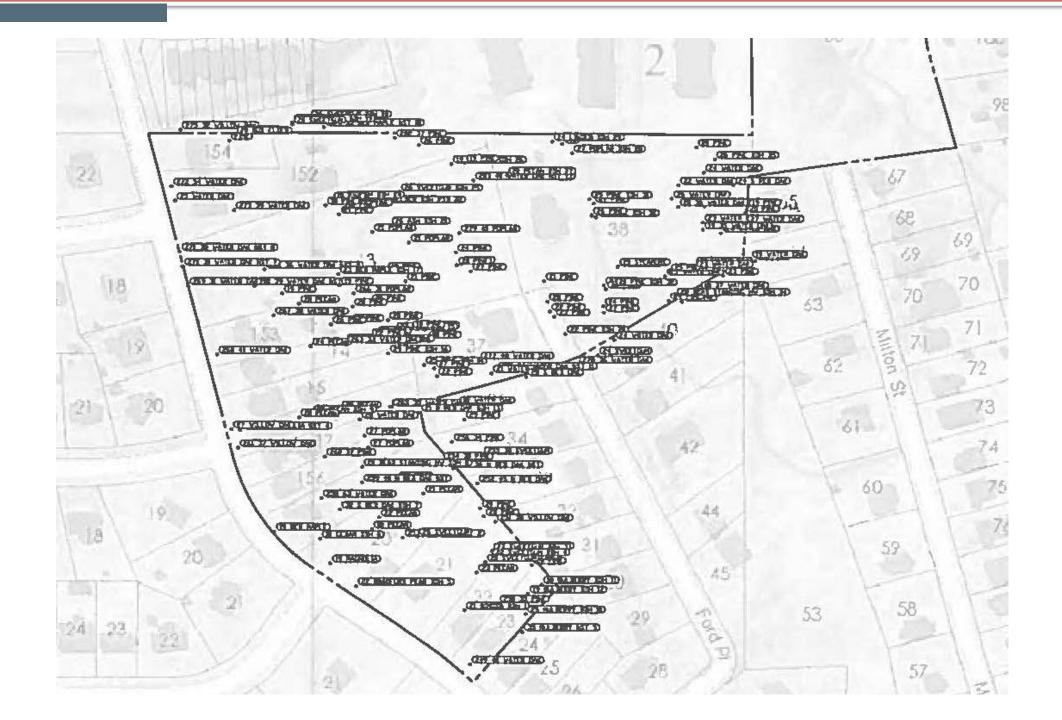
If the applicant's rezoning request is denied, its rights under the Fourteenth Amendment to the Constitution of the United States and under Article I, Section I, Paragraph I (Due Process) and Article I, Section III, Paragraph I (Eminent Domain) of the Constitution of the State of Georgia will be violated. Denial of the rezoning request will constitute an improper exercise of the police power.

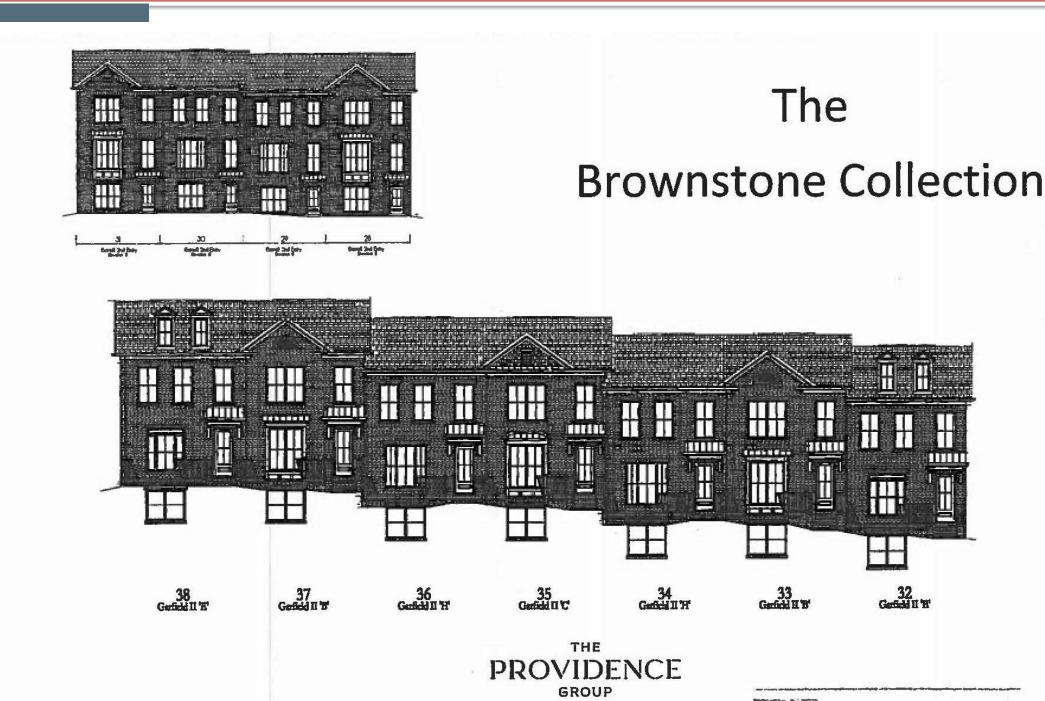




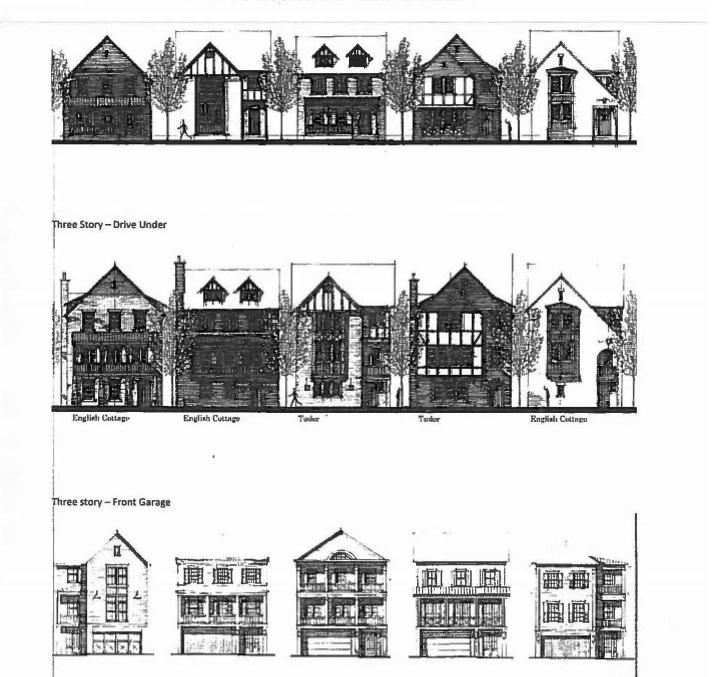
N. 6 Z-18-22138 Site Plan



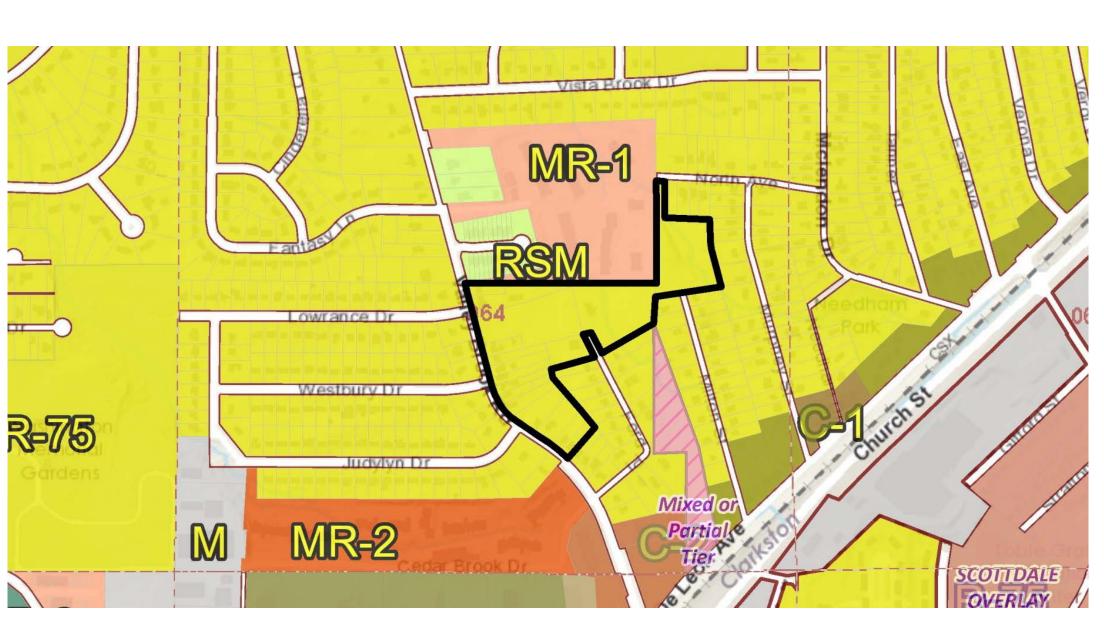


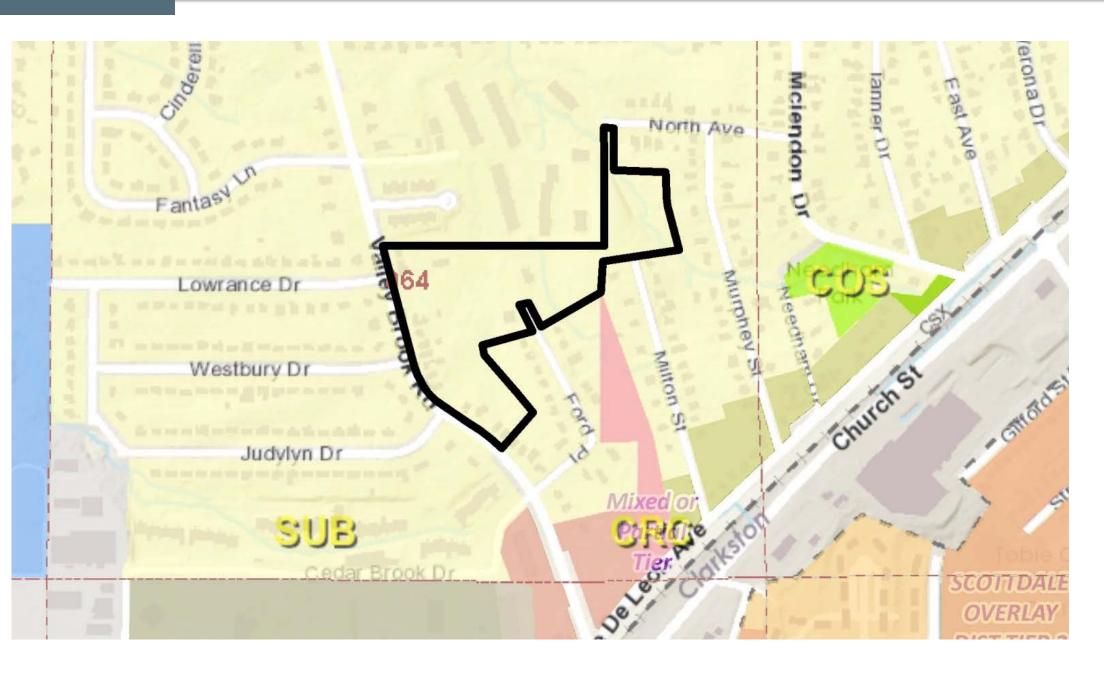


## The Rowes Collection



N. 6 Z-18-22138 Zoning Map





N. 6 Z-18-22138 Aerial Photo



N. 6 Z-18-22138 Site Photos



Views of Valley Brook Road frontage of subject property.



N. 6 Z-18-22138 Site Photos



Homes on opposite side of Valley Brook Road.