



DeKalb County Government

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

Agenda Item

File #: 2019-4349
File Status: Preliminary Item

11/21/2019

Public Hearing: YES NO **Department:** Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Ken Wood to rezone properties from C-1 (Local Commercial) District to RSM (Small Lot Residential Mix) District to develop seventy-two single family attached townhomes at a proposed density of 7.97 units per acre, at 6540 & 6556 Covington Highway; 2314 & 2338 Wellborn Road.

PETITION NO: N5. Z-19-1243508

PROPOSED USE: Single family attached townhomes

LOCATION: 6540 and 6556 Covington Highway; 2314 and 2338 Wellborn Road

PARCEL NO. : 16-071-02-105, 16-071-05-006, 16-072-01-001, 16-072-01-002

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Ken Wood to rezone properties from C-1 (Local Commercial) District to RSM (Small Lot Residential Mix) District to develop seventy-two single family attached townhomes at a proposed density of 7.97 units per acre. The property has 440 of frontage along Covington Highway, 590 feet of frontage along Wellborn Road and 575 feet of frontage along DeKalb Medical Parkway. All four properties contain a total of 9.03 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: APPROVAL

PLANNING COMMISSION: APPROVAL with ADDED CONDITIONS

PLANNING STAFF: APPROVAL with CONDITIONS

STAFF ANALYSIS: The proposed request to rezone properties at 6540 Covington Highway, 6556 Covington Highway, 2338 Wellborn Road and 2314 Wellborn Road from C-1 (Local Commercial) District and RSM (Residential Small Lot) District to RSM (Residential Small Lot) District to allow for the development of 72 single family attached townhomes at a proposed density of 7.94 units per acre is compatible with the surrounding and adjacent properties and complies with the RSM district standards. The request to allow for the

development of 72 single family attached townhomes is compatible with the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area in the 2035 Comprehensive Land Use Plan and the following policies: density increases, infill development and residential protection. Therefore, it is the recommendation of Planning and Sustainability Department that the rezoning from R C-1 (Local Commercial) District to RSM (Small Lot Residential Mix) District be "Approved with Staff's recommended conditions".

PLANNING COMMISSION VOTE: APPROVAL 5-3-0. G. McCoy moved, A. Atkins seconded for approval with Staff's conditions, with two (2) added conditions: 1) Establish an HOA; and 2) There shall be a 35% rental cap.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 8-0-1.

Recommended Conditions

Z-19-1243508

1. Subject property shall be developed with no more than 72 attached single-family townhomes per the site plan dated October 2019 submitted to the Planning and Sustainability Department on 10/17/2019.
2. Townhome facades shall be constructed with at least three sides brick, stacked stone, or masonry stucco excluding architectural decorative features.
3. The Department of Public Works -Transportation requires review by Georgia Department of Transportation prior to permitting along Covington Highway. Six-foot sidewalks, six-foot landscape strip and pedestrian street scale lights on Covington Highway.
4. The Department of Public Works -Transportation requires six-foot sidewalks, three-foot landscape strip and pedestrian street scale lights on Dekalb Medical Parkway.
5. The Department of Public Works -Transportation requires six-foot sidewalks, five-foot landscape strip, pedestrian street scale lights and bike lanes on Wellborn Road.
6. Rental units shall be limited to 35%
7. There shall be a mandatory home owners association for this development in compliance with state law and the Code of DeKalb County.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: November 07, 2019, 6:30 P.M
Board of Commissioners Hearing Date: November 21, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: Z-19-1243508 **Agenda #:** N.5

Location/Address: 6540 and 6556 Covington Highway **Commission District:** 05 **Super District:** 07
2314 and 2338 Wellborn Road

Parcel ID: 16-072-01-001, 16-072-01-002, 16-071-05-006, 16-071-02-105

Request: To rezone properties from C-1 (Local Commercial) District and RSM (Residential Small Lot) District to RSM (Residential Small Lot) District to allow for the development of 72 single family attached townhomes at a proposed density of 7.94 units per acre.

Property Owner/Agent: Dean Cowart

Applicant/Agent: Ken Wood

Acreage: 9.03 acres

Existing Land Use: Wooded Lot(s)

Surrounding Properties/ Adjacent Zoning: The properties to the north and east are zoned RSM (Small Lot Residential Mix) District containing single family detached homes. The property to the west is zoned C-1 (Local Commercial) District and is a wooded lot. The property to the south, across Covington Road, is the DeKalb Southeast Athletic Complex and is zoned MR-1 (Medium Density Residential-1) District.

Comprehensive Plan: **Commercial Redevelopment Corridor (CRC)** **Consistent** **Inconsistent**
Suburban (SUB)

Proposed Density: 7.97 units per acre	Existing Density: N/A
Proposed Square Ft.: N/A	Existing Units/Square Feet: N/A
Proposed Lot Coverage: 33%	Existing Lot Coverage: N/A

Subject Property

The subject property consists of four wooded parcels totaling 9.03 acres with frontage along Covington Highway, Wellborn Road and DeKalb Medical Parkway. The surrounding properties along Covington Highway are vacant wooded lots. The western properties along Wellborn Road are vacant wooded lots and single-family residences eastern along Dekalb Medical Parkway. Directly across from the subject property along Covington Highway is the Southeast Athletic Complex. Directly across from the subject property along Wellborn Road is vacant wooded lots and single-family residences.

Zoning History

The four parcels contain two zonings. Adjacent properties at 6540 Covington Highway and 6556 Covington Highway are zoned C-1 (Local Commercial) District. The property at 6540 Covington Highway is the only property that contains condition CZ-07-13332. This condition limited the commercial uses and building materials along with road improvements and sidewalks along Covington Highway. The properties off Wellborn Road and Dekalb Medical Parkway at 2338 Wellborn Road and 2314 Wellborn Road are zoned RSM (Small Lot Residential Mix) District.

Zoning Analysis

The properties at 6540 Covington Highway and 6556 Covington Highway are zoned C-1 (Local Commercial) District. The property at 6540 Covington Highway is adjacent to another C-1 zoned property and abuts RSM zoned properties in the rear. The property at 6556 is adjacent to C-1 zoned property to the west, 6540 Covington Highway, and east, R-100 (Residential Medium Lot-100) District to the east. The proposed rezoning to RSM and development would be compatible with surrounding zoning and land uses.

The 2035 Comprehensive Plan designates the future land use for these properties in the Commercial Redevelopment Corridor (CRC) Character Area. The intent of the Commercial Redevelopment Corridor is to promote the redevelopment of declining commercial corridors. While the proposed rezoning from C-1 (Local Commercial) District to RSM (Small Lot Residential) would eliminate the opportunity for commercial development on these properties, it would create density by adding housing units and provide for more mixed-use zoning along Covington Highway. The proposed land use of townhomes is one of the primary land uses and the RSM zoning is a permitted zoning for the Suburban Character Area.

The properties at 2338 Wellborn Road and 2314 Wellborn Road are zoned RSM (Small Lot Residential Mix) District. Both properties abut RSM zoning districts containing single family detached residences along the eastern property lines. The property at 2314 Wellborn Road is also adjacent to RSM zoning district containing educational academy land use. The property at 2338 Wellborn is adjacent to undeveloped wooded property zoned C-1 (Local Commercial). The current zoning of RSM would be compatible with surrounding zoning district and land uses.

The 2035 Comprehensive Plan designates the future land use for these properties in the Suburban (SUB) Character Area. The intent of the Suburban Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. The proposed land use of townhomes is one of the primary land uses and the RSM zoning is a permitted zoning for the Suburban Character Area.

Project Analysis

Per the submitted application, the site plan dated October 2019 depicts 72 foot loaded single family attached townhomes at proposed density of 7.94 units per acre. The site plan shows the properties at 6540 and 6556 Covington Highway and 2338 Wellborn Road as one combined parcel. A detention is proposed for 2314 Wellborn Road. The

applicant proposes 3.22 acres of open space, 162 parking spaces and two storm water detention facilities: one along Covington Highway and the other at 2314 Wellborn Road. A private road is proposed to connect the properties with the main entry/exit access off DeKalb Medical Parkway. A fire access only entry/exit is proposed off Covington Highway.

Impact Analysis

Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

The 2035 Comprehensive Plan designates the subject site(s) within the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area. The intent of the Commercial Redevelopment Corridor (CRC) Character Area is to promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors. The intent of the Suburban (SUB) Character Area is to recognize those areas of the county that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. The proposed rezoning to RSM (Residential Small Lot) District and the development of townhomes is compatible with the policy and intent of the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area in the 2035 Comprehensive Plan.

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

The proposed rezoning to the RSM (Small Lot Residential Mix) District to permit for the development of 72 single family attached townhomes at a proposed density of 7.92 units per acres is suitable given the adjacent residential land uses.

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

The site as currently zoned C-1 (Local Commercial) District and has been a challenge in attracting retail/commercial uses to develop these lots. The current wooded lot does not provide a reasonable economic use as currently zoned.

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

The rezoning request to the RSM (Small Lot Residential Mix) District should not adversely affect the use or usability of adjacent and/or nearby residential properties along Covington Highway, Wellborn Road or Dekalb Medical Parkway.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The existing undeveloped land on all four properties provides no economic use. The proposed rezoning to RSM Develop townhomes aligns with the surrounding land uses and future land use provides grounds for approval of this rezoning proposal.

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

The proposed rezoning will not adversely affect historic buildings, sites, districts or archaeological resources.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

The zoning proposal to the RSM District to develop 61 residences would increase traffic along Wellborn Road and DeKalb Medical Parkway however the Department of Public Works – Traffic Engineering found nothing that would disrupt traffic flow. The Department of Public Works – Transportation requires pedestrian street lights at 80-foot spacing, five-foot landscape strip, six-foot sidewalks, bike lanes and a right of way dedication of 35 ft from centerline on Wellborn Road. Along Dekalb Medical Parkway, Transportation requires pedestrian scale street lights, three-foot landscape strip and six-foot sidewalk. A review by the Georgia Department of Transportation will be needed long Covington Highway along with five-foot landscape street, six-foot sidewalks, pedestrian scale street lights and a minimum of dedication of 50 ft from centerline. The Dekalb County Department of Public Works – Water and Sewer noted that the tapping of the six-inch waterlines will not be allowed.

The DeKalb County School District stated that this development will add 24 students to the following schools: five at Panola Way Elementary School, four at Miller Grove Middle School, five at Miller Grove High School, nine at other DeKalb County School District schools, and one student for a private school. All three neighborhood schools have capacity for additional students.

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

The rezoning proposal to the RSM district will not adversely impact the environment or surrounding natural resources.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the proposed RSM single-family attached townhomes can comply with minimum development standards of the RSM (Residential Small Lot) District per Table 2.2 of the DeKalb County Zoning Ordinance.

RSM STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
MIN. LOT WIDTH	25 ft	Not labeled on submitted site plan	To be determined. (TBD)
MIN. LOT AREA	1,000 sq. ft.	1,200 sq. ft.	YES
FRONT SETBACK	Min 20 ft.	10 ft	NO
INTERIOR LOT - SIDE	N/A	N/A	N/A
REAR	15 ft	15 ft	YES
DWELLING UNITS PER ACRE	4 – 8	7.94	YES

MAX. LOT COVERAGE	70%	33%	YES
HEIGHT	3 stories or 45 ft	2 stories	YES
MIN. PARKING Article 6	Minimum 1.75 parking spaces	Not labeled on submitted site plan	TBD
OPEN SPACE	Minimum 20% if site is > 5 acres. Site is 9.03 acres	36 %	YES
Linear Feet of Sidewalk	5-foot wide	None depicted on site plan	No.

Staff Recommendation: Approval with Conditions

The proposed request to rezone properties at 6540 Covington Highway, 6556 Covington Highway, 2338 Wellborn Road and 2314 Wellborn Road from C-1 (Local Commercial) District and RSM (Residential Small Lot) District to RSM (Residential Small Lot) District to allow for the development of 72 single family attached townhomes at a proposed density of 7.94 units per acre is compatible with the surrounding and adjacent properties and complies with the RSM district standards. The request to allow for the development of 72 single family attached townhomes is compatible with the Commercial Redevelopment Corridor (CRC) Character Area and the Suburban (SUB) Character Area in the 2035 Comprehensive Land Use Plan and the following policies: density increases, infill development and residential protection.

Therefore, it is the recommendation of Planning and Sustainability Department that the rezoning from R C-1 (Local Commercial) District to RSM (Small Lot Residential Mix) District be APPROVED along with staff's recommendation conditions.

1. Subject property shall be developed with no more than 72 attached single-family townhomes per the site plan dated October 2019 submitted to the Planning and Sustainability Department on 10/17/2019.
2. Townhome facades shall be constructed with at least three sides brick, stacked stone, or masonry stucco excluding architectural decorative features.
3. The Department of Public Works -Transportation requires review by Georgia Department of Transportation prior to permitting along Covington Highway. Six-foot sidewalks, six-foot landscape strip and pedestrian street scale lights on Covington Highway.
4. The Department of Public Works -Transportation requires six-foot sidewalks, three-foot landscape strip and pedestrian street scale lights on Dekalb Medical Parkway.
5. The Department of Public Works -Transportation requires six-foot sidewalks, five-foot landscape strip, pedestrian street scale lights and bike lanes on Wellborn Road.
6. Rental units shall be limited to 35%
7. There shall be a mandatory home owners association for this development in compliance with state law and the Code of DeKalb County.

Attachments

1. Department Comments
2. Division Comments
3. Application

4. Site Plan
5. Zoning Map
6. Land Use Map
7. Site Photos

NEXT STEPS

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

- ✓ **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*

Plat Approval *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*

- ✓ **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*

Overlay Review *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*

Historic Preservation *(Certificate of Appropriateness required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*

Variance or Special Exception *(Required seeking relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*

Minor Modification *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*

Major Modification *(Required submittal of a complete zoning application for a public hearing if there are any proposed changes to zoning conditions approved by the Board of Commissioner on a prior rezoning.)*

Business License *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*

Alcohol License *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

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



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 AND/OR LASONDRA HILL
lahill@dekalbcountvga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-19-1243508 Parcel I.D. #: 16-072-01-001

Address: 6540 & 6556
Cowington Hwy

Wellbore Adjacent Roadway (s):

(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

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

Signature: [Signature]



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 (a lake or detention pond) was 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.

**DeKalb County School District
Development Review Comments**

Analysis Date: 10/28/2019

Submitted to: DeKalb County **Case #:** Z-19-1243508
Parcel #: 16-071-02-105;16-071-05-006;16-072-01-001;16-072-01-002

Name of Development: Covington Hwy & Wellborn Rd
Location: 6540 & 6556 Covington Hwy; 2314 & 2338 Wellborn Rd

Description: Proposed 72 single-family attached townhomes

Impact of Development: When fully constructed, this development would be expected to house 24 students: 5 at Panola Way ES, 4 at Miller Grove MS, 5 at Miller Grove HS, 9 at other DCSD schools, and 1 in private school. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Panola Way ES	Miller Grove MS	Miller Grove HS	Other DCSD Schools	Private Schools	Total
Capacity	850	1,127	1,830			
Portables	3	16	0			
Enrollment (Oct. 2019)	787	860	1,256			
Seats Available	63	267	574			
Utilization (%)	92.6%	76.3%	68.6%			
New students from development	5	4	5	9	1	24

New Enrollment	792	864	1,261
New Seats Available	58	263	569
New Utilization	93.2%	76.7%	68.9%

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.075382	0.077793	0.006456	0.159631
Middle	0.060176	0.029622	0.002230	0.092028
High	0.065514	0.015739	0.001712	0.082965
Total	0.2011	0.1232	0.0104	0.3346
Student Calculations				
Proposed Units	<div style="border: 1px solid black; text-align: center; padding: 2px;">72</div>			
Unit Type	<div style="border: 1px solid black; text-align: center; padding: 2px;">TH</div>			
Cluster	<div style="border: 1px solid black; text-align: center; padding: 2px;">Miller Grove HS</div>			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	5.43	5.60	0.46	11.49
Middle	4.33	2.13	0.16	6.62
High	4.72	1.13	0.12	5.97
Total	14.48	8.86	0.74	24.08
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Panola Way ES	5	6	1	12
Miller Grove MS	4	2	0	6
Miller Grove HS	5	1	0	6
Total	14	9	1	24



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER mmalexander@dekalbcountyga.gov OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-19-1243508

Parcel I.D. #: 16-072-01-001, 16-072-01-002, 16-071-05-006, & 16-071-02-105

Address: 6540 & 6556 Covington Highway and 2314 & 2338 Wellborn Road

Lithonia, Georgia

WATER:

Size of existing water main: 6" CI, 6" DI, 8" DI, 12" CI, & 24" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Pole bridge Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: Sewer is located on property 2338 Wellborn Rd. However, sewer is approximately 1,100 feet East of property 6556 Covington Hwy

Water Treatment Facility: Pole bridge Creek WTF () adequate () inadequate

Sewage Capacity: * (MGPD)

Current Flow: 6.48 (MGPD)

COMMENTS:

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

TAPPING OF 6" WATERLINES WILL NOT BE ALLOWED
MFW

Signature: [Handwritten Signature]

Transportation Comments 10/14/2019

N1. White Mill Road- Collector. Dedicate 35 feet from centerline of road or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines. Requires 5-foot landscape strip, 6-foot sidewalk, pedestrian scale street lighting, bike lanes. Kelly Lake Road- local. Requires dedication of 27.5 feet from centerline of road or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Five-foot landscape strip, 6-foot sidewalk, pedestrian scale street lighting. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines. New roads, of public, require a ROW dedication of 55 feet, five-foot landscape strip, 6-foot sidewalk, and street lighting. Miter right of way corner at Whites Mill Road at Kelly Lake Road.

N2. No offsite parking allowed due to curve in the road.

N3. No offsite parking allowed due to proximity to Briarcliff Road intersection.

N4. No comments.

N5. Welborn Road- Collector. Requires pedestrian street lights at 80 foot spacing, 5-foot landscape strip, 6-foot sidewalks, bike lanes, right of way dedication of 35 from centerline or to ensure all public infrastructure is within right of way, whichever greater. Dekalb Medical Parkway- local. Requires pedestrian scale street lights, 3-foot landscape strip and a 6-foot sidewalk. Covington Hwy- Major Arterial and State Route. GDOT review required prior to permitting. Coordinate with GDOT PI No 0008228 and dedicate any necessary right of way. Minimum of 50 from centerline. Sidewalks and pedestrian scale street lighting can be installed under the GDOT project in exchange of the right of way dedication. Ensure all access point meet minimum stopping and intersection sight distance requirements per AASHTO with permitting. Need at least 2 feet of ROW on back of sidewalk for streetlights. Interior roads to be private or must meet the requirements for a local road. (55-foot right of way dedication, five-foot landscape strip, 6-foot sidewalk, street lighting.)

N6. Covington Hwy- Major. GDOT permits/review required prior to permitting. Add sidewalks and pedestrian scale lighting along property frontage. Five-foot landscape strip, 6-foot sidewalk. ROW dedication of 50 foot from centerline or to cover public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights.

N7. Wesley Chapel Road- Major. Requires five-foot landscape strip, 6-foot sidewalk, pedestrian scale lights, bike lanes and ROW dedication of 50 feet from centerline or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Ensure all access point meet minimum stopping and intersection sight distance requirements per AASHTO with permitting.

N8 & N9. Panola Road- Major. Requires five-foot landscape strip, 6-foot sidewalk, pedestrian scale lights, bike lanes and ROW dedication of 50 feet from centerline or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines.

N10. Harvest Drive- Local. Verify ownership. Looks like part of the proposed roadway to access this property is on 3659 Harvest Road- owned by others. New roads- local. If public, requires 55 foot right of way, five-foot landscape strip, pedestrian scale lighting.

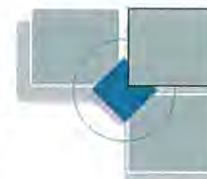
N11. Covington Hwy- Major. GDOT review required prior to permitting. Dedicate ROW of 50 feet from centerline or to cover all public infrastructure, whichever greater. Sign must be off right of way and a sight distance analysis performed to ensure that the sign does not restrict line of sight for Glen Haven Circle or any adjacent driveway access.



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

Z/CZ No. _____

Filing Fee: _____

Date Received: _____ Application No.: _____

Applicant: Ken Wood E-Mail: kwood@pecatl.com

Applicant Mailing Address:
350 Research Court, Suite 200, Peachtree Corners, GA 30092

Applicant Phone: 770-451-2741 Fax: _____

Owner(s): Dean Cowart E-Mail: dean@cowartresidential.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address:
1370 Center Drive, Suite 102, Dunwoody, GA 30338

Owner(s) Phone: 678-367-0443 (Ext 311) Fax: _____

Address/Location of Subject Property: 6540, 6556 Covington Highway & 2314, 2338 Wellborn Road

District(s): 16 Land Lot(s): 71, 72 Block: _____ Parcel(s): 16-072-01-001, 16-072-01-002, 16-071-05-006, 16-071-02-105

Acreage: 9.03 Commission District(s): C: 5 ; SC: 7

Present Zoning Category: C-1 and RSM Proposed Zoning Category: RSM

Present Land Use Category: CRC

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

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

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? _____ Yes No

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 the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

03-28-2022
EXPIRATION DATE / SEAL



SIGNATURE OF APPLICANT / DATE

Check One: Owner _____ Agent

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030
[voice] 404.371.2155 / [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov

9/4/2019

DeKalb County Dept. of Planning & Sustainability
330 West Ponce de Leon Ave, Stes. 100-500
Decatur, GA 30030

Re: **Covington Highway @ Wellborn Road Public Participation Report**
Planners and Engineers Collaborative, Inc. Project No. 16260.00

Dear Planning and Sustainability Department,

Our team held two neighborhood meetings. The first was held on Monday, July 1, 2019 and the second was held August 27, 2019. There were six community members present at the first meeting, and two community members present at the second meeting; the sign-in sheets are attached to this memo. The following is a point-by-point summary of questions and feedback received during the meetings:

Comments and Concerns

- Comment that this group's concerns were not heard on the previous townhome rezoning that occurred nearby. There is concern that they will again be left in the dark on impacts caused by the new development such as traffic and infrastructure.
- Concern about rental units and resale value of nearby single-family homes.
- Concern about impacts to traffic; worsening existing conditions in a location where there are already a lot of accidents and townhome entrances are used as turn-arounds.
- Concern about new residents cutting through existing yards to get to the Kroger and shopping center.
- Comment that there seem to be a lot of DOT projects happening in this area and it would be beneficial to have clarification on what the improvements are and where they will be taking place.
- Comment that there are already a lot of electrical/power issues in this area; concern that additional development will make this worse.
- Concern about the drainage issue on Wellborn behind the gas station worsening with additional development.

Questions

- GDOT has mentioned a new roundabout near this location. Are you familiar with that? Do you know where that will be located? Are they planning to widen Wellborn?
- How many townhomes will there be?
- What is the starting price of the homes? Will it be a high price for this area?
- What will they look like?
- Why is the pattern of development such that all of these townhomes are proposed at one time?
- The four lots would be combined into one?
- Do the homes have garages for parking?
- Will this be a gated community?
- Is there an HOA?
- Why not individual homes—why towns?
- What on-site resources will be provided to ensure that loitering does not become a problem? What will the people moving here *do*? Will there be an amenity area?
- What will happen with the water flows?
- Will the new pond cause a lot of rats and snakes to migrate here or near the existing homes?
- Will the pond ever overflow?



- How are the soils? Are they safe to build on?

The responses given by the applicant to the above questions and comments are summarized below:

- The proposed development would consist of 72 townhomes, previously revised from 76 townhomes. The costs will begin in the high-100s to mid-200s. The homes will be a high quality blend of materials including stone and brick—at the meeting, the sample building elevations were shared with community members. The development will feature ample open space, and we are considering adding more dedicated amenity features to this space, per comments received during the meeting. The homes will all have garages for parking and the development team will look into providing more guest parking. The current plans for this development do not include gating, but will be considered per comments received during the meeting.
- Regarding the concern that that this development will become mostly rentals, there will be an HOA instated that will impose limits on buying-to-rent out the homes. Regarding the question about townhome development patterns—many homes being proposed and built all at once—many developers are pushing the boundaries of where these types of developments are located, and increasingly, the market for them is shifting outside of the perimeter. The development team explained that this project is unique, in that the owners have held the property for many years, meaning that they do not have a high-pressure need to create a very dense and intense development. As a result, they are more flexible to work with the community. Townhomes are being proposed instead of traditional detached homes in this location because these for-sale townhomes can help address the ‘middle housing’ gap that currently exists in the home buying market. The proposed price reflects the high-quality of the development and also makes the homes accessible to first-time buyers. Regarding the concern about cut-throughs to the nearby Kroger, the development team is open to fencing the project behind the landscaped buffer to curb this. Regarding the question of loitering, it is the hope and expectation of the development team that this development will be the catalyst for new commercial development along Covington Highway, and that within a few years, residents will be able to easily access high-quality commercial and retail stores.
- Regarding concerns about transparency in the process, the development team is committed to keeping residents abreast of changes to the plan and hearing concerns. The team held two community meetings prior to the submittal to communicate ideas about the plan. The team will continue to update and inform neighbors about not only the proposed development, but answering questions about off-site improvements (such as the GDOT projects). We will take on this research and communicate our findings to the public. There were many concerns about stress on existing infrastructure and new stormwater problems as a result of the new development. The development team is confident that the new development will result in improvements to the overall area—not limited to the development site. Things that are not currently up-to-code will be brought up-to-code, and the addition of the new stormwater pond will collect typical and new waters generated by the development. The team believes this development will have many positive effects on the surrounding community because of the improvements proposed.

Please let our team know if you require additional information. Thank you for your continued coordination and cooperation on this project. We look forward to advancing this project with DeKalb County.

Sincerely,

Planners and Engineers Collaborative, Inc.

Kenneth J. Wood, P.E., LEED AP
President

kjw/ht/dp

6/14/2019

Re: **Pre-Community Meeting**
6540, 6556 Covington Hwy, 2314, 2338 Wellborn Rd
DeKalb County, Georgia
Planners and Engineers Collaborative, Inc. Project No. 19053.00

Dear Neighbors,

Planners and Engineers Collaborative, Inc. and Cowart Residential would like to inform you that a Land Use application will be submitted on July 5, 2019 to the DeKalb County Planning & Sustainability department. The request would rezone the property located at 6540 and 6556 Covington Highway, and 2314 and 2338 Wellborn Road from C-1 and RSM to MR-1, which would allow for a new single-family attached townhome development.

A neighborhood meeting will be held on Monday, July 1, 2019 from 6:30 to 7:30pm at the Stonecrest Library Auditorium (3123 Klondike Rd, Lithonia, GA). The purpose of the meeting is to provide neighbors and interested parties with the opportunity to meet with PEC and the Developer to ask any questions and/or voice any concerns.

We are committed to keeping the public informed during the process of this application. If you have any questions, comments, or concerns, please feel free to reach out to us at 770-451-2741.

Sincerely,
Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E, LEED AP
President

For the Firm

kjw/ht/dp

8/12/2019

Re: **Pre-Community Meeting**
6540, 6556 Covington Hwy, 2314, 2338 Wellborn Rd
DeKalb County, Georgia
Planners and Engineers Collaborative, Inc. Project No. 16260.00

Dear Neighbors,

Planners and Engineers Collaborative, Inc. and Cowart Residential would like to inform you that a Land Use application will be submitted on September 4, 2019 to the DeKalb County Planning & Sustainability department. The request would rezone the property located at 6540 and 6556 Covington Highway, and 2314 and 2338 Wellborn Road from C-1 and RSM to RSM, which would allow for a new single-family attached townhome development.

A neighborhood meeting will be held on Tuesday, August 27, 2019 from 6:30 to 7:30pm at the Stonecrest Library Auditorium (3123 Klondike Rd, Lithonia, GA). The purpose of the meeting is to provide neighbors and interested parties with the opportunity to meet with PEC and the Developer to ask any questions and/or voice any concerns.

We are committed to keeping the public informed during the process of this application. If you have any questions, comments, or concerns, please feel free to reach out to us at 770-451-2741.

Sincerely,
Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E, LEED AP
President

For the Firm

kjw/ht/dp

MEETING SIGN-IN SHEET

Project: Covington Hwy @ Wellborn
Facilitator: Ken Wood, PEC

Meeting Date: 7/11/2019
Location: Stonecrest Library

Name	Address	Phone	E-Mail
Cheryl Thompson	Lithonia 30058 2256 Wind Rose Ct		cthompson131920@ yahoo.com
P.L. Brown	Windgate Greenhouses		billionaireb@ hotmail.com

MEETING SIGN-IN SHEET

Project: Covington Hwy @ wellborn Rd
Facilitator: Ken Wood, PEC

Meeting Date: 7/1/2019
Location: Stonecrest Library

Name

Address

Phone

E-Mail

Miranda Chennault

mchennau@bellsouth.net

MEETING SIGN-IN SHEET

Project: Covington Hwy @ Wellborn Rd

Meeting Date: 8/27/2019

Facilitator: Ken Wood

Location: Stonecrest Library

Name	Address	Phone	E-Mail
Brinca McMickens	Wellborn Rd	(7) 808-3152	brinca@bellsouth.net
Moey McMickens	Wellborn Rd	(7) 873-0666	brinca@bellsouth.net

9/4/2019

DeKalb County Dept. of Planning & Sustainability
330 West Ponce de Leon Ave, Stes. 100-500
Decatur, GA 30030

Re: **Letter of Intent**
Covington Highway @ Wellborn Road
Planners and Engineers Collaborative, Inc. Project No. 16260.00

Dear Planning and Zoning,

This rezoning application is being submitted on behalf of the developer, Cowart Residential. This application proposes to rezone 4.11-acres of a 9.02-acre site from C-1 (Local Commercial) to RSM (Small Lot Residential Mix). The total site consists of four parcels—two comprise the subject site to be rezoned (approximately 4.2 acres), and two that are already zoned RSM (approximately 5 acres). Upon rezoning, the four sites would be combined to form one singular, cohesive site. Three of the parcels are contiguous, while one is separated by DeKalb Medical Parkway. The two parcels comprising the rezoning subject site have frontage along Covington Highway, while the other two are bordered by Wellborn Road on the west. The consolidated four parcels would share a singular RSM zoning district, which would facilitate the development of a new, 72-unit single-family attached townhome development.

The site is located on the eastern side of DeKalb County, directly across Covington Highway from the Stonecrest city line. The surrounding uses (for the total site—four parcels) are as follows:

- East: the site is bordered by the Sherbourne Walk subdivision and a large, undeveloped tract that is currently zoned R-100.
- West: the site is bordered by commercially-zoned, undeveloped properties to the west in the triangular-shaped area formed by the intersection of Wellborn Road and Covington Highway. Across Wellborn Road is another large, commercially zoned, undeveloped property.
- North: the three contiguous site parcels are bordered by DeKalb Medical Parkway. Across the street to the north is the fourth parcel that comprises the site. This parcel is bordered by Head of the Class Learning Academy (zoned RSM) to the north and the Sherbourne Walk subdivision to the northeast.
- South: the site is bordered by Covington Highway to the south. Across the highway are the city limits of Stonecrest. This site is zoned MR-1 (Stonecrest) and is developed with a large athletic complex.

Moving away from the site there are a mix of housing types and other land uses. To the west are two different, large townhome developments, Strathmoor Manor and Windgate at Wellborn. Further to the west along Covington Highway is a commercial shopping center. To the east are several subdivisions with single-family detached housing on quarter-acre lots. Further to the east is another commercial shopping plaza and the Woodcrest Village apartments.

Zoning Rationale

The site is located in the Commercial Redevelopment Corridor (CRC) character area as specified in the County's comprehensive plan. The intent of the Commercial Redevelopment Corridor area is to promote the redevelopment of declining commercial corridors and to improve the function and aesthetic appeal of more stable commercial corridors. These areas mainly consist of strip-style shopping centers that are in need of aesthetic or functional



improvements, are in economic decline, or are vacant. Acceptable zoning designations within this character area include Medium Density Residential (MR-1, MR-2), Mixed-Use districts, ranging from low to very high density (MU-1—5), and Small Lot Residential Mix (RSM), among others. Primary land uses in this character area include townhomes, condos, apartments, office/retail/commercial uses, educational and institutional uses, and park and recreation facilities. Key policies of this character area include creating dense, compact, mixed-use districts where errands can be accomplished on foot, and emphasizing high-quality aesthetics in architectural and landscaping standards.

The proposed change from C-1 to RSM is an appropriate zoning designation for this location. Although both C-1 and RSM are permitted zoning districts within the CRC character area, part of this lot assemblage is already zoned RSM and this proposal would facilitate a more rational zoning map when the parcels are ultimately consolidated. The RSM zoning would allow townhomes at this location, which are not currently permitted under the C-1 zoning but are a recommended land use under the CRC character area described within the DeKalb County 2035 Comprehensive Plan. In addition to providing more housing in this area, the townhomes would create a reasonable transition in land use intensity from the more commercialized corridor directly along Covington Highway to the residential neighborhoods further to the north.

The rezoning proposal for a new townhome development on the subject property is consistent with the comprehensive plan's vision for compact, high-quality development to occur in this area, and is the optimal use of the site at this time. The owners of the property have stated that they have tried to sell the parcels along Covington Highway to commercial developers several times over many years, but were unsuccessful. The market for high quality commercial space is currently limited in this area, as evinced by the numerous vacant storefronts in the shopping plazas in close proximity to the site. The townhome proposal is the best use of the site in the view of the intent of the character area, because it will contribute to the mixed character of the Covington Highway redevelopment corridor while bringing high-quality residential development that will continue to enhance the tax base. Eventually, such residential development will be able to attract and sustain the demand for the type of commercial development that will revitalize this corridor.

Constitutional Objections

The portions of the Code of Ordinances and Zoning Ordinance for DeKalb County (the "Zoning Ordinance") which classifies or conditions the Property into any more or less intensive zoning classification and/or zoning conditions other than as requested by the Applicant and property owner are unconstitutional, in that they would destroy the Applicant's and property owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983, the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Ordinance which presently restricts the Property's use to the present zoning classification, uses, regulations, requirements, and conditions is unconstitutional, illegal, null and void, and constitutes a taking of the Applicant's and the property owner's property rights in violation of the Just Compensation Clause of the Fifth Amendment and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States, Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983, and in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States by denying economic and viable use of the Property while not substantially advancing legitimate state interests.

The Property is presently suitable for RSM as proposed in the requested rezoning, as amended by the Applicant, and is not economically suitable for uses restricted under its present zoning and development classification, conditions, regulations, and restrictions due to its location, shape, size, surrounding development, and other factors. A denial of the requested rezoning and related variances would constitute an arbitrary and capricious act by DeKalb County, and the Board of Commissioners without any rational basis therefore, constituting an abuse of discretion in violation of Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment. A refusal by DeKalb County, and the Board of Commissioners to approve this



requested rezoning, with only such additional conditions as agreed to by the Applicant and/or owner, so as to permit the only feasible economic use of the Property, would be unconstitutional between the Applicant, owner, and similarly situated property owners, in violation of Article I, Section I, Paragraph II of the Constitution of the State by discriminating of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment.

Conclusion

The Applicant and Owner respectfully request the approval and support of DeKalb County's Board of Commissioners, and Planning Staff of the Applicant's rezoning request to change the project site's zoning from C-1 (Local Commercial) to RSM (Small Lot Residential Mix). This rezoning would unify the four parcels that have been long-owned by the owner under a single zoning district. The applicant and owner believe that this rezoning would ensure the optimal use of the site—a new, 72-unit single-family attached townhome development.

The applicant respectfully submits this proposal as the most appropriate use of the site. In addition to maintaining the intent of the character area, it provides new single-family housing that is consistent with existing context and will improve the existing streetscape and neighborhood.

The applicant, owner, and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,
Planners and Engineers Collaborative, Inc.

Kenneth J. Wood, P.E., LEED AP
President

For the Firm

kjw/dp/ht

9/4/2019

DeKalb County Dept. of Planning & Sustainability
330 West Ponce de Leon Ave, Stes. 100-500
Decatur, GA 30030

Re: **Analysis Requirements**
Covington Hwy @ Wellborn Road
Planners and Engineers Collaborative, Inc. Project No. 16260.00

Dear Planning and Zoning,

Below are responses required per the DeKalb County Application to Rezone;

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

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

The zoning proposal is in conformance with the policy and intent of the comprehensive plan. The Comprehensive Plan identifies the site and its surrounds as part of the CRC – Commercial Retail Corridor character area. The CRC character area explicitly permits the RSM zoning district, and identifies townhomes as a preferred land use for these areas.

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

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposal would change the zoning designation of the two parcels located along Covington Highway from its current zoning, C-1, to RSM. The two parcels will then be consolidated with two additional parcels with frontage along Wellborn Road, which are currently zoned RSM. The larger parcel that is created as a result would be entirely zoned RSM, which would facilitate the development of a single-family detached townhome community. This zoning and land use would create a rational transition in land use intensity from the more commercial uses along Covington Highway, and would serve as a ‘buffer’ between these more intense commercial uses and the less intense single-family homes located to the north/northeast of the site.

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

The current zoning of the property is C-1, which is limited to local commercial uses. As stated in the Letter of Intent, the owners of the property have tried to sell the parcels along Covington Highway to commercial developers several times over many years, but were unsuccessful. The market for high quality commercial space is currently limited in this area, as evinced by the numerous vacant storefronts in the shopping plazas in close proximity to the site. As a result, the economic potential of the site under the existing zoning is severely limited. The townhome proposal is the best use of the site in the view of the intent of the character area, because it will contribute to the mixed character of the Covington Highway redevelopment corridor while bringing high-quality residential development that will continue to enhance the tax base. Eventually, such residential development will be able to attract and sustain the demand for the type of commercial development that will revitalize this corridor.



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

The zoning proposal will not adversely affect the existing uses or usability of adjacent or nearby properties. All of the properties bordering the site to the north (those within the Sherbourne Walk subdivision) are zoned RSM, which is the same zoning as that which is being proposed. The parcels to the east of the site are zoned R-100, but are not developed. Currently, the parcels with frontage along Covington Highway are zoned C-1, a commercial district that permits a more intense use of land than the RSM designation and the proposed townhomes. Additionally, the proposed development would provide a buffer 25-foot wide, planted landscape buffer that would screen the townhomes from the existing single family homes and any future development on the easterly parcels. As mentioned before, the proposed townhomes would be a reasonable transition in land use intensity between the commercially developed parcels along Covington Highway and the RSM-zoned, single-family homes to the north of the site.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

This site is included in the Covington Highway Commercial Redevelopment Corridor, which is intended to promote the development of a mix of compact, high-quality land uses. This proposal advances the intent of this character area by contributing to the mix of uses along this corridor with high-quality townhomes, as opposed to adding to the glut of vacant commercial spaces along Covington Highway. Additionally, as mentioned, the long-time owners of the property have tried to sell it for the purpose of commercial development for several years with no success, which is likely due to the slow market for commercial/retail space in this area at this time.

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

According to Georgia's Natural, Archaeological, and Historic Resources GIS website, there are no significant historical sites, buildings, districts, or archaeological resources located on this site that would be affected by this proposal.

G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The zoning proposal will not result in a use that will cause excessive use of existing streets, facilities, utilities, or schools. As stormwater management is a significant concern for development in DeKalb County, the proposal includes two large detention areas to handle stormwater. In addition to an on-site pond, the proposal also includes a large detention pond that is located on the northern-most parcel of the development, across DeKalb Medical Parkway. This detention pond would serve not only the proposed townhome development but would support the surrounding community as well. The townhome development would also include ample parking (2 spaces per unit plus 14 guest spaces throughout the site) so that visitors and residents would not overburden adjacent subdivisions and collector roads with parking.

Sincerely,

Planners and Engineers Collaborative, Inc.

Kenneth J. Wood, P.E., LEED AP
President

For the Firm

kjw/dp

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is **not** the owner of the property.

DATE: 9/4/2019

CHECK TYPE OF APPLICATION:

- () LAND USE PLAN
- (x) REZONE
- () MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

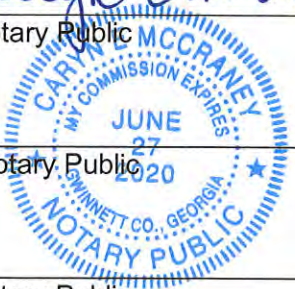
(I) (WE), Dean Cowart
(Name of owner(s))

being (owner)/(owners) of the property described below or attached hereby delegate authority to
Ken Wood
(Name of Applicant or Agent Representing Owner)

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

Caryn E McManey
Notary Public

Dean Cowart
Owner


Notary Public

Owner

Owner