



# DeKalb County Government

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

## Agenda Item

**File #:** 2020-0386

6/2/2020

**File Status:** Preliminary Item

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 4 & 6

**Application of John Corcoran for a Special Land Use Permit (SLUP) within the MU-4 (Mixed Use High Density) District to allow for the construction of up to 200 senior housing residences in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.46 (Senior Housing Supplemental Regulations) of the DeKalb County Code, at 3383, 3393, and 3391 Kensington Road and 4200 Memorial Drive.**

**PETITION NO:** N12. SLUP-20-1243877 (2020-0386)

**PROPOSED USE:** Senior housing residences.

**LOCATION:** 3383, 3393 & 3391 Kensington Road; and 4200 Memorial Drive.

**PARCEL NO. :** 15-250-06-009, 15-251-03-001, 15-251-03-002, 15-251-03-003

**INFO. CONTACT:** Jahnee Prince, AICP

**PHONE NUMBER:** 404-371-2607

**PURPOSE:**

Application of John Corcoran for a Special Land Use Permit (SLUP) within the MU-4 (Mixed Use High Density) District to allow for the construction of up to 200 senior housing residences in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.46 (Senior Housing Supplemental Regulations) of the DeKalb County Code. The property is located on the south side of Kensington Road and the west side of Memorial Drive, at 3383, 3393, and 3391 Kensington Road; and 4200 Memorial Drive in Decatur, Georgia. The property has approximately 580 feet of frontage along Kensington Road, 845 feet of frontage along Memorial Drive and contains 4.3 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Full Cycle Deferral.

**PLANNING COMMISSION:** Pending.

**PLANNING STAFF:** Defer to July 14, 2020 BOC agenda.

**STAFF ANALYSIS:** The proposed request for senior housing with accessory nonresidential uses is required to

obtain a Special Land Use Permit (SLUP) in the proposed MU-4 (Mixed-Use-High Density District) zoning district (see associated rezoning case Z 20 1243876 from R-75 to MU-4). Although the applicant originally thought they could meet the requirements of the associated MU-4 zoning request, it has been determined through the design process that they can't meet all the MU-4 requirements relating to providing a minimum of 20% nonresidential uses. The project could provide 10% nonresidential but not 20%. The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre) and increase the building height up to six stories. The desired changes will require a revision to the site plan for the proposed SLUP and associated rezoning application. The HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Regional Center Future Land Use Character Area of the Comprehensive Plan, the Kensington LCI, and the MARTA TOD guidelines. The HR-2 zoning (with conditions) would also allow the applicant to provide some accessory and primary nonresidential uses consistent with the mixed-use goals of the Regional Center Character Area of the Comprehensive Plan and the MARTA TOD guidelines. Additionally, the HR-2 district is more consistent with the adjacent HR-3 zoning to the west. The applicant has not yet amended the associated rezoning application because they are not allowed to at this point in the rezoning process. However, Staff has worked together with MARTA throughout the development of the application and we now agree that HR 2 would be a better fit. Therefore, it is the recommendation of the Planning & Sustainability Department that the SLUP application be "deferred" until the July 14th Board of Commissioners meeting to allow the applicant additional time to submit a revised site plan based on HR-2 zoning requirements and the senior housing supplemental regulations of the Zoning Ordinance.

**PLANNING COMMISSION VOTE: Pending.**

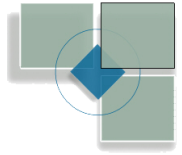
**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Full Cycle Deferral 9-0-1.** The Council recommended full cycle deferral in order to review proposed concept plans, not available because those plans were in the process of being redesigned. There were additional concerns regarding insufficient parking and walkability to nearby parks, grocery stores and drug stores for seniors living in the development.



Michael Thurmond  
Chief Executive Officer

## **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: June 2, 2020, 6:30 P.M.**

**Board of Commissioners Hearing Date: June 9, 2020 9:00 A.M.**

### **STAFF ANALYSIS**

<b>Case No.:</b>	SLUP-20-1243877	<b>Agenda #:</b> N-12
<b>Location/ Address:</b>	3383, 3391, & 3393 Kensington Road and 4200 Memorial Drive, Decatur, Georgia	Commission District: 4 Super District: 6
<b>Parcel ID:</b>	15 250 06 009, 15 251 03 001, 15 251 03 002, 15 251 03 003	
<b>Request:</b>	For a Special Land Use Permit (SLUP) to allow up to 200 senior housing residences in the MU-4 (Mixed Use High Density) district, in accordance with Chapter 27, Article 4, Table 4.1 Use Table of the DeKalb County Code.	
<b>Property Owner:</b>	MARTA	
<b>Applicant/Agent:</b>	John Corcoran	
<b>Acreage:</b>	4.1	
<b>Existing Land Use:</b>	Parking Lot	
<b>Surrounding Properties:</b>	Kensington MARTA station to the north, northeast, and northwest; vacant land and offices to the east: the DeKalb County Juvenile Detention Center and a Shell gas station to the south; and vacant land and offices to the west	
<b>Adjacent Zoning:</b>	<b>North:</b> R-75 <b>South:</b> C-1 <b>East:</b> O-I & HR-3 <b>West:</b> HR-3 and Avondale Estates	
<b>Comprehensive Plan:</b>	RC (Regional Center)	<b>Consistent</b> <input checked="" type="checkbox"/> <b>Inconsistent</b> <input type="checkbox"/>
<b>Proposed Density:</b> NA	<b>Existing Density:</b> NA	
<b>Proposed Units/Square Ft.:</b> Up to 200 Senior Housing residences	<b>Existing Units/Square Feet:</b> Parking Lot	
<b>Proposed Lot Coverage:</b> NA	<b>Existing Lot Coverage:</b> NA	

**Planning and Sustainability Department Recommendation: DEFERRAL UNTIL JULY 14<sup>TH</sup> BOC MEETING**

## **PROJECT ANALYSIS**

The subject properties comprise 4.1 acres and contain a MARTA parking lot. The property is part of a triangle of land bounded on the north by Kensington Road, on the southeast by Memorial Drive, and on the southwest by Covington Highway. In addition to two vacant properties, the other land uses in this triangle are the DeKalb Juvenile Justice Center and a Citgo gas station. The Kensington MARTA Station is located across Kensington Road to the north. A sidewalk is located along Kensington Road, next to the curb.

The Special Land Use Permit (SLUP) request is for senior housing within the MU-4 (Mixed Use High Density) District which allows residential densities up to 40 dwelling units per acre. While initially proposed for up to 200 units, the proposed project had been revised to 170 senior housing residences within two four-story multi-family buildings adjacent to the west property line and the northeast property line at the Kensington Road/Memorial Drive intersection. 130 senior housing residences are proposed for phase one and 40 senior housing residences are proposed in phase two. The proposed density for both phases is 40 units per acre. For Phase 1, sixty-two of the proposed units consist of one bedroom units and sixty-eight of the units consist of two bedroom units. The mix of one and two bedroom units for phase 2 will be determined when phase two comes on line for development. All of the proposed units will consist of affordable housing units.

The associated rezoning request for the MU-4 zoning district allowing residential densities up to 40 dwelling units per acre is consistent with the Regional Center (RC) character area of the 2035 Comprehensive Plan calling for up to 120 dwelling units per acre, and also encourages development opportunities that are consistent with the goals of the 2003 and 2012 Kensington LCI *Small Area Plans* and the Transit Oriented Development (TOD) Guidelines adopted by MARTA in 2010 to encourage “transit-oriented development” as “a high-density, mixed-use development that provides a central transit “village”, and to provide pedestrian-focused development by locating buildings adjacent to wide sidewalks along the street frontage, locating parking behind the buildings, and providing publicly accessible open space. The submitted concept plan is consistent with the Kensington LCI goals and TOD guidelines adopted by MARTA focusing on high density, pedestrian focused developments by bringing the buildings up to wide sidewalks along the street, locating parking behind the buildings, and providing public access to open space.

However, the applicant is now wanting to revise their request again to allow more residential density than the MU-4 district allows (maximum 40 units per acre) and increase the building height from four stories to six stories in order to be more consistent with the Transit Oriented Development (TOD Guidelines) adopted by MARTA in 2010 to provide a high density, pedestrian-focused development near the Kensington MARTA station. To allow their desired increased density above 40 dwelling units per acre, MARTA is requesting that their associated rezoning request to be changed from MU-4 to either HR-2 (High Density Residential-2) district or the HR-3 (High Density Residential-3) district. The HR-2 zoning allows densities between 40 and 60 units per acre, and the HR-3 district allows between 60 and 120 units per acre. The HR districts would be consistent with the adjacent HR-3 zoning to the west. The desired changes would require revision to the site plan for both the rezoning and SLUP applications. The applicant has not yet amended their application because they are not allowed to at this point in the rezoning process. Based on Section 27-7.2.2.3 of the Zoning Ordinance, “*No major change to an application may be accepted later than the required deadline to advertising in the legal organ or a newspaper of general circulation within the county*”. Major changes include any change to the zoning classification per Section 27-7.2.2.4.h of the Zoning Ordinance.

***Surrounding Development.*** There is new market-rate senior housing multi-family development construction underway along Mountain Drive around ¾ mile distance from the subject property to the north on the other side of the MARTA

station (the Avondale Hills and Avondale Park developments). These developments are geographically separated from the subject parcels by the MARTA station and roadways to the immediate north. The properties to the west currently contain vacant land and offices. These properties were recently rezoned to HR-3 (High Density Residential) District on July 24, 2019 by the Board of Commissioners and approved for 244 apartments within a six story building. The subject site backs up to the DeKalb Juvenile Justice Center to the southwest and a Shell gas station to the south. To the east across Memorial Drive are offices and vacant land.

**Supplemental Requirements:** Any amended rezoning request will be required to comply with the following Senior Housing Supplemental Regulations of the Zoning Ordinance.

Section 27-4.2.26 requires the following for Senior Housing:

- A. Primary uses: Senior housing facilities shall include either independent living units or assisted living units (confirm they are independent living units), or both. The independent living units may be either single-family (detached) residences or multifamily (attached) residences.
- B. Accessory uses: Senior housing facilities shall include one (1) or more of the following accessory uses: 1. Ancillary clinics, personal service, retail (e.g., pharmacy, hair salon, medical offices). 2. Central kitchen and dining facility. 3. Recreation and amenities. 4. Building/Clubhouse for classes, meetings, concerts, storytelling, etc. 5. Adult day care
- C. The maximum number of unrelated residents living independently (not requiring personal care) and at age fifty-five (55) or older allowed in an independent living unit is one (1) per bedroom.
- D. Height Standards: A senior living facility in which all of the occupied units are occupied by at least one senior aged fifty-five (55) or older is authorized up to ten (10) stories without a height SLUP in HR, MU3, MU-4, and MU-5 zoning districts, subject to transitional height plane regulations in Article 5.
- E. Accessibility standards: All senior housing shall incorporate accessibility standards that meet certification requirements for Easy Living or Universal Design and/or include all of the following minimum features: 1. At least one (1) step free entrance to the main floor at either the front or side of the structure; if only one (1) is provided, it shall not be from a patio or raised deck. 2. Main floor of each unit shall include a kitchen, entertaining area, and master bedroom with full bathroom. 3. Every door on the main floor shall provide a minimum width of thirty-four (34) inches of clear passage. 4. Blocking shall be installed in the master bath around toilet, tub, and shower for placement or future placement of grab bars.
- F. Assisted living, nursing and continuing care facilities shall provide the following: 1. Primary and secondary support services: Approval for assisted living, nursing or continuing care facilities shall not be granted without documentation of provisions for the following primary and secondary services: a. Primary services: on-site dining facility, 24-hour on-call medical services, on-site licensed practical nurse, on-call registered nurse, linen and housekeeping services, and transportation services. b. Secondary services: physical therapy, medication administration program, care technician services (clothes changing, bathing, etc.), on-site personal care (barber, beauty salon), fitness center, library. c. Access to outdoor seating and walking areas shall be provided as part of every assisted living, nursing or continuing care facility.
- G. A senior housing facility shall only be approved after consideration of the use permit criteria, found in Article 7 and after consideration of the following: 1. Proximity and pedestrian access to retail services and public amenities. 2. Transportation alternatives. 3. Integration into existing neighborhoods through connectivity and site design. 4. Diverse housing types. 5. Site and building design that encourages social interaction. 6. Building design that meets Easy Living standards.
- H. In addition, in consideration of the special land use permit or special administrative permit for a senior housing facility, the following criteria shall be evaluated based on the degree to which these elements provide transition from the proposed project to adjacent existing development: 1. Building height. 2. Landscaping. 3. Maximum lot coverage. 4. Setbacks from exterior property lines. 5. Site size. 6. Access to thoroughfare.
- I. Submittal requirements. The following documents and information are required for submittals for rezoning, special land use permits, land development permits and building permits associated with proposed senior living facilities: 1. Survey and site plan (per established requirements in Article 7). 2. Landscape and tree plan. 3. Number and location of residential units. 4. Types of units. 5. Amenities. 6. Institutional/non-residential services. 7. Proximity to services such as health care, shopping, recreation, and transit. 8. Other documents addressing the approval criteria in subsections G and H above

### Access and Transportation Considerations

When a revised site plan is submitted, Planning Department Staff will recommend conditions of SLUP approval relating to adequate transportation infrastructure to accommodate the proposed senior housing.

### Sidewalk/Pedestrian Access

Based on the submitted information and field investigation of the project site, there are sidewalks along this stretch of Kensington Road and Memorial Drive within this established commercial area. When a revised site plan is submitted, Planning Department Staff will include as a recommended condition of zoning approval that a 10-foot wide sidewalk be installed along Kensington Road and Memorial Drive, and that five feet wide internal sidewalks be constructed along all buildings to be continuously connected across the project site to ensure appropriate pedestrian access within and around the project site.

## **LAND USE AND ZONING ANALYSIS**

**Section 27-7.4.6 of the DeKalb County Zoning Ordinance, "Special land use permit; criteria to be applied" states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.**

**A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:**

Based on the submitted site plan and information, as well as field investigation of the project site, it appears that the size of the site is adequate for the use contemplated. Senior Housing is allowed in the MU-4 (Mixed Use High Density) district, subject to approval of a SLUP. It appears that there is adequate land area available for the proposed use as there is compliance with all other required yards, open space, off-street parking, and other applicable requirements of the Zoning Ordinance.

The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre), and increase the building height up to six stories. It appears that the HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Comprehensive Plan's Future Land Use designation of Regional Center, the Kensington LCI, and the TOD guidelines. The desired changes will require revising the site plan for the SLUP application and the associated rezoning request.

**B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:**

Based on the submitted information, it appears that the SLUP proposal for high density senior housing with accessory nonresidential uses is compatible and consistent with the nearby MARTA station, surrounding

commercial and institutional uses, and other high density multi-family projects either approved or under construction in the surrounding area.

The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre), and increase the building height up to six stories. It appears that the HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Comprehensive Plan's Future Land Use designation of Regional Center, the Kensington LCI, and the TOD guidelines. The HR-2 zoning with conditions as recommended by staff would also allow the applicant to provide some accessory and primary nonresidential uses to achieve the mixed-use goals of the Regional Center Character Area of the Comprehensive Plan and the MARTA TOD guidelines. Additionally, the HR-2 district is more consistent with the adjacent HR-3 zoning to the west. These desired changes will require revisions to the site plan for both the SLUP and the associated rezoning applications.

**C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:**

When a revised site plan is submitted reflecting the proposed increase to density and building height, Planning Department Staff will recommend conditions of SLUP approval relating to adequate transportation infrastructure to accommodate the proposed senior housing. Since the proposed project is for senior housing, there will be no impacts on the school system. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is adequate.

**D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:**

With recommended transportation improvements, the public street on which the proposed use is to be located is adequate and will not unduly increase traffic congestion since the proposed senior housing project accesses a six-lane major arterial road (Memorial Drive) and a four-lane minor arterial road with a center turn lane (Kensington Road). When a revised site plan is submitted reflecting the proposed increase to density and building height, Planning Department Staff will recommend conditions of SLUP approval relating to adequate transportation infrastructure to accommodate the proposed senior housing.

**E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:**

The area surrounding the Kensington MARTA station contains several high density multi-family and mixed-use projects that have either been approved or are under construction. When a revised site plan is submitted reflecting the proposed increase to density and building height, Planning Department Staff will recommend conditions of SLUP approval relating to adequate transportation infrastructure to accommodate the proposed senior housing. With recommended transportation improvements, the existing land uses located along access routes to the site would not be adversely affected by the volume of traffic to be generated by the proposed use since the site accesses a six-lane major arterial road (Memorial Drive) and a four-lane minor arterial road (Kensington Road).

**F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:**

Based on the submitted site plan, ingress and egress is adequate since the proposed use will be along a major arterial road (Memorial Drive) and a minor arterial road (Kensington Road). The submitted plan shows internal sidewalks connecting the buildings to proposed sidewalks along Kensington Road and Memorial Drive which enhance pedestrian safety and convenience. When revised plans are submitted to reflect the desired increases to density and building height, Planning Department staff will verify adequate ingress and egress as well as ensure that internal sidewalks connect the buildings to proposed sidewalks along Kensington Road and Memorial Drive.

**G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:**

There are no anticipated adverse impacts on surrounding properties due to noise, smoke, odor, dust, or vibration as the proposed senior housing is consistent with the adjoining transportation, institutional, and office uses in the surrounding area. The proposed high density multi-family project is also compatible with the other high density multi-family projects either approved or under construction in the surrounding area.

**H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:**

Based on the submitted information and elevations, it appears that the proposed use would not create adverse impacts on the adjoining land use by reason of the hours of operation.

**I. Whether or not the proposed use would create adverse impacts upon adjoining land use by reason of the manner of operation of the proposed use:**

See criteria "H".

**J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:**

The proposed plan appears to be consistent with the requirements of the zoning district classifications in which the use is proposed to be located (MU-4 district). When a revised plan is submitted reflecting the desired increases to density and building height, Planning Department staff will review to determine if the revised plans are consistent with the zoning district classification in which the use is proposed to be located.

**K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:**

The proposed MU-4 zoning district allowing residential densities up to 40 dwelling units per acre is consistent with the Regional Center (RC) character area of the 2035 Comprehensive Plan calling for up to 120 dwelling units per acre, and also encourages development opportunities that are consistent with the goals of the 2003 and 2012 Kensington LCI *Small Area Plans* and the Transit Oriented Development (TOD) Guidelines adopted by MARTA in 2010 to encourage "transit-oriented development" as "a high-density, mixed-use development that provides a central transit "village", and to provide pedestrian-focused development by locating buildings adjacent to wide sidewalks along the street frontage, locating parking behind the buildings, and providing publicly accessible open space.

The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre), and increase the building height up to six stories. It appears that the HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Comprehensive Plan's Future Land Use designation of Regional Center, the Kensington LCI, and the TOD guidelines.

**L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:**

A 30 foot wide undisturbed buffer is required along the west property line which abuts HR-3 (High Density Residential) zoning. The submitted plan indicates compliance. When revised plans are submitted to reflect the desired increases to density and building height, Planning Department staff will verify adequate ingress and egress as well as ensure that internal sidewalks connect the buildings to proposed sidewalks along Kensington Road and Memorial Drive.

**M. Whether or not there is adequate provision of refuse and service areas:**

Based on the submitted information, ample refuse and service areas will be provided.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration:**

This is a permanent development and should not be limited in duration.

**O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:**

Based on the submitted plan and information, the proposed use would be located in a four-story buildings and will comply with all required building setbacks from the property line. The proposed project also is required to comply with the transitional height plane along Kensington Road. Therefore, there are no impacts on the size, scale, and massing of adjacent and nearby lots and buildings. When revised plans are submitted to reflect the desired increases to density and building height, Planning Department staff will verify if the size, scale, and massing of proposed buildings are appropriate.

**P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:**

Based on the submitted site plan and information, as well as field investigation of the project site, it does not appear that the proposed plan would adversely affect historic buildings, sites, districts, or archaeological resources.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:**

Based on the submitted information, it appears that the proposed senior housing project complies with most of the Supplemental Regulations of Section 27-4.2.26. When revised plans are submitted to reflect the desired increases to density and building height, Planning Department staff will verify if the proposed use complies with the supplemental regulations of the zoning ordinance.

**R. Whether or not the proposed building as a result of its proposed height , would create a negative shadow impact on any adjoining lot or building:**

Based on the submitted plan and information, as well as field investigation of the project site, the proposed use would be located in a four-story building and will comply with all required building setbacks from the property line. Additionally, the site is also required to comply with the transitional height plane requirements along Kensington Road. Therefore, the proposed buildings should not create a negative shadow impact on any adjoining lot or building. When revised plans are submitted to reflect the desired increases to density and building height, Planning Department staff will verify if there are any anticipated negative shadow impacts on adjoining lots or buildings.

**S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:**

The proposed MU-4 zoning district allowing residential densities up to 40 dwelling units per acre is consistent with the Regional Center (RC) character area of the 2035 Comprehensive Plan calling for up to 120 dwelling units per acre, and also encourages development opportunities that are consistent with the goals of the 2003 and 2012 Kensington LCI *Small Area Plans* and the Transit Oriented Development (TOD) Guidelines adopted by MARTA in 2010 to encourage “transit-oriented development” as “a high-density, mixed-use development that provides a central transit “village”, and to provide pedestrian-focused development by locating buildings adjacent to wide sidewalks along the street frontage, locating parking behind the buildings, and providing publicly accessible open space.

The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre), and increase the building height up to six stories. It appears that the HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Comprehensive Plan’s Future Land Use designation of Regional Center, the Kensington LCI, and the TOD guidelines.

When revised site plans are submitted reflecting the proposed increase to density and building height, Planning Department Staff will recommend conditions of SLUP approval relating to adequate transportation infrastructure to accommodate the proposed senior housing. With recommended transportation improvements by Planning Department Staff, the SLUP proposal should not cause an excessive or burdensome use of existing streets and transportation facilities.

**Staff Recommendation: DEFERRAL UNTIL JULY 14 BOC MEETING**

The proposed request for senior housing with accessory nonresidential uses is required to obtain a Special Land Use Permit (SLUP) in the proposed MU-4 (Mixed Use High Density District) zoning district (see associated rezoning case Z 20 1243876 from R-75 to MU-4). Although the applicant originally thought they could meet the requirements of the associated MU-4 zoning request, it has been determined through the design process that they can’t meet all the MU-4 requirements relating to providing a minimum of 20% nonresidential uses. The project could provide 10% nonresidential but not 20%. The applicant now wants to better comply with the intent of the Comprehensive Plan by increasing the proposed density up to 60 dwelling units per acre, which is above what MU-4 zoning allows (max of 40 units per acre), and increase the building height up to six stories. The desired changes will require a revision to the site plan for the proposed SLUP and associated rezoning application.

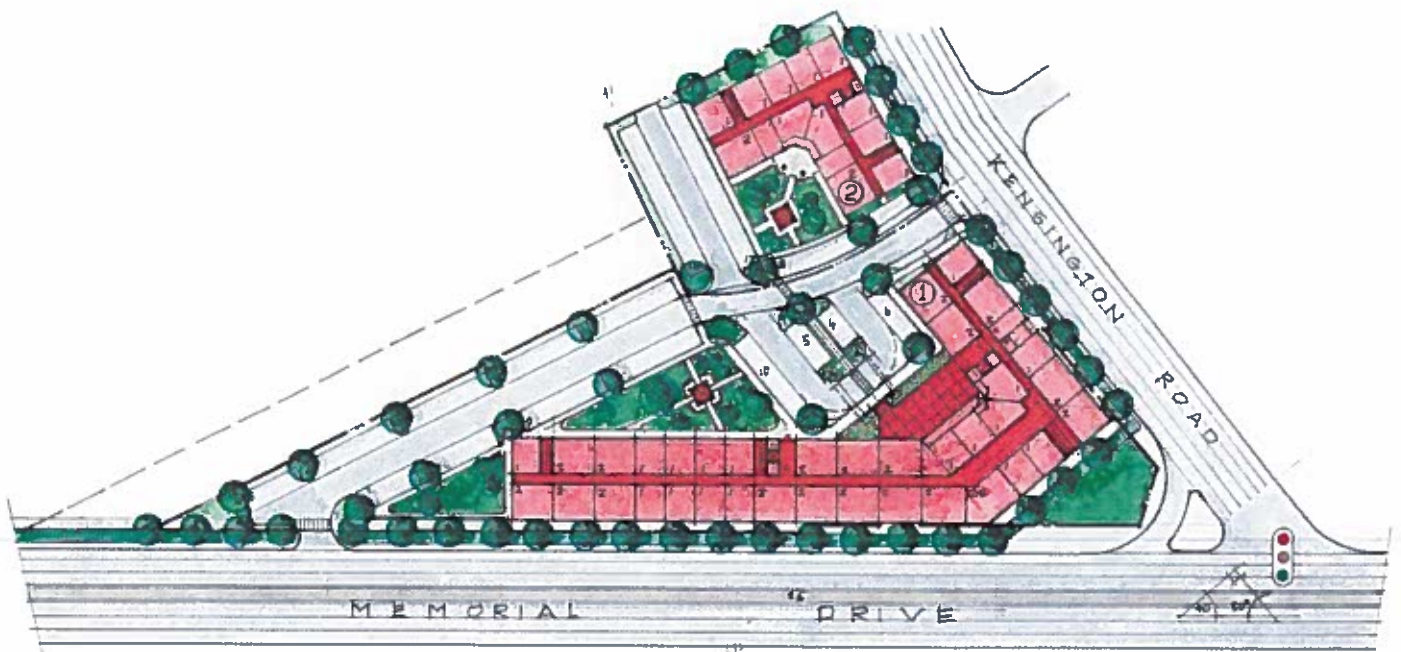
The HR-2 zoning district (allowing between 40 and 60 dwelling units per acre) would accommodate the desired density increase and also allow opportunities to be more consistent with the Regional Center Future Land Use Character Area of the Comprehensive Plan, the Kensington LCI, and the MARTA TOD guidelines. The HR-2 zoning (with conditions) would also allow the applicant to provide some accessory and primary nonresidential uses consistent with the mixed-use goals of the Regional Center Character Area of the Comprehensive Plan and the MARTA TOD guidelines. Additionally, the HR-2 district is more consistent with the adjacent HR-3 zoning to the west.

The applicant has not yet amended the associated rezoning application because they are not allowed to at this point in the rezoning process. However, Staff has worked together with MARTA throughout the development of the application and we now agree that HR 2 would be a better fit. Therefore, it is the recommendation of the Planning & Sustainability Department that the SLUP application be “deferred” until the July 14<sup>th</sup> Board of Commissioners

meeting to allow the applicant additional time to submit a revised site plan based on HR-2 zoning requirements and the senior housing supplemental regulations of the Zoning Ordinance.

**Attachments:**

1. Public Works Department Comments
  - a. Land Development Division
  - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs



SITE PLAN  
SCALE 1" = 60'



MAY 5TH 2020

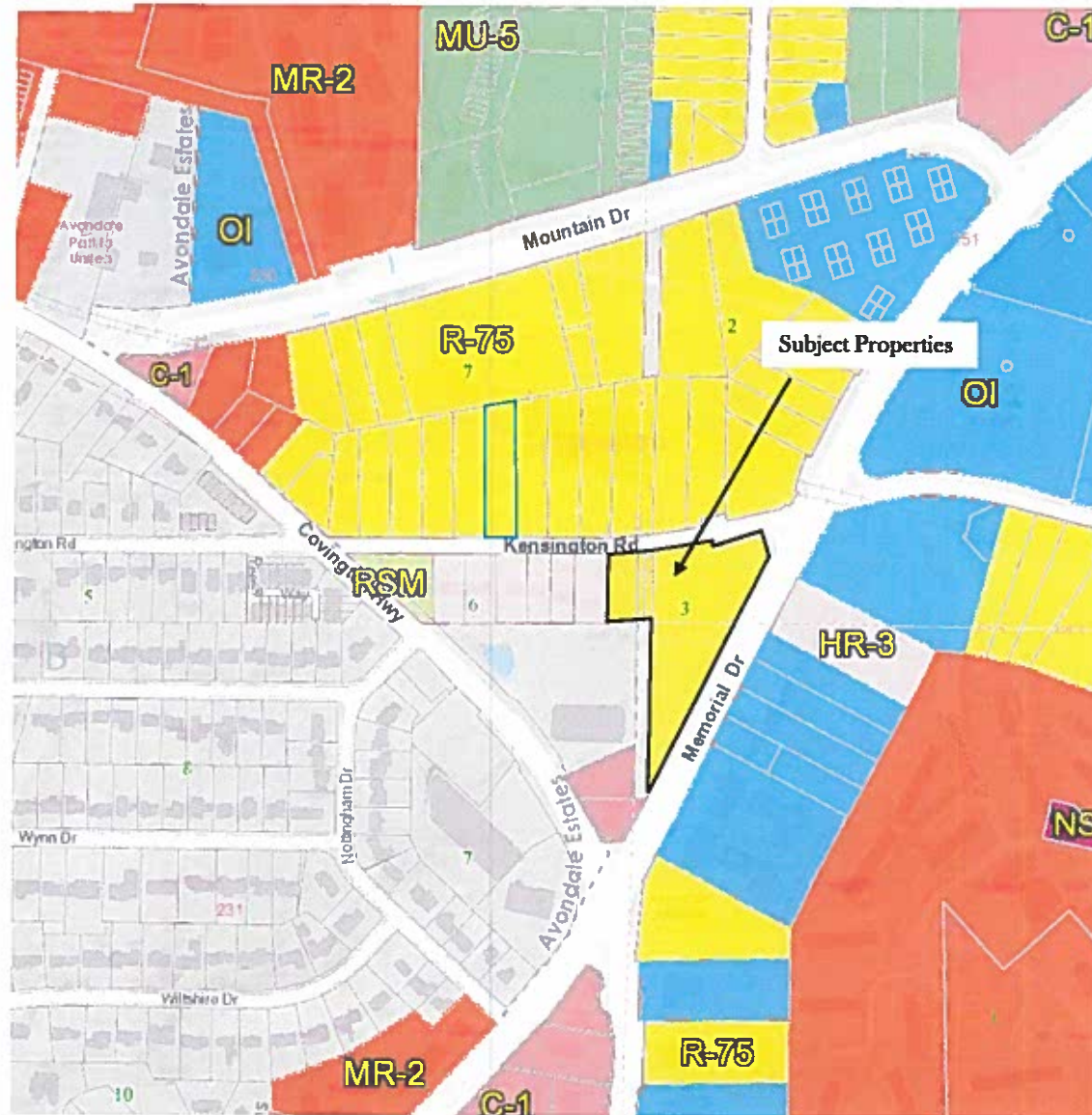


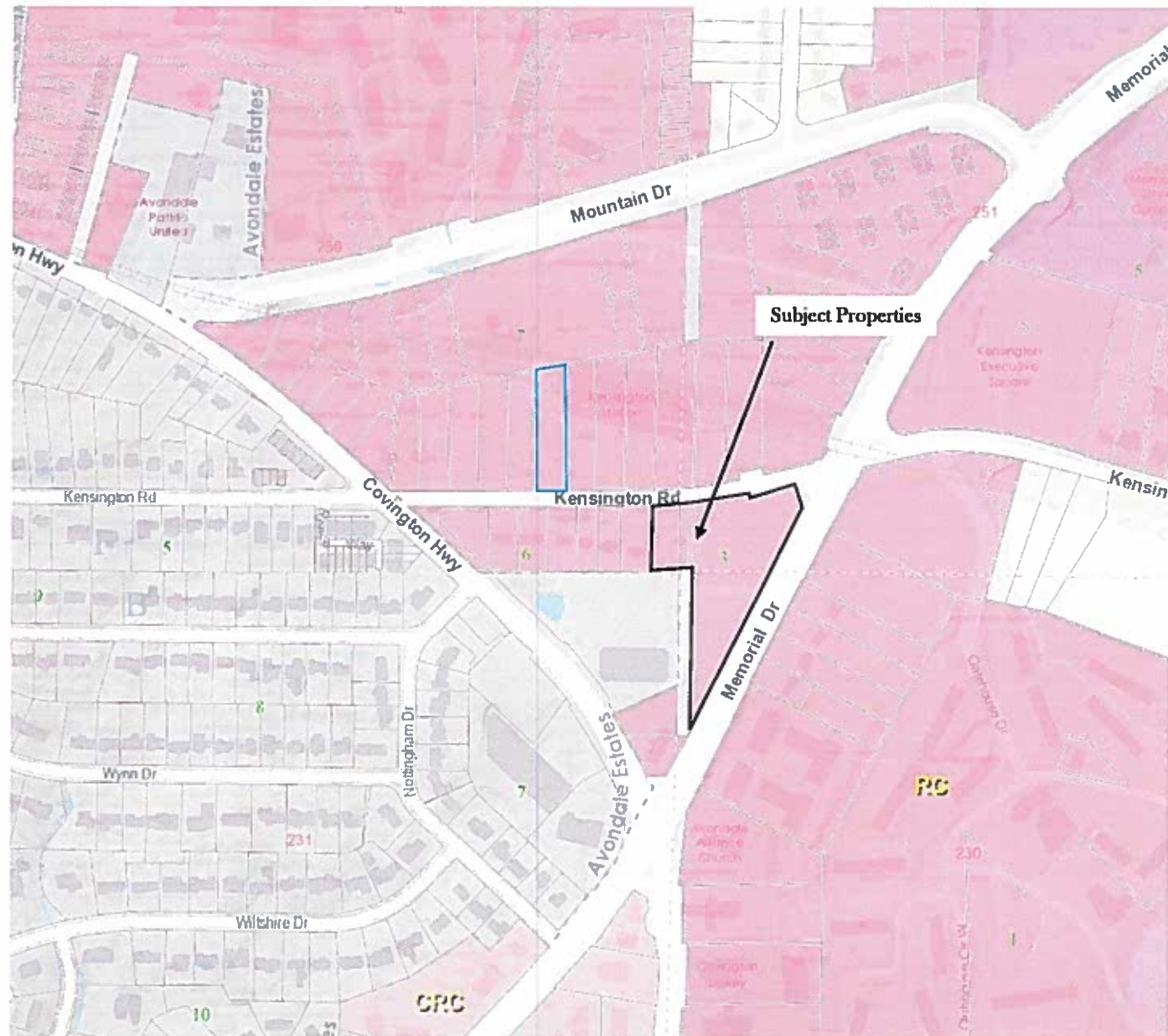
KENSINGTON MASTER PLAN FOR HOUSING AUTHORITY OF DEKALB COUNTY

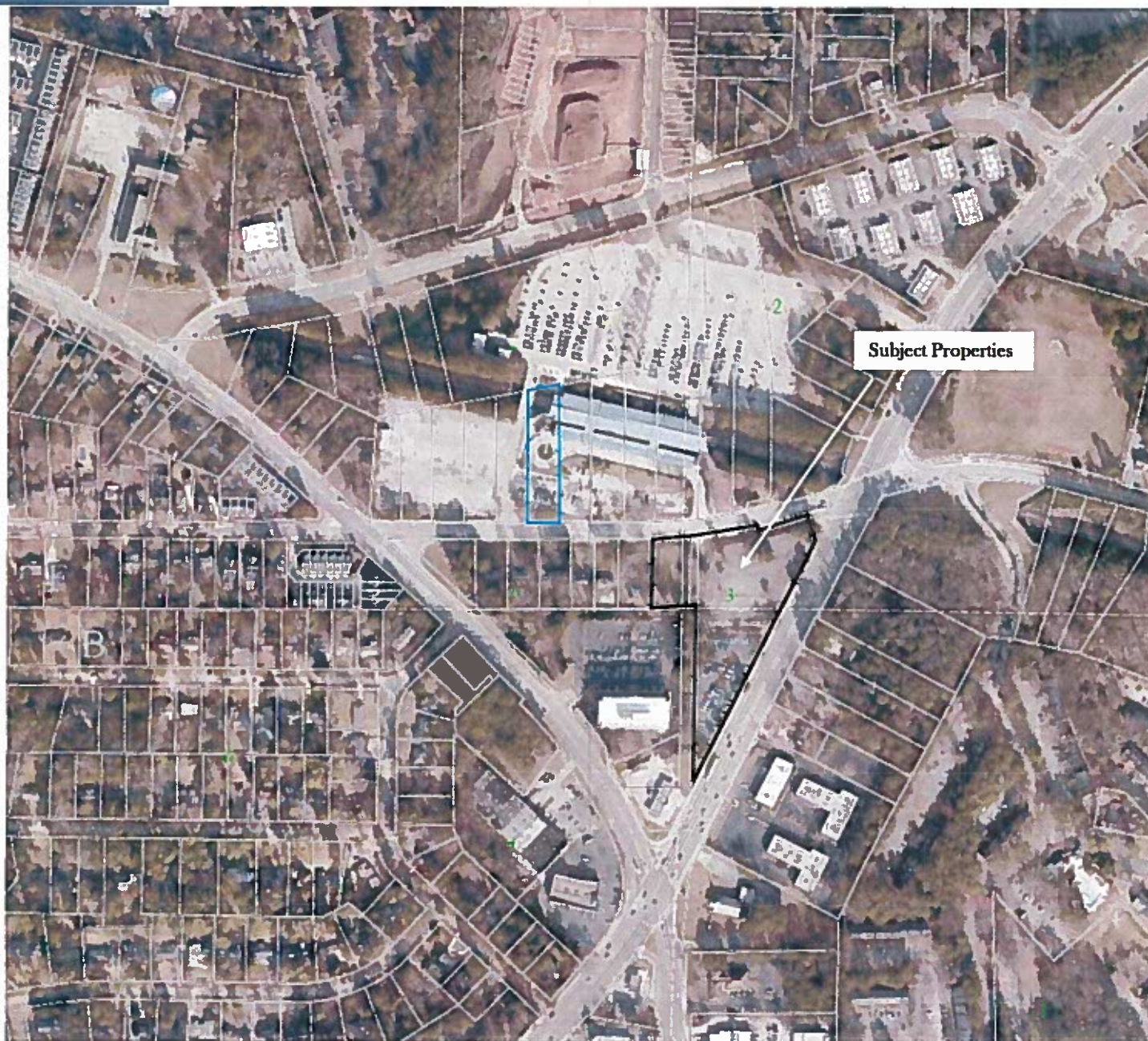
MU-4 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. OPEN SPACE	10%	<u>11</u> %	Yes
MAX. LOT COVERAGE	NA	<u>37.7</u> %	Yes
MIN. TRANSITIONAL BUFFER	30 feet on west side, none on east, south, or north side since does not abut residential zoning.	<u>30 ft.</u>	Yes
FRONT SETBACK (For entire bldg. site)	No Min. or Max	<u>1ft. – 10ft.</u>	Yes
REAR SETBACK	10 ft.	<u>60+ ft.</u>	Yes
MINIMUM UNIT SIZE	500 s.f. (one brm) 650 s.f. (two brm) 800 s.f. (three brm)	1 brm – <u>665 s.f.</u> 2 brm – <u>897 s.f.</u> 3 brm – <u>N/A s.f.</u>	Yes
TRANS'L HEIGHT PLANE	<u>Applicable on north side abutting Kensington Road. See Article 5.</u>	<u>The development will comply with the requirement.</u>	Yes
OUTDOOR PLAY AREA	<u>Min. area of 5% of total lot area or 4,000 s.f., whichever is greater</u> <u>5% of lot area = 6,163 s.f.</u>  <u>5% of 141, 517 sf = 7076 sf</u>	<u>8,210 sf</u>	Yes
PARKING	Min. – .5 spaces per dwelling unit, plus .25 spaces per du for guest parking <u>Max–???</u> Max. – 3 spaces/unit = 732 sp	<u>98</u> spaces .75/DU	Yes
SIDEWALKS AND STREETSCAPING	10-ft. sidewalk, 10-ft. landscape strip, street trees 40 ft. on center.	10 foot sidewalk, 10-ft landscape strip— <u>street trees 40 feet on center?</u> <u>YES</u>	Yes

N.11 & N12 Z 20 1243876 & SLUP-20-1243877

ZONING MAP









# Kensington Station Development

DeKalb County Planning & Sustainability Department



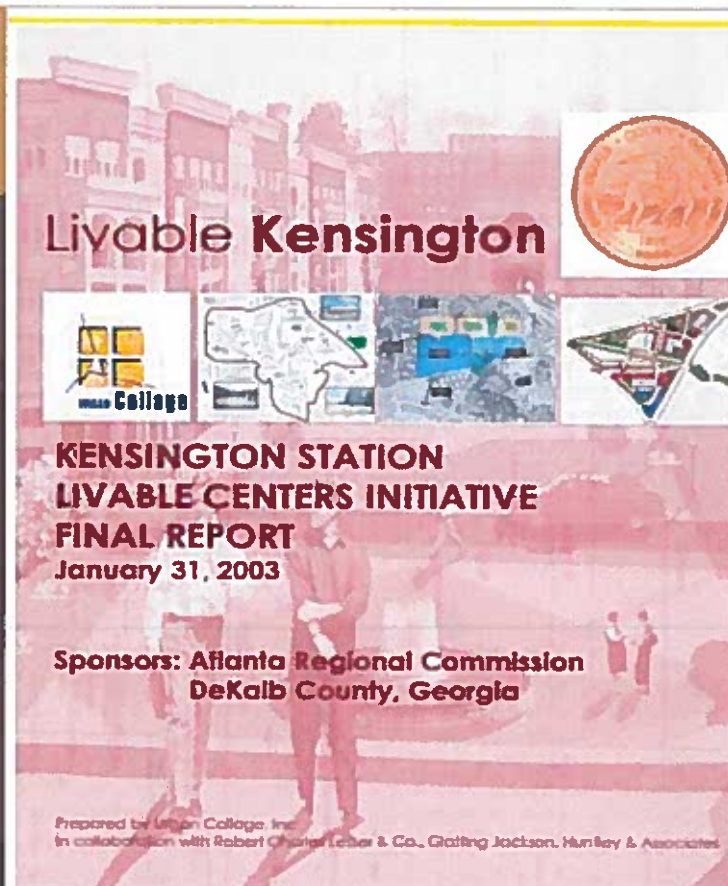
## Purpose

Provide a supplemental report of land use policy analysis, existing studies, and Transit Oriented Development in the Kensington MARTA Station immediate area. Show the impact of proposed and existing development in the area.



## Kensington Station Existing Policy and Community Vision

- Kensington LCI plan (2003)
- Kensington LCI/TOD  
Supplemental Plan (2012)
- Regional Activity Center



# Kensington Station LCI Plan (2003)

## Policy Highlights

- The original planning effort focused on revitalizing potentially sustainable mixed-use activity centers.
- Through urban design and market analysis, the area surrounding the Kensington MARTA Station was selected as a mixed use activity center

### SUB - AREAS

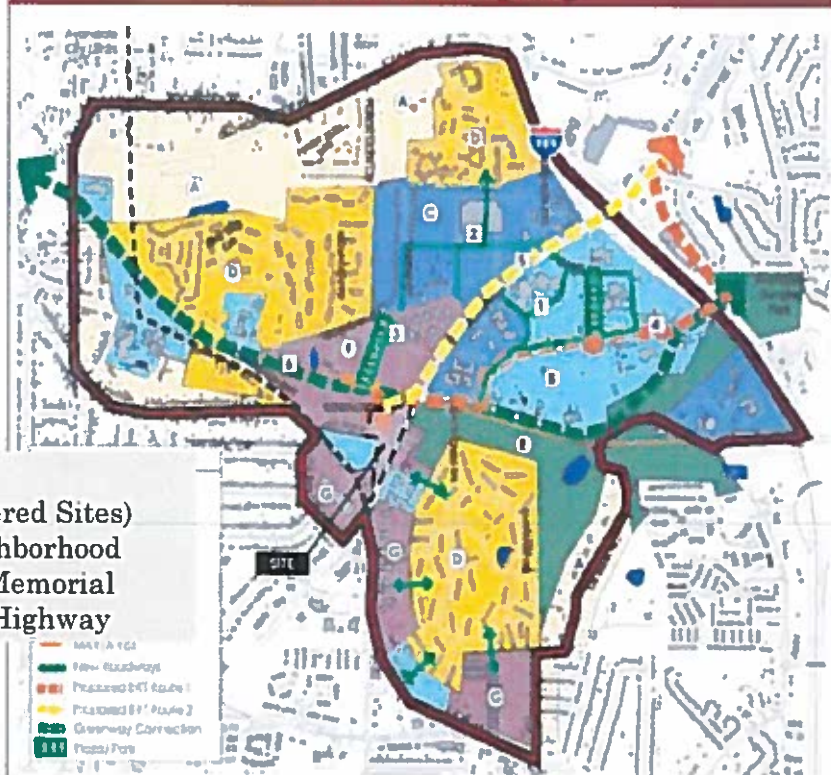
#### Future Land Use Policy

- Single Family Preservation** - Maintain new and established single family core along Old Fox Bridge, Porter Road, and in Arundale Estates
- District County Government Center Redevelopment**
  - Consolidate and relocate existing uses scattered throughout the County
  - Build new government administrative facilities
  - Build new center of open space around target
- Regional Employment Center**
  - Potential long term development site for high density office development or conference center
  - Redevelop of single family residential to compatible office development
  - Create pedestrian and vehicular connections and access
- Multi Family Redevelopment** - Redevelop aging multi family housing
- Open Space Enhancements** - Connect existing undeveloped land along MARTA rail alignment to the County's greenway system with trails and pedestrian improvements

### G. Mixed-Use Redevelopment(Scattered Sites) Redevelop aging neighborhood oriented retail along Memorial Drive and Covington Highway

- Government Center Improvements
- Employment Center Improvements
- Kensington Station Plaza
- Bus Rapid Transit Long term Alternative 1
- Bus Rapid Transit Short term Alternative 2
- Greenway Connection Improvements

### Kensington Station Activity Center Small Area Plan (SAP)



# Kensington LCI Supplemental Study (2012)

## Policy Highlights

- The 2012 is referred to as a “supplemental” plan, which **focuses mostly on areas directly around the MARTA station.**
- The supplemental plan does not negate the policies of the 2003 LCI Plan.

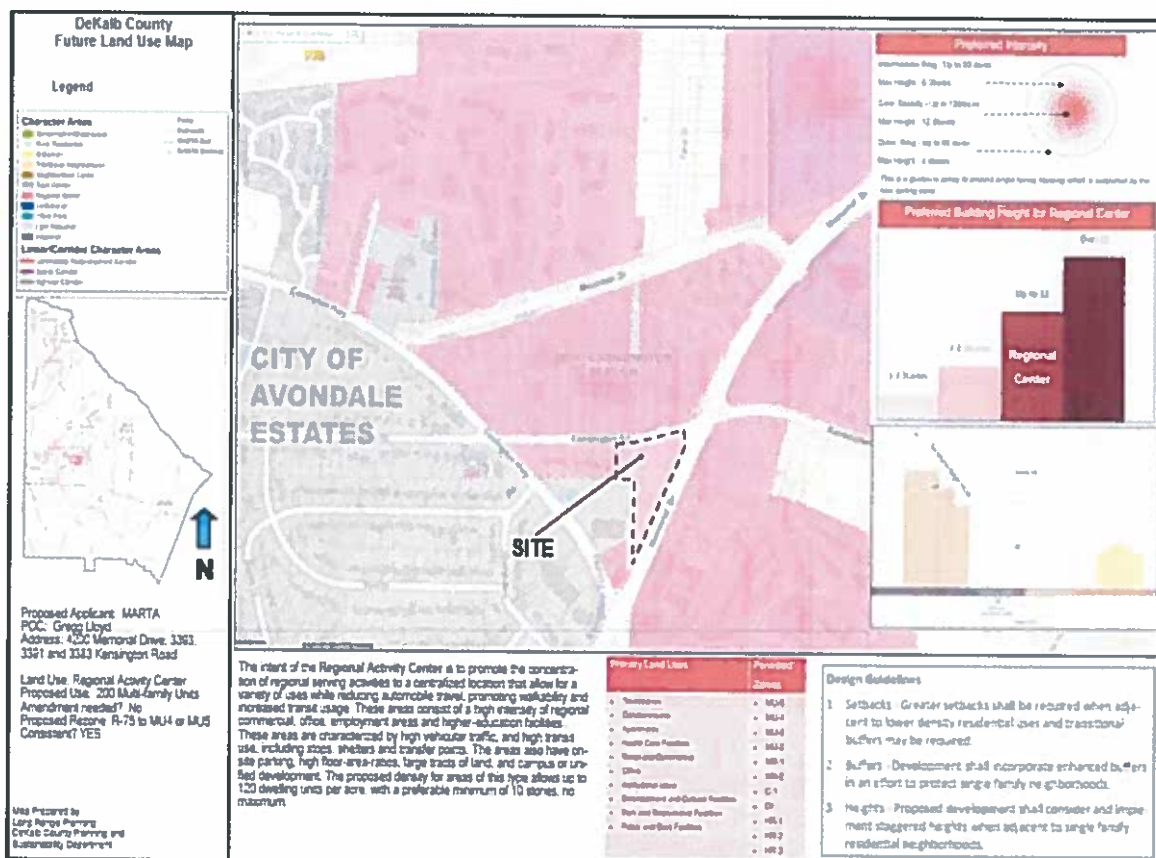
## Kensington Livable Centers Initiative TRANSIT ORIENTED DEVELOPMENT PLAN



September 7, 2012

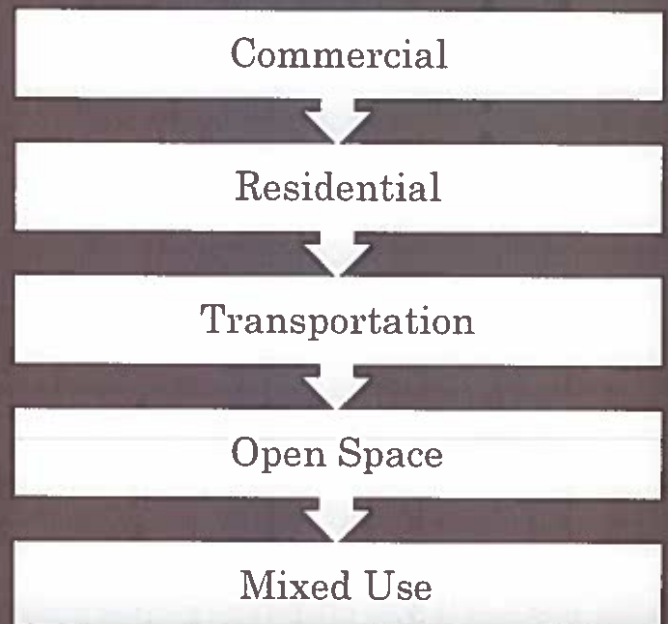
## Policy Highlights

- To promote the **concentration of regional serving activities** to a centralized location that allow for a variety of uses.
- **Regional Center** is the highest land use designation in the county.



## All Three Policy Recommendations

- **COMMERCIAL** - low scale retail with storefronts and on-street parking.
- **RESIDENTIAL** - Condos, walkup apartments and townhouses constructed out of brick and with traditional facades, private entrances and pedestrian orientation.
- **TRANSPORTATION** -included streetscapes with decorative pavers, cross walks, street trees, bike racks and lighting.
- **OPEN SPACE** -green space with seating areas and public gathering areas.
- **MIXED-USE** -Low density (3 to 5 stories) mixed-use buildings. Ground floor retail with office or residential above rated most appropriate for the Kensington area.





# Kensington Station

Surrounding Development Analysis



## Kensington Approved Rezoning Cases

### Residential

Townhome, Condos, Single Family Housing

### Mixed- Used

Retail, Commercial ,office

Cases	Residential	Mixed-Used
2017	2	2
2018	1	0
2019	1	0

## DeKalb Major Projects (MARTA Areas)

### 1. Avondale Forest

**Status:** Development in progress 60 acres 25%  
**Description:** Mixed-use, 373 MF units of residential. Within a TAD & the Kensington LCI Plan.  
**Developer:** Shelton McNally Real Estate Partners  
**Estimated Cost:** \$3M  
**Comm. District:** 4/6

### 2. Avondale Estate

**Status:** Acquisition in process  
**Description:** Approximately 4.3 acres  
**Estimated Cost:** N/A  
**Comm. District:** 4/6

### 3. LDG Mixed Used Project

**Status:** Up to 850 is multi-family development, with a few office spaces. Square footage is 425,588. Tax credits are involved. This project is also within the Kensington LCI Plan.  
**Estimated Cost:** \$4M  
**Comm. District:** 4/6

### 4. Oak Tree Villas

**Status:** Developer interest. No applications have been filed.  
**Location:** Memorial Drive  
**Comm. District:** 3/7

### 5. Townhomes

**Status:** Pending  
**Location:** Parker Rd.  
**Description:** Approximately 9 acres. Zoned from R-75 (Residential Medium Density) to MU-1 (Mixed-use low density) to develop 60 attached townhome units, with an amenity area and approximately 40,000 square feet of retail development.  
**Comm. District:** 3/7

### 6. Sunrise

**Status:** Currently under construction.  
**Description:** LDG is the developer. Mixed use project with 40,000 sq ft of non-residential and 200 plus units of residential.  
**Estimated Cost:** \$39M  
**Comm. Districts:** 5/7

### 7. Padeia Property

**Status:** Developer interest. No applications filed.  
**Location:** Radon Road  
**Description:** Approximately 13 acres. Town Center and use designation (mixed-use). Within Kensington Memorial Overlay.  
**Comm. Districts:** 5/6

### 8. Hambly Property

**Status:** Developer interest. No applications filed.  
**Location:** Radon Road  
**Description:** Proposed mixed-use. Town Center land use designation and within the Kensington Memorial Overlay District.  
**District:** 5/7

### 9. Ambling Grove

**Status:** SDC Rezoning Hearing. Recommendation pending.  
**Location:** Proposed new development of 100-unit single family attached townhomes with a density of 114/sq ft.  
**Developer:** Morris, Martin, & Martin  
**Comm. Districts:** 5/7

10. AHS  
**Status:** Rezoning Hearing  
**Units:** 220

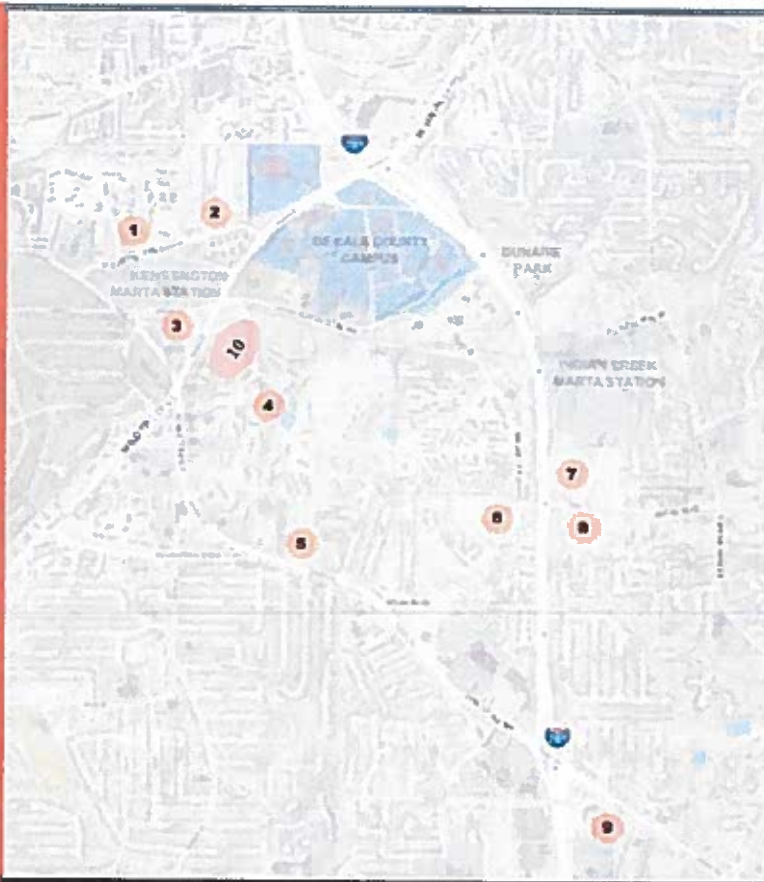
#### Notes:

The projects mentioned above are not ALL of the development activity that is occurring within DeKalb County. They represent development that is occurring mostly around the Kensington and Indian Creek MARTA stations. These projects are in various stages from interest to land development that have been in our pipeline from 2016-2019. Planning staff will continue to monitor and update development status.

#### Planning and Development Current Activity 2019

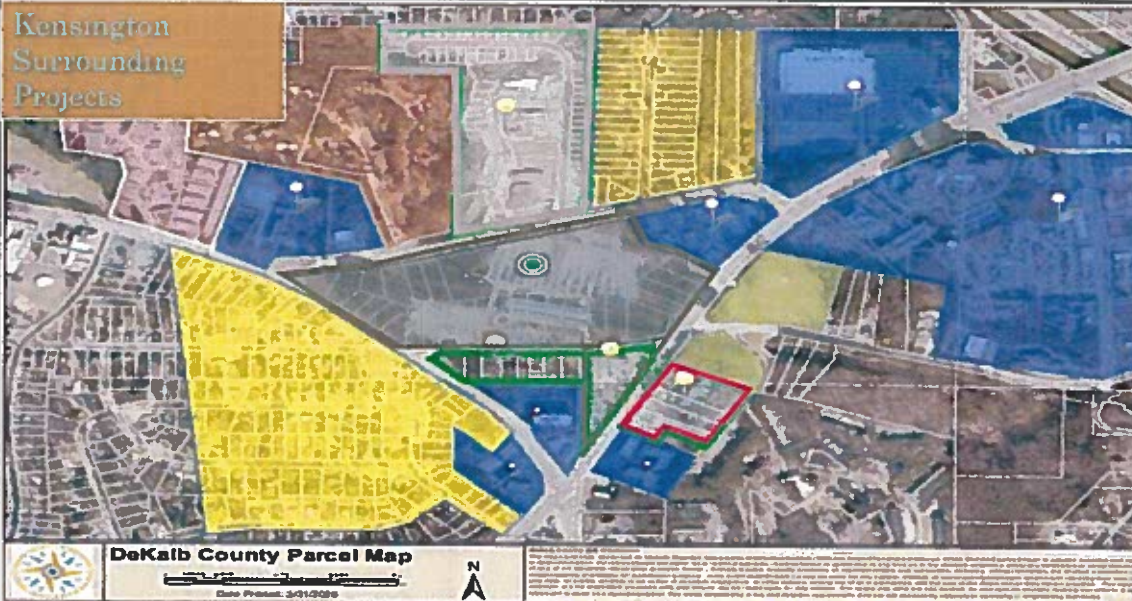
#### Major Projects MARTA Areas

Prepared by: DeKalb County Planning and Development Department  
 Date: 10/1/2019





## Kensington Surrounding Projects



**AHS Project:** Rezoned to a HR-3 (High Density Residential-3) to build ground level retail in combination with 220 apartment units within two - 7 seven-story buildings. contains 2.3 acres.

220 Units



MARTA

Proposed Senior Housing Development

**Avondale Estates**  
Status: Acquisition in process  
Description:  
Approximately 4.3 acres  
Estimated Cost: N/A  
Comm. District: 4/6



90 Units

**LDG Mixed Used Project**  
Status:  
Description: Up to 855 is multi-family development with a few office spaces.  
Square footage is 428,588.  
Tax credits are involved.  
This project is also within the Kensington LCI Plan.  
Estimated Cost: \$4M  
Comm. District: 4/6



855 Units

Units TBD

Existing Units within 1.1 miles  
Radius  
Total Units: 2,116



Proposed Mixed-Use  
Development  
with very limited mixed-use  
included in the development .

There is currently no mixed use  
development with in 1.1 mile  
radius

Total Mixed-Use : 0



# KENSINGTON STATION

## Future Development



# MARTA Kensington Station Rezoning



**marta**  
2424 Piedmont Rd. N.E.  
Atlanta, GA 30324-3330  
404-646-5600

March 24, 2020

Mr. Andrew Baker, Director  
DeKalb County – Department of Planning & Sustainability  
Clark Harrison Building  
330 W. Ponce de Leon Avenue  
Decatur, GA 30030

Subject: MARTA Kensington Station Rezoning Application

Dear Mr. Baker:

MARTA is requesting the rezoning of the Kensington MARTA Station from R-75 (Residential Medium Lot-75), C-1 (Commercial Local) and MR-2 (Medium Density Residential-2) to MU-4 (Mixed-Use High Density) to support mixed use, transit-oriented development at the station. Current uses include the transit station/bus loop, traction power sub-station, surface parking, detention pond, and undeveloped land.

The MU-4 zoning classification is more in keeping with the community's vision for transit-oriented development at the station as defined in both the 2003 and 2012 Atlanta Regional Commission's Liveable Centers Initiative Plans as well as the 2035 Comprehensive Plan.

Currently, MARTA and the Housing Authority of DeKalb County (HADCO) are negotiating the development of senior housing on MARTA's off-site property just south of Kensington Road (Parcels 1525103001, 152103002, and 152103003). The proposed development will serve as a first step toward development of the Regional Center as prescribed by the County's 2035 Comprehensive Plan.

We are hopeful that the rezoning request is favorably received by DeKalb County. If you have any questions, please do not hesitate to contact me at 404-646-5011 or by email at [debbiefrank@dcpl.org](mailto:debbiefrank@dcpl.org).

Sincerely,

*Debbie Frank*

Debbie Frank  
Director of Transit Oriented Development

Attachments:

c: Melissa Mullins, Chief of Staff  
Jacob Vaso, Sr. Director – TOD, Real Estate and Art in Transit

METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY [www.marta.org](http://www.marta.org)

### Households By Income

The largest group: <\$15,000 (15.9%)  
The smallest group: \$200,000+ (5.1%)

Indicator	Value	Difference
<\$15,000	15.9%	+7.1%
\$15,000 - \$24,999	15.6%	+7.2%
\$25,000 - \$34,999	12.1%	+3.4%
\$35,000 - \$49,999	13.3%	+1.1%
\$50,000 - \$74,999	15.1%	+8%
\$75,000 - \$99,999	7.5%	+5.7%
\$100,000 - \$149,999	9.4%	+5.1%
\$150,000 - \$199,999	5.8%	+0.2%
\$200,000+	5.1%	-1.5%

Bars show deviation from  
DeKalb County

### Race and Ethnicity

The largest group: Black Alone (71.35)  
The smallest group: Pacific Islander Alone (0.01)

Indicator	Value	Difference
White Alone	21.67	-9.98
Black Alone	71.35	+17.32
American Indian/Alaska Native Alone	0.11	0.10
Asian Alone	3.38	-3.68
Pacific Islander Alone	0.01	0.04
Other Race	1.06	-3.08
Two or More Races	2.42	0.34
Hispanic Origin (Any Race)	3.66	+3.38

Bars show deviation from  
DeKalb County

## KENSINGTON MARTA STATION DEMOGRAPHICS

14,618

Population

5,011

Households

2.34

Avg Size Household

32.7

Median Age

\$40,964

Median Household Income

\$261,453

Median Home Value

60

Wells Index

48

University Index

### HOUSING TENURE



33%

2019 Owner-Occupied Housing Units in the City



20%

2019 Renter-Occupied Housing Units in the City



67%

2019 Multi-Family Housing Units in the City

### Historical Trends: Population



### INCOME



\$40,964

Median Household Income



\$25,332

Per Capita Income



\$14,530

Median Net Worth

### HOUSING STATS



\$261,453

Median Home Value



\$5,970

Average Spent on Mortgage & Taxes



\$665

Median Contract Rent

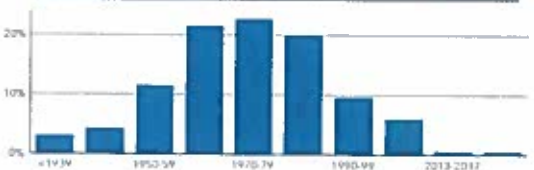
### POVERTY



24%

2013-2017 ACS Households Below Poverty Level (%)

### Housing: Year Built



This infographic contains data provided by American Community Survey (ACS), Esri. The vintage of the data is 2014-2018, 2019, 2024, 2029 and 2034. The vintage of the data is 2014-2018, 2019, 2024, 2029 and 2034.

Source: This infographic contains data provided by American Community Survey (ACS), Esri. The vintage of the data is 2014-2018, 2019, 2024.

# Kensington Station Area Median Housing Values (Census Tract Level)



## Legend

1 Mile Buffer

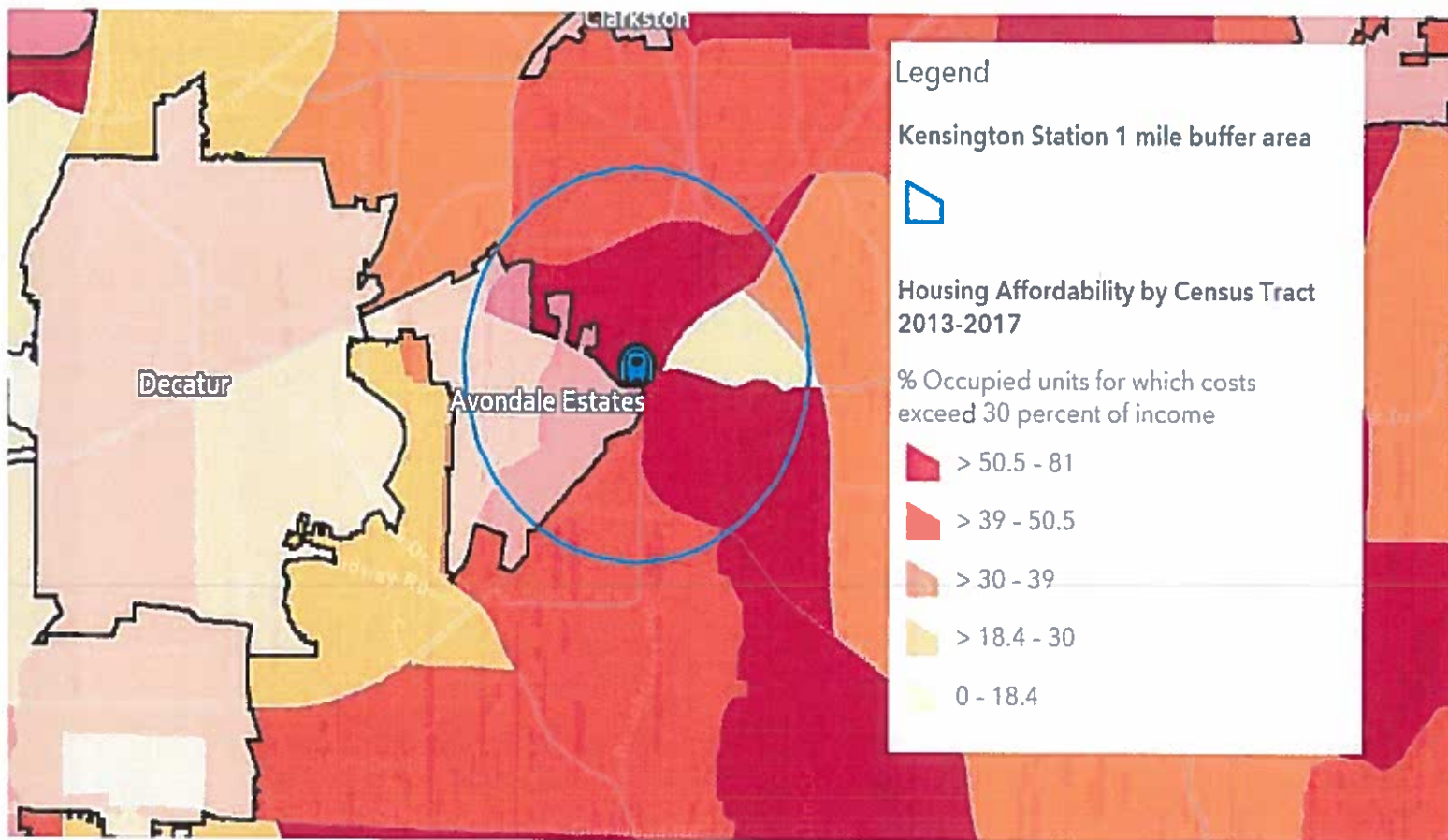


## Housing Values by Census Tract 2018

Median value of owner-occupied unit (dollars), 2018

- > 480,400 - 682,600
- > 331,900 - 480,400
- > 212,300 - 331,900
- > 123,700 - 212,300
- 0 - 123,700

Produced by the DeKalb County Department of Planning and Sustainability (Long Range Planning Division) 4/2020  
Source: American Community Survey 2014-2018 5 year estimates as prepared by the Atlanta Regional Commission



WHAT  
IS  
MARTA  
POLICY ON  
TOD ?



## MARTA Guidelines & Policies TOD Guidelines

We've adopted a defined set of guidelines that provide a framework for designing and constructing successful TOD projects. These guidelines focus on creating developments that benefit MARTA and the surrounding communities and are built on four foundational principles. Station-area development that is compact and dense relative to its surroundings.

**1. TOD seeks higher density for a simple reason: concentrated developments makes it possible for people to live, work, shop and go to school within walking distance of MARTA.** This not only generates revenue for MARTA and other transit providers, but it also allows residents to make regular use of alternative transit.

**2. A rich mix of land uses.** TOD creates mixed-use developments that help people live all their lives more conveniently. By taking a live-work-play approach to these station areas, TOD strengthens the link between transit and development. **3. The areas become more than transit hubs or stops on a route.**

They become destinations where people choose to spend their days — all with the convenience of on-site transit.

**4. A great public realm.** TOD places people and pedestrians first, especially within the quarter-mile radius involved in most daily commutes. In a mixed-use environment, short blocks and grid-based sidewalks navigate throughout the development. These streets, sidewalks, plazas and transit stations are safe and accessible — dotted with attractive amenities, clear lighting and easy-to-follow wayfinding.

**A new approach to parking.** Even with high transit utilization, people still use cars to come and go — and they'll need a place to park when they do. TOD aims to make parking a natural, non-dominant aspect of mixed-use developments, reducing the number of necessary spaces and providing incentives that regularly free up parking. All the while, these parking spaces are designed to blend in directly with the overall look and feel of the area.



**We create JOY in our communities by connecting people to jobs, food, healthcare, education, housing, greenspace, sport and love — all accessible through public transit.**

## Example

# MARTA's Brookhaven / Oglethorpe Station



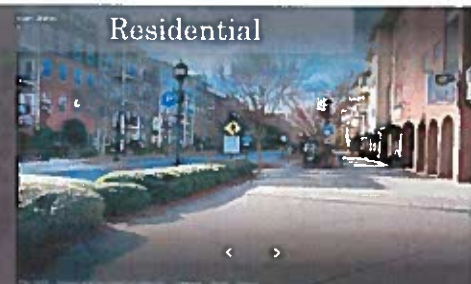
Concept plan for the Brookhaven-Oglethorpe MARTA redevelopment include a central plaza area, tennis courts, a swimming pool area within residential units, townhomes and ground floor retail. (City of Brookhaven)



Example

# Lindbergh Train Station

MARTA Lindbergh Center Station Tour



N14



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MICHELLE ALEXANDER [mmalexander@dekalbcountvga.gov](mailto:mmalexander@dekalbcountvga.gov) AND/OR LASONDRA HILL  
[lahill@dekalbcountvga.gov](mailto:lahill@dekalbcountvga.gov)

COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-20-1243876 Parcel I.D. #: 15-250-06-009

Address: Kingsingstone Rd  
Memoria Dr  
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<sup>TH</sup> 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:

Reviewed and found no problem that would disrupt traffic flow.

Signature: David Arkos



## DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

### DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site.. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

**From:** [Keeter, Patrece](#)  
**To:** [Hill, LaSondra](#)  
**Subject:** Zoning Comments April 2020  
**Date:** Monday, April 13, 2020 5:48:42 PM  
**Attachments:** [image006.png](#)  
[image008.png](#)  
[image010.png](#)  
[image003.emz](#)  
[image005.png](#)  
[image007.jpg](#)  
[image009.png](#)  
[image011.png](#)  
[image017.png](#)

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N1 & N2- Panthersville Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 40 foot right of way dedication from centerline required (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N3. Memorial Drive is a state route. GDOT review and approval required prior to permitting. Memorial Drive is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Midway Road is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N4. See chapter 5 of the zoning code- traffic study required. 448 units requires more access points. See section 14-200 of the land development code. Memorial Drive is a state route. GDOT review and approval. required prior to permitting. Memorial is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N5. Lawrenceville Hwy is a state route classified as a major arterial. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Haralson Rd is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance

based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N6. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N7. East Conley Rd is classified as a collector. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). If you variances for bike lanes, I suggest you request this as part of zoning. Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance.

N8. North Druid Hills Road is classified as a major arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Ensure that the driveway either lines up with the Knob Hill or is at the appropriate offset in section 14-200 of the land development code. Interior road to be privately maintained.

N9. Stephenson Road is classified as a collector road. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. For more that 150 units, the code requires two access points. I would like more details on the proposed super entrance, but would generally support a variance for the extra 10 lots with the addition of sidewalk along the entire frontage and along the frontage of the Calvary Church within the existing ROW.

N10. Sherrydale Ln is classified as a local road. 5 foot sidewalks, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 27.5 feet right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Interior streets to remain private.

N11. No comment

N12. No comment

N13. This appears to be a DRI. As I recall, the county can not take any zoning actions until the traffic study is submitted and reviewed by the regional partners, including ARC, GDOT and GRTA. Taking action on this item can put our federal transportation funding at risk. If this is not considered to be a DRI, I would still need a traffic study completed to make appropriate zoning comments to identify necessary improvements. Transportation has currently applied for federal funding to complete road diets on Mountain Drive (state route) and Kensington Road. In addition, we have applied for federal

funding to wrap this development area in a multiuse path to promote development and multi-modal connectivity. Memorial Drive and Covington Hwy are state routes classified as major arterials. GDOT review and approval. required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 50 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Mountain Drive is a state route classified as a collector. GDOT review and approval required prior to permitting. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 35 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Kensington Road is classified as a minor arterial. 6 foot sidewalks, Bike lanes, Street lights (SL Engineer: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)) and 40 feet of right of way dedication from centerline or the amount needed for all public infrastructure (Sidewalks, bike lanes, lanes, street lights) required, whichever greater (see Land Development Code 14-190 and Zoning Code page 5-14). Ensure driveway has intersection and stopping sight distance based on AASHTO standards- provide sign and sealed engineer's study of sight distance. Watch driveway offsets required in Section 14-200 of the land development code (existing and already permitted driveways). This will be more units than the code allows. Intersection improvements and upgrades to protect capacity (median islands) will most likely be required. At a minimum: analyze roundabouts as design solutions for driveway access on Mountain and Kensington, provide enhanced pedestrian crossings on Kensington and Mountain, provide direct pedestrian accommodations from the sidewalks on public right of way to the entrances of the development. N14 & N15- This should all be packaged with the DRI in N13. See comments on N13.

**Patrece G. Keeter, P.E.**

*Engineering Manager,  
Department of Public Works  
Transportation Division*

1950 West Exchange Place, 4<sup>th</sup> FL  
Tucker, Georgia 30084  
[pkeeter@dekalbcountyga.gov](mailto:pkeeter@dekalbcountyga.gov)

770-492-5281  
678-758-3860  
[DeKalbCountyGA.gov](http://DeKalbCountyGA.gov)



## DEKALB COUNTY

### Board of Health

04/08/2020

To: 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. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

**DeKalb County Board of Health**  
445 Winn Way – Box 987  
Decatur, GA 30031  
404.294.3700 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

## DEKALB COUNTY

### Board of Health

- N.1 **Z-20-1243789 2020-0310 / 15-023-01-008**  
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294  
- Septic system installed on 09/07/1962
- N.2 **SLUP-20-1243788 2020-0311 / 15-023-01-008**  
4201 PANTHERSVILLE RD, ELLENWOOD, GA 30294  
- Septic System installed on 06/07/1962
- N.3 **N3 SLUP-20-1243831 2020-0312 / 15-217-12-003**  
3585 MEMORIAL DR, DECATUR, GA 30032  
- Please review general comments
- N.4 **Z-20-1243836 2020-0313 / 15-230-01-010**  
4213, 4203, 4195, 4187, 4179, 4183, & 4159  
MEMORIAL DR, DECATUR, GA 30032  
- Please review general comments
- N.5 **Z-20-1243837 2020-0314 / 18-146-02-081**  
2550 LAWRENCEVILLE HWY, DECATUR, GA 30033  
- Septic system installed on 10/18/1989
- N.6 **Z-20-1243838 2020-0315 / 15-013-01-017; 15-013-01-018**  
4321 & 4341 E CONLEY RD, CONLEY, GA 30288  
- Please review general comments
- N.7 **Z-20-1243839 2020-0316 / 15-013-02-017**  
4388 E CONLEY RD, CONLEY, GA 30288  
- Please review general comments
- N.8 **Z-20-1243840 2020-0317 / 18-152-03-006**  
2573 N DRUID HILLS RD, ATLANTA, GA 30329  
- Septic system installed on 05/02/1963
- N.9 **Z-20-1243841 2020-0318/ 16-159-01-003; 16-162-05-002**  
1467 & 1503 STEPHENSON RD, LITHONIA, GA 30058  
- Please review general comments
- N.10 **Z-20-1243847 2020-0319 / 15-197-01-001**  
3559 SHERRYDALE LN, DECATUR, GA 30032  
- Please review general comments
- N.11 **CZ-20-1243853 2020-0320/ 15-251-01-028**  
3458, 3468 & 3478 MOUNTAIN DR, DECATUR, GA 30032

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## DEKALB COUNTY

### Board of Health

- Please review general comments

**N.12 SLUP-20-1243861 2020-0331 / 15-041-01-152**

2902 CEDAR TRACE ROAD, ELLENWOOD, GA 30294

- Please review general comments

**N.13 Z-20-1243878 2020-0387 / 15-250-07-001, 15-250-07-003, 15-250-07-005, 15-250-07-006, 15-250-07-007, 15-250-07-008, 15-250-07-009, 15-250-07-010, 15-250-07-011, 15-250-07-012, 15-250-07-013, 15-250-07-014, 15-250-07-016, 15-250-07-017, 15-250-07-018, 15-250-07-019, 15-250-07-020, 15-250-07-021, 15-250-07-022, 15-250-07-023, 15-250-07-024, 15-250-07-025, 15-250-07-026, 15-251-02-001, 15-251-02-002, 15-251-02-003, 15-251-02-004, 15-251-02-005, 15-251-02-006, 15-251-02-007, 15-251-02-015, 15-251-02-016**

3350 KENSINGTON RD, (AND OTHERS), DECATUR, GA 30032

- Please review general comments

**N.14 Z-20-1243876 2020-0385 / 15-250-06-009, 15-251-03-001, 15-251-03-002, 15-251-03-003**

4200 MEMORIAL DR, DECATUR, GA 30032

- Please review general comments

**N.15 SLUP-20-1243877 2020-0386 / 15-250-06-009, 15-251-03-001, 15-251-03-002, 15-251-03-003**

4200 MEMORIAL DR, DECATUR, GA 30032

- Please review general comments

**N.16 TA-20-1243897 2020-0414**

- Please review general comments

**DeKalb County Board of Health**

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Decatur, GA 30031

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

**SPECIAL LAND USE PERMIT APPLICATION**

Amendments will not be accepted after 5 working days after the filing deadline.

Date Received: \_\_\_\_\_ Application No: \_\_\_\_\_

APPLICANT NAME: JOHN CORCORAN

Daytime Phone: 470-440-8594 E-Mail: john.corcoran@theHDC.org

Mailing Address: 750 Commerce Dr., Decatur, GA 30030

Owner Name: METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY (MARTA)

(If more than one owner, attach contact information for each owner)

Daytime Phone: 404-848-5011 E-Mail: dfrank@itsmarta.com

Mailing Address: 2424 Piedmont Rd, Atlanta, GA 30324

SUBJECT PROPERTY ADDRESS OR LOCATION: 3391 Kensington Rd,

Decatur, DeKalb County, GA, 30032

Parcel ID: 1525006009, 1525103001, 1525103002, 1525103003 Acreage or Square Feet: 4.3

Commission Districts District 4/Super District 6

Existing Zoning: R75 Proposed Special Land Use (SLUP) Senior Housing, MU4

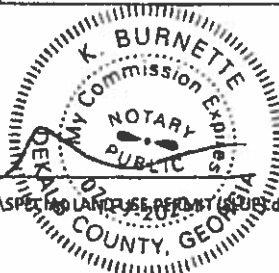
I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Printed Name of Applicant: John Corcoran

Owner: Agent: X

Signature of Applicant

Notary Signature and Seal.



DEPARTMENT OF PLANNING & SUSTAINABILITY

**IMPACT ANALYSIS**

**Criteria: Sec 27-7.4.6** The following criteria shall be considered by the Department of Planning and Sustainability, the Planning Commission and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and unless the application is in compliance with all applicable regulations in Article 4.

- A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district in which the use is proposed to be located.
- B. Compatible of the proposed use with adjacent properties and land use and other properties and land uses in the district.
- C. Adequacy of public services, public facilities and utilities to serve the use contemplated.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.
- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.
- F. Ingress and egress to the subject property and to all proposed buildings, structures and uses thereon with particular references to pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency.
- G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor dust or vibration generated by the proposed use.
- H. Whether or not the proposed use will create adverse impacts upon any adjoin land use by reason of the hours of operation of the proposed use.
- I. Whether or not the proposed use will create adverse impact upon any adjoin land use by reason of the manner of operation of the proposed use.
- J. Whether or not the proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located.
- K. Whether or not the proposed use is consistent with the policies of the comprehensive Plan,
- L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be located.
- M. Whether or not there is adequate provision of refuse and service areas:
- N. Whether the length of time for which the special land use permit is granted should be limited in duration.
- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings.
- P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources.
- Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.
- R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.
- S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole be compatible with the neighborhood and would not be in conflict with the overall objectives of the comprehensive plan.



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## DEPARTMENT OF PLANNING & SUSTAINABILITY

### DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

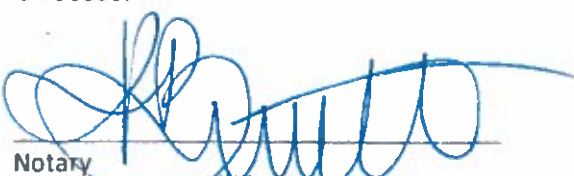
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes \_\_\_\_\_ No X \*

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

  
Notary





Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

\*Notary seal not needed if answer is "no".

## IMPACT ANALYSIS

Criteria: Sec 27-7.4.6 The following criteria shall be considered by the Department of Planning and Sustainability, the Planning Commission and the Board of Commissioners in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and unless the application is in compliance with all applicable regulations in Article 4.

- A. Adequacy of the size of the site for use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district in which the use is proposed to be located. **Yes, the site is adequate to support the proposed development of senior housing and satisfy all requirements.**
- B. Compatible of the proposed use with adjacent properties and land use and other properties and land uses in the district. **In the past five years, properties along Kensington Road have transitioned to denser residential uses. This proposal conforms with the changing land use pattern of the adjacent and nearby properties.**
- C. Adequacy of public services, public facilities and utilities to serve the use contemplated. **The proposed senior development will be positioned within close proximity to public services and utilities.**
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area. **TBD. MARTA along with our development partner will evaluate the potential ancillary impacts of the station development when site plan and development concept have been designed and approved. The development will incorporate any mitigation plans after final evaluations have been completed.**
- E. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use. **No, the proposed land use will not adversely affect the volume of traffic for existing land uses along the access routes.**
- F. Ingress and egress to the subject property and to all proposed buildings, structures and uses thereon with particular references to pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency. **The development will incorporate any mitigation plans after final evaluations have been completed.**
- G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor dust or vibration generated by the proposed use. **No, the proposed development is a senior residential community that will not have an adverse impact on noise, smoke, odor, dust or vibration generation.**
- H. Whether or not the proposed use will create adverse impacts upon any adjoin land use by reason of the hours of operation of the proposed use. **No, the proposed development will not adversely impact hours of operations of any adjoining land.**

- I. Whether or not the proposed use will create adverse impact upon any adjoining land use by reason of the manner of operation of the proposed use. **No. The proposed development will not adversely impact the manner of operations of any adjoining land.**
- J. Whether or not the proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located. **Yes. The development is consistent with all the requirements of the zoning district.**
- K. Whether or not the proposed use is consistent with the policies of the comprehensive Plan, **Yes. The 2035 Comprehensive Plan designates the MARTA Station within a Regional Center classification. In addition, the station has been the subject of a DeKalb County Small Area Plan and a 2012 Livable Centers Initiative Plan. These plans recommend high density mixed-use development. MU-4 is specifically listed as a permitted zoning district in the Regional Center classification.**
- L. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be located. **Yes, the proposed senior housing development will adhere to the all required buffer zones and transitional buffer zones.**
- M. Whether or not there is adequate provision of refuse and service areas: **Yes, the proposed development will have adequate provisions for refuse and service areas as outlined in the attached schematic plan.**
- N. Whether the length of time for which the special land use permit is granted should be limited in duration. **No, the SLUP duration should not be limited and should be for the life of the development.**
- O. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of the adjacent and nearby lots and buildings. **Yes, the proposed senior housing development will be appropriate to the size and scale of nearby buildings.**
- P. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources. **No. There are no known historic buildings, sites, districts, or archaeological resources that will be adversely affected.**
- Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.
- **The primary use of the proposed development is independent senior housing.**
  - **Accessory uses of this senior housing residence will include a clubhouse for classes, meetings, and other community amenities.**
  - **The maximum number of unrelated residents living independently (not requiring personal care) and at age fifty-five (55) or older allowed in an independent living unit is one (1) per bedroom.**
  - **This development will be 4 stories and will not require a height SLUP.**
  - **The development will incorporate accessibility standards that meet the following certification requirements for easy living or universal design and/or include all of the following minimum features:**

1. At least one (1) step free entrance to the main floor at either the front or side of the structure; if only one (1) is provided, it shall not be from a patio or raised deck.
  2. Main floor of each unit shall include a kitchen, entertaining area, and master bedroom with full bathroom.
  3. Every door on the main floor shall provide a minimum width of thirty-four (34) inches of clear passage.
  4. Blocking shall be installed in the master bath around toilet, tub, and shower for placement or future placement of grab bars.
- The site selection and design of the proposed senior community has considered the following criteria:
    1. Proximity and pedestrian access to retail services and public amenities.
    2. Transportation alternatives.
    3. Integration into existing neighborhoods through connectivity and site design.
    4. Diverse housing types.
    5. Site and building design that encourages social interaction.
    6. Building design that meets easy living standards.
    7. Building height.
    8. Landscaping.
    9. Maximum lot coverage.
    10. Setbacks from exterior property lines.
    11. Site size.
    12. Access to thoroughfare.
- R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building. **No, the development is planned as a 4-story building and will not create a negative shadow on any surrounding buildings.**
- S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole be compatible with the neighborhood and would not be in conflict with the overall objectives of the comprehensive plan. **Yes. In the past five years, properties along Kensington Road have transitioned to denser residential uses. This proposal conforms with the changing land use pattern of the adjacent and nearby properties and the goals as outlined in the comprehensive plan.**



404.371.2425 (TX)  
404.371.4556 (FAX)  
Toll Free 1-800-455-6222

Clark Harrison Building  
530 W. Peachtree Street, NW  
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

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

Date March 25, 2020

TO WHOM IT MAY CONCERN.

(I) (WE) Metropolitan Atlanta Rapid Transit Authority (MARTA)

\_\_\_\_\_  
Name of owner(s)

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

Housing Development Corporation

\_\_\_\_\_  
Name of Agent or Representative

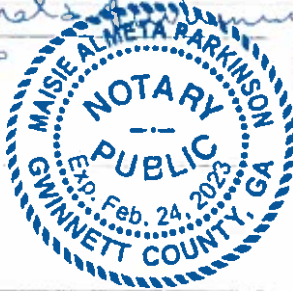
to file an application on (my) (our) behalf.

Maisie Almeta Parkinson  
Notary Public 04/21/20

Notary Public

Notary Public

Notary Public



Robert Frank  
Owner

Owner

Owner

Owner

## DEPARTMENT OF PLANNING & SUSTAINABILITY

### FILING FEES

At the time of submittal, a filing fee shall accompany each Special Land Use Permit application as follows:

<b>SPECIAL LAND USE PERMIT</b>	<b>\$400.00</b>
--------------------------------	-----------------

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. Applications deferred "full cycle" do not require additional fees. An application that is withdrawn and later re-filed will be treated as a new case and will require a new fee.

### ADDITIONAL CRITERIA FOR SPECIFIED USES

No application for a special land use permit for the uses specified below shall be granted by the board of commissioners unless it is determined that, in addition to meeting the requirements contained within the zoning district in which such property is located and the criteria contained in section 7.4.6 and complying with applicable regulations in Article 4, satisfactory provisions and arrangements have been made concerning each of the following criteria:

- A. *Telecommunications towers and antennas.* In determining whether to authorize a special land use permit for a telecommunication tower or antenna, the board of commissioners shall comply with and apply the requirements of section 4.2.57.
- B. *Mine, mining operation, gravel pit, quarry, or sand pit.* In determining whether to authorize a special land use permit for a mine, mining operation, gravel pit, quarry, or sand pit, the board of commissioners shall also consider each of the following criteria:
  - 1. Whether the type and volume of traffic associated with such use will cause congestion in the streets and will create noise and vibration along streets used for residential purposes or adjacent to activity centers.
  - 2. Whether the applicant has provided a soil erosion control plan and a reuse or reclamation plan which meets the requirements of DeKalb County and of the Georgia Surface Mining Act, O.C.G.A. § 12-4-70, et seq., as amended, and the Rules of Department of Natural Resources, Chapter 391- 3-3, as amended.
  - 3. Whether or not the applicant meets the requirements of the county's noise ordinance.
- C. *Child day care facility.* In determining whether to authorize a special land use permit for a child day care facility, the board of commissioners shall also consider each of the following criteria:

DEPARTMENT OF PLANNING & SUSTAINABILITY

1. Whether the proposed off-street parking areas and the proposed outdoor play areas can be adequately screened from adjoining properties so as not to adversely impact any adjoining land use.
  2. Whether there is an adequate and safe location for the dropping off and picking up of children at the child day care facility.
  4. Whether the character of the exterior of the proposed structure will be compatible with the residential character of the buildings in the zoning district in which the child day care facility is proposed to be located, if proposed for a residential zoned district.
- D. Biomedical waste disposal facilities, disposal facilities, landfills, county solid waste disposal facilities, county solid waste landfills, private industry solid waste disposal facilities, solid waste handling facilities, solid waste thermal treatment technology facilities, and disposal facilities for hazardous and/or toxic materials including radioactive materials.***
1. In determining whether to authorize a special land use permit for a biomedical waste disposal facility, disposal facility, landfill, county solid waste disposal facility, county solid waste landfill, private industry solid waste disposal facility, solid waste handling facility, solid waste thermal treatment technology facility, or disposal facility for hazardous and/or toxic materials including radioactive materials, the board of commissioners shall also consider each of the following criteria:
    - a. Whether the proposed use does not pose any potential negative impact resulting from air pollution, degradation of soil and/or water quality, noise, odor, or other negative environmental effects.
    - b. Whether the proposed use will not have a significant deleterious effect on use of land and value of existing housing in adjacent and nearby neighborhoods.
    - c. Whether the proposed use will not create a negative traffic impact on any adjacent or nearby residential street(s) resulting from truck and other vehicular traffic associated with the facility.
    - d. Whether the proposed use does not represent an over-concentration of such uses in the area.
  2. An assessment shall be prepared by the DeKalb County sanitation division regarding item 1.d above.

[illegible]



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

## DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer  
Michael Thurmond

Director  
Andrew A. Baker, AICP

### SPECIAL LAND USE PERMIT (SLUP) APPLICATION CHECKLIST

(Submit 4 printed, collated sets of the complete application and a PDF version on a flash drive)

- \_\_\_\_\_ 1. Schedule a mandatory Pre-Application Conference with Planning & Sustainability staff by appointment. Obtain Pre-Application form (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.
- \_\_\_\_\_ 2. Hold a Pre-Submittal Community Meeting with surrounding neighborhood associations and residents. Provide documentation of the meeting (meeting notice and sign in sheets). Letter(s) from homeowners association(s) may also be provided.
- \_\_\_\_\_ 3. Submit Application (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)
  - \_\_\_\_\_ A. Application form with name and address of applicant and owner, and address of subject property;
  - \_\_\_\_\_ B. Pre-submittal community meeting notice and sign-in sheet and other documentation of meeting, if any;
  - \_\_\_\_\_ C. Letter of application and impact analysis
    1. Letter of application identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
    2. Impact analysis of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
  - \_\_\_\_\_ D. Authorization Form, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
  - \_\_\_\_\_ E. Campaign disclosure statement (required by State law).
  - \_\_\_\_\_ F. Legal boundary survey of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. (If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)
  - \_\_\_\_\_ G. Site Plan, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:
    - \_\_\_\_\_ a. complete boundaries of subject property;
    - \_\_\_\_\_ b. dimensioned access points and vehicular circulation drives;
    - \_\_\_\_\_ c. location of all existing and proposed buildings, structures, setbacks and parking;
    - \_\_\_\_\_ d. location of 100 year floodplain and any streams;
    - \_\_\_\_\_ e. notation of the total acreage or square footage of the subject property;
    - \_\_\_\_\_ f. landscaping, tree removal and replacement, buffer(s); and
    - \_\_\_\_\_ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
  - \_\_\_\_\_ H. Reduced Site Plan, reduced to 8.5" x 11".
  - \_\_\_\_\_ I. Written Legal Description of metes and bounds of the subject property (can be printed on site plan or survey).
  - \_\_\_\_\_ J. Building Form Information. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
  - \_\_\_\_\_ K. Completed, signed Pre-application Form (Provided at pre-application meeting.)

### INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED