



DeKalb County Government

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

Agenda Item

File #: 2020-0840
File Status: Preliminary Item

9/24/2020

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

SUBJECT:

COMMISSION DISTRICT(S): 3 & 7

Application of APC Contractors Inc to rezone properties from O-I (Office Institutional) to MR-2 (Medium Density Residential-2) District to allow the construction of a 44-unit single-family attached townhome development, at 3229, 3237, 3245, 3251, and 3265 Memorial Drive.

PETITION NO: N8. Z-20-1244120 2020-0840

PROPOSED USE: A townhome development.

LOCATION: 3229, 3237, 3245, 3251, and 3265 Memorial Drive, Decatur, Georgia.

PARCEL NOS.: 15-201-07-001, -003, -004, -005, and -007

INFO. CONTACT: Melora Furman

PHONE NUMBER: 404-371-2155 x 4

PURPOSE:

Application of APC Contractors Inc to rezone properties from O-I (Office Institutional) to MR-2 (Medium Density Residential-2) District to allow the construction of a 44-unit single-family attached townhome development. The property is located on the south side of Memorial Drive, the east side of Conway Road, the west side of Thomas Road, and the north side of Julian Street, at 3229, 3237, 3245, 3251, and 3265 Memorial Drive, Decatur, Georgia. The property has approximately 563 feet of frontage along Memorial Drive, 146 feet of frontage along Conway Road, 506 feet of frontage along Julian Street, and 352 feet of frontage along Thomas Road and contains 2.8 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: No Quorum.

PLANNING COMMISSION: Approval with Conditions.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The proposal is consistent with the policies of the 2035 Comprehensive Plan that support redevelopment of commercial redevelopment corridors, such as: "Cluster high density development at nodes and along major corridors outside of established residential areas." (CRC Policy No. 6) and "Create pedestrian-scale communities that focus on the relationship between the street, buildings, streetscape improvements, and

people.” (CRC Policy No. 4) The proposed zoning classification of MR-2 is suitable in view of the zoning pattern of the area. It provides a transition to the single-family residential zoning to the south. The development is not expected to adversely affect the existing use or usability of adjacent or nearby property. The property is separated from nearby properties by streets and the buildings are set back approximately 24 - 34 feet from the Thomas Road and Julian Street pavements, providing additional separation from homes on the opposite side of these streets. The design of the development results in attractive street appearances by incorporating rear-facing garages, and promotes a sense of community among the residents by providing an interior pocket park. Therefore, the Department of Planning and Sustainability recommends “Approval with conditions”.

PLANNING COMMISSION VOTE: Approval with Conditions 6-1-0. J. West moved, P. Womack, Jr. seconded for "Approval with Staff's conditions, with an amendment to condition #1 to provide specific reference to the most recent, updated plans provided by the developer to Staff last week". T. Snipes opposed. V. Moore was no longer present.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: No quorum. District 3 Community Council Board members present at the meeting recommended "Full Cycle Deferral" to allow time for members of the Midway Woods Neighborhood Association and other neighbors to meet with the applicant and discuss concerns about the effect of the development on surrounding local streets, stormwater detention, impact on the schools, and other issues.

RECOMMENDED CONDITIONS

September 9, 2020

Z-20-1244120

Rezoning of Property from OI (Office Institutional) to
MR-2 (Medium Density Residential – 2)

1. Substantial conformity with the site plan titled, “Gran Terraza at Memorial Drive Proposed Site Plan”, prepared by Vest Engineering, Inc., revised 9-9-20.
2. Substantial conformity with the building facades depicted on the elevations prepared by APC Contractors, Inc., titled “Gran Terraza at Memorial Drive Type A Unit Elevation Plan”, revision 1 dated 8-31-20 and “Gran Terraza at Memorial Drive Type B Unit Elevation Plan, revision dated 8-31-20.
3. The development entrance signs shall be monument-style signs faced with brick or stone, and shall be a maximum of eight feet in height.
4. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.



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: September 1, 2020
Board of Commissioners Hearing Date: September 24, 2020**

STAFF ANALYSIS

Revised 9/9/2020

Case No.: Z-20-1244120 **Agenda #:** N. 8

Location/Address: 3229 Memorial Drive, Decatur, GA **Commission District:** 3 **Super District:** 7

Parcel ID(s): 15-201-07-001, -003, -004, 005 & -007

Request: Rezone properties from the OI (Office Institutional) to the MR2 (Medium Density Residential-2) district, to allow the construction of 13 single-family attached townhomes.

Property Owner(s): Safari Enterprises, Leathers Realty Corp; Leathers, Robert Thomas & James Harrison Jr., James H. Leathers, H, Love Divine, Inc.

Applicant/Agent: APC Contractors, Inc.

Acreage: 2.87 acres

Existing Land Use: Vacated, boarded-up houses and a wooded residential lot

Surrounding Properties: Single-family homes zoned MR-2, R-75 (Residential Medium Lot-75) and O-I.

Comprehensive Plan: CRC (Commercial Redevelopment Corridor) Consistent Inconsistent

Proposed Density: 15 units/acre	Existing Density: 1.40 units/acre
Proposed Units: 44	Existing Units: 4
Proposed Lot Coverage: 58%	Existing Lot Coverage: (estimate) 20%

Zoning History: Based on DeKalb County records, it appears that the OI zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956.

SITE and PROJECT ANALYSIS

The subject property is a 2.84-acre tract consists of five lots and is bounded on the north by Memorial Drive, on the east by Thomas Road, on the south by Julian Street, and on the west by Conway Road. Four of the lots that comprise the property are developed with vacant, boarded-up houses and one is wooded. Mature trees are located throughout the property; for example, one of the lots, 3265 Memorial Drive, is developed with a house but has a large stand of trees that cover approximately half of its area. The topography slopes to the southwest.

The subject property is located within a Commercial Redevelopment Corridor character area that extends for several miles along both sides of Memorial Drive. It is approximately ½ mile southwest of the commercial node at Memorial Drive and Columbia Drive. Belvedere Plaza, located at this intersection, is a major shopping center with a grocery store anchor. The Memorial-Delano-Line Street Park is located approximately 400 feet to the west. Single-family residential neighborhoods (zoned R-75 and MR-2) and a multifamily development (zoned MR-2) lie to the south west, south, and southeast. Although designated as Suburban, streets show the traditional grid layout of a traditional neighborhood and single-family homes are located on rectangular lots with similar size and street frontage. Older homes were constructed in the late 1950s and early 1960s. Many of the lots in nearby blocks to the south and east, in an area bounded by Conway Road at the west, Fairlee Road at the south, and Rupert Road at the east, have been redeveloped: older, one-story homes have been updated with new porches or room additions, and two-story infill homes have been constructed. Two-story porches are typical on the newer homes.

The proposal under consideration is for a 44-unit townhome development at a density of 15 units per acre. The townhomes are proposed to front on the streets that surround the site and are laid out around an enhanced pocket park located at the center of the site that would be above an underground stormwater detention facility. The surrounding public streets would be streetscaped with a landscape strip located between the street pavement and a sidewalk and planted with street trees. Walkways lead from the sidewalks to the front doors of the units. Garages are located at the rear of the units and are accessible via an interior private drive. A vehicle entry point to the one-way private drive is located at the east side of the site at Conway Road and two exit points are located on the west side at Thomas Road.

Compliance with District Standards:

MR-2 STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)		Base: 12 d.u.s/acre W/Bonuses: 24 d.u.s/ac.	15 units/acre (see density bonus calculations)	Yes
DENSITY BONUSES		Enhanced open space comprises 20% - 34.9% of site area: 50% bonus = 12 + 6 = 18 units/acre allowed	Enhanced open space = 21.5% of total site area	Yes
MIN. OPEN SPACE		15%	26.2%	Yes
MIN. ENHANCED OPEN SPACE (50% OF O.S.)		7.5%	21.5%	Yes
MIN. LOT AREA		1,000 sq. feet	Min. 1,431 sq. feet	Yes
MIN. LOT WIDTH		20 feet	22 feet	Yes
BUILDING SETBACKS	FRONT (for entire bldg. site)	Memorial Drive: min. 10 ft.; max. 20 ft. Conway, Julian, Thomas frontages: Determined by utility placement, ROW, streetscape.	10 feet 0 – 12.03 feet	Yes Yes
	SIDE, REAR	Not applicable	N.A.	N.A.

MR-2 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. LOT COVERAGE	85%	73.8%	Yes
MIN. TRANSITIONAL BUFFER	None required.	N.A.	N.A.
MINIMUM UNIT SIZE	1,000 square feet	2,341 square feet	Yes
MAX. BLDG. HEIGHT	3 stories or 45 feet	4 stories and 42 ft., 2.5 inches	Yes
PARKING	Min. 1.75 spaces per unit; Max. 3.25 spaces per unit	2 per unit in garages & 1 in driveways; total 3 spaces/unit	Yes
MIN. STREETScape DIMENSIONS - PROPERTY FRONTAGE	(Memorial Drive): 10-ft. landscape strip, 6-ft. sidewalk, and street trees 50 ft. on center (Other streets): 6-ft. landscape strip, 5-ft. sidewalk, and street trees 30 ft. on center	(Memorial Drive): Landscape strip provided back of sidewalk in bldg. setback, 6-ft. sidewalk, street trees 30 ft. on center (Other streets): 6-ft. landscape strips, 5-ft. sidewalks, street trees 30 ft. on center	Yes Yes
MIN. STREETScape DIMENSIONS - PRIVATE DRIVES	5-ft. sidewalk & 5 foot landscape strip on each side, street trees the lesser of every 50 ft. or every other unit	Green space between curb & unit replaces landscape strip; sidewalks not provided; street trees provided.	Variance for sidewalk will be necessary.

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

The proposal is consistent with the policies of the 2035 Comprehensive Plan that support redevelopment of commercial redevelopment corridors, such as: “Cluster high density development at nodes and along major corridors outside of established residential areas.” (CRC Policy No. 6) and “Create pedestrian-scale communities that focus on the relationship between the street, buildings, streetscape improvements, and people. (CRC Policy No. 4) The design of the development results in attractive street appearances by incorporating rear-facing garages, and promotes a sense of community among the residents by providing an interior pocket park.

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 classification is suitable in view of the zoning pattern of the area. It provides a transition to the single-family residential zoning to the south and is consistent with the MR-2 zoning district that is located to the south and southwest of the property.

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

The property might have economic use property as zoned to OI, but like the OI properties to the west and across the street, it appears that there has not been sufficient market interest to redevelop these formerly occupied single-family properties to office and institutional uses.

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

The proposed development is not expected to adversely affect the existing use or usability of adjacent or nearby property. The property is separated from nearby properties by streets and the buildings are set back approximately 24 – 34 feet from the Thomas Road and Julian Street pavements, providing additional separation from homes on the opposite side of these streets.

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:

Relatively new homes on streets that surround the property suggest that there is a market for housing at the proposed location and that the current OI zoning is unsuitable.

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

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

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

There has been no indication from reviewing agencies and departments that the proposed development would be excessively burdensome on the existing infrastructure. However, the County Transportation Division has commented that Julian Street must be brought up to county standards on the side where development is proposed, with the pavement being at least 20 feet wide. Such improvements would require right-of-way dedication and where the existing Julian Street pavement is closest to the property line, the yards in front of the proposed buildings would be reduced, in some cases to zero. The distance of the proposed buildings from the homes on the opposite side of the street would remain the same or greater; the building may need to be moved back about three feet. Further comments from the Transportation Division relate to the location of ingress and egress points on the property in relation to Memorial Drive. Because adjustments to the site plan may be necessary during building permitting, staff recommends that any conditional site plan be subject to standards implemented by the Transportation Division. At the time this report is being written, the Board of Education has not yet commented on the impact of the development on the school system.

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

There has been no indication that the zoning proposal will have unusual adverse impacts on the environment or surrounding natural resources beyond those that are typical when a largely wooded property is redeveloped.

STAFF RECOMMENDATION: APPROVAL with CONDITIONS.

The proposal is consistent with the policies of the 2035 Comprehensive Plan that support redevelopment of commercial redevelopment corridors, such as: “Cluster high density development at nodes and along major corridors outside of established residential areas.” (CRC Policy No. 6) and “Create pedestrian-scale communities that focus on the relationship between the street, buildings, streetscape improvements, and people.” (CRC Policy No. 4) The proposed zoning classification of MR-2 is suitable in view of the zoning pattern of the area. It provides a transition to the single-family residential zoning to the south. The development is not expected to adversely affect the existing use or usability of adjacent or nearby property. The property is separated from nearby properties by streets and the buildings are set back approximately 24 – 34 feet from the Thomas Road and Julian Street pavements, providing additional separation from homes on the opposite side of these streets. The design of the development results in attractive street appearances by incorporating rear-facing garages, and promotes a sense of community among the residents by providing an interior pocket park. Therefore, the Department of Planning and Sustainability recommends “Approval” with the following conditions:

1. Substantial conformity with the site plan titled, “Gran Terraza at Memorial Drive Proposed Site Plan”, prepared by Vest Engineering, Inc., revised 9-9-20.
2. Substantial conformity with the building facades depicted on the elevations prepared by APC Contractors, Inc., titled “Gran Terraza at Memorial Drive Type A Unit Elevation Plan”, revision 1 dated 8-31-20 and “Gran Terraza at Memorial Drive Type B Unit Elevation Plan, revision dated 8-31-20.
3. The development entrance signs shall be monument-style signs faced with brick or stone, and shall be a maximum of eight feet in height.
4. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Land Use Plan Map
7. Aerial Photograph
8. Site Photographs

NEXT STEPS

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

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

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

PUBLIC WORKS DEPARTMENT, TRANSPORTATION DIVISION
COMMENTS

Memorial Drive is a state route. GDOT review and approval required prior to permitting. Memorial Drive is classified as a major arterial. Right of way dedication of 50 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), 10-foot landscape area, streetlights required. Conway Rd, Thomas Road and Julian St are classified as local roads and must be brought up to county standards on the development side with the pavement being at least 20 feet wide. Right of way dedication of 27.5 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Twelve-foot travel lanes, five-foot wide sidewalks, six-foot landscape area, streetlights required. Entrances on Conway and Thomas must meet the GDOT minimum distance for connecting streets related to Memorial Drive. Proposed interior street on Conway is too close to Memorial Drive. One direction streets would work better going in the opposite directions (with less impacts to existing roads). All interior streets must be private. No walls or private structures allowed on right of way. Verify intersection and turning sight distances meet AASHO requirements at permitting.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING 001, 003, 004

Case No.: Z-00-1244120 Parcel I.D. #: 15-201, 07-005+007

Address: 3009 Memorial Drive
Decatur, Ga 30032

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:

<p><i>I did not see any traffic engineering concerns at this time.</i></p>

Signature: *Justify Ross*



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

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

COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-20-1244120

Parcel I.D. #: 15-201-07-001, 15-201-07-003, 15-201-07-004, 15-201-07-005, 15-201-07-007

Address: 3229 Memorial Drive

Decatur, Georgia

WATER:

Size of existing water main: 2" GALV & 8" DI Water Main (adequate/inadequate) *mjs*

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

MUST UTILIZE 8" DIP *mjs*

SEWER:

Outfall Servicing Project: Shoal Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

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

Sewage Capacity; * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

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

Signature: *[Signature]*

Board of Health

08/13/2020

To: Current Planning
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.



Board of Health

N.8 Z-20-1244120 / 2020-0840 / 15-201-07-001, 15-201-07-003, 15-201-07-004, 15-201-07-005, 15-201-07-007

3229 Memorial Drive, Decatur, GA 30032

- **Septic system installed on in same vicinity. The location is 3232 Memorial Drive on 04/21/1970.**
- **Please review general comments.**

N.9 TA-20-1244141 / 2020-0841 / 18-043-01-004

4900 Memorial Drive, Stone Mountain, GA 30083

- **Please review general comments.**
- **Septic System installed on 09/11/1964 at property 4947 Memorial Drive.**

DeKalb County Board of Health

445 Winn Way – Box 987

Decatur, GA 30031

404.294.3700 • www.dekalbhealth.net

Dekalb County District 3 Community Council
Valor Tower Inc.
Request for Rezoning

The applicant requests a rezoning from the O/I Office Institutional to be MR-2 Medium Density Residential, which we feel is in conformity with the policy and intent of the comprehensive plan for Memorial Drive. The proposed project is appropriate and in conformity with the Memorial Drive character area and aids in the revitalization of Memorial Drive Corridor.

The following are the community concerns sent by Wayne Powell, District 3 Community Council Member:

This property has a very steep slope that has the potential for storm water to drain onto properties that are South of the townhomes on Julian Street?

The new development is planning on abiding by Dekalb County stormwater ordinance and maintain the same or less pre-development storm water peak flow by the installation of a detention storage area. The main detention storage area will be installed on the center of the development, and outflow routed through the southwest corner of the property.

The detention storage to be provided shall be calculated on the basis of the one hundred-year frequency rainfall as published in the Georgia Stormwater Management Manual. The detention system required will handle the runoff of a one hundred-year rainfall, for any and all durations from the post-development, with a release rate that does not exceed the pre-development release rate during the same duration storm.

So, we anticipate the amount of storm water to flow on Julian St to be equal or less than prior the development of the townhomes.

□ Julian Street on the south side of the proposed townhomes is very narrow. What type of traffic impact will the townhomes cause in our community?

The new development will have a main entry on Conway Rd and two exits on Thomas Rd. Since most traffic is susceptible to come from the main road which is Memorial Dr., and exit towards Memorial Dr., we anticipate minimal traffic impact on Julian St. Therefore, we do not anticipate the proposed development to result in a use that will cause an excessive or burdensome use of existing streets. The development has addressed this concern by establishing an optimum traffic pattern. To enter the development from Memorial Drive, residents will use Thomas Road, and to exit they will utilize Conway Road. At no time, the residents of this development will need to transit on Julian Street.

Dekalb County District 3 Community Council

Valor Tower Inc.

Request for Rezoning

□ Some neighbors are concerned that this townhome development will not be a positive influence in our community. What positive influences on the surrounding communities can you describe?

We believe the proposed development will have many positive influences in the community.

1. New housing developments built on un-maintained, derelict, and overgrown land will be an asset to the community in several ways: it will clean up an area that has been vacant and un-kept for years; creating attractive new housing will produce new tax revenue that (the government) could utilize to support community programs such as parks and schools. Without additional tax revenues, the government can't invest or improve the schools, parks and other programs to benefit the community.
2. The increase in upscale housing will bring about additional spending and investment in local shops and services such as groceries, home improvement, pet food, gasoline, car repairs, beauty salons, clothing, fitness centers, and so on. A household moving into a new housing situation generally spends about three-fifths of its income on goods and services sold in the local economy, causing an economic ripple that permanently increases the level of economic activity for local business owners.
3. Housing developments create new jobs for citizens, they provide desired housing options that attract new residents, who in turn attract new business, creating a balanced economy. If the new development is well designed and complements existing housing, it will bring the possibility of increased property values for existing homes in the area and perhaps, attract other investors to finally tackle the aging and unsafe retail around the area.

□ These are very expensive townhomes. What will be the anticipated increase in property taxes to the homes that surround this proposed development?

Our development has been carefully priced in such a way that they are very competitive with the prices per square foot that is currently selling in the neighborhood. However, we cannot answer the question on what the anticipated increase in property taxes to the surrounding homes is; that is something only the County Tax Assessor has the answer.

□ Will there be a mandatory Homeowner's Association for this proposed townhome development? If there is an association, then how will the Association assure that all common areas and the townhome infrastructure will be maintained in good order?

The Entire development will be managed by an assigned Homeowners Association that will maintain its shared public spaces and maintain the grounds. The HOA will be funded by its residents and will establish and maintain budgets and enforce rules and regulation. The fees paid by the residents will pay for the upkeep of the community common areas, such as the walkways, the park, lighting and the landscaping in the entrances.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received: _____ Application No: _____

Applicant Name: APC Contractors Inc.

Applicant E-Mail Address: ppedreira@apccontractors.us

Applicant Mailing Address: 6060 Dawson Blvd. Suite J
Norcross, GA 30093

Applicant Daytime Phone: 678)407-0601 Fax: 678)407-0677

Owner Name: PLEASE SEE ATTACHED LIST
If more than one owner, attach list of owners.

Owner Mailing Address: PLEASE SEE ATTACHED LIST

Owner Daytime Phone: PLEASE SEE ATTACHED LIST

Address of Subject Property: ¹ 3229 , ² 3237 , ³ 3245 , ⁴ 3251 , ⁵ 3265 Memorial Dr.
Decatur, GA 30032

Parcel ID#: ¹ 15 201 07 007 , ² 15 201 07 005 , ³ 15 201 07 004 , ⁴ 15 201 07 003 , ⁵ 15 201 07 001

Acreage: 2.843 Commission District: 3 SD-7

Present Zoning District(s): O-I Office Institutional

Proposed Zoning District: MR-2 Medium Density Residential - 2

Present Land Use Designation: CRC

Proposed Land Use Designation (if applicable): N/A

Memorial Drive Decatur, GA 30032

Parcel ID	Address	Owner(s) Name(s)	Owner(s) Mailing Adress	Daytime Phone
1	15 201 02 022 3229	Safari Enterprises Inc	1811 Ballybunion Dr., Jones Creek, GA 30097	678-776-4942
2	15 201 02 023 3237	Leathers Realty Corp	PO Box 65, Mansfield GA 30055	770-385-8828
3	15 201 02 024 3245	Leathers, Robert Thomas & James Harrison Jr	PO Box 365, Avondale Estates GA 30002	404-993-6000
4	15 201 02 025 3251	Leathers, James H Jr	PO Box 65, Mansfield GA 30057	770-385-8830
5	15 201 02 026 3265	Love Divine Inc	3265 Memorial dr. Decatur GA 30032	470-334-9643



CONTRACTORS, INC.
EXPERIENCE • QUALITY • DEDICATION

June 16, 2020

Pilar Pedreira
ppedreira@apccontractors.us
Aracelis Saladin
Arisellsaugusta@gmail.com

PUBLIC NOTICE
TO
Request for Rezoning
Filed by APC Contractors, Inc.
Location: 3265, 3229, 3251, 3245, 3237 Memorial Drive
Decatur, Ga 30032

Current Zoning – OI (Office / Institutional)

Current Use – Residential

Proposed Zoning – RSM (Residential Small Mix)

Proposed Use – ~~Single-Family Attached Residences/Townhouses~~

Dear neighbor,

Our family at APC Contractors Inc. would like to invite you to meet with us and the community at **7:00 pm** on Tuesday, June 25, 2020 to discuss the new project located at 3265, 3229, 3251, 3245, 3237 Memorial drive, Decatur GA 30032.

In the interest of the public health and safety, our family at APC Contractors Inc., as per Dekalb County's directive, will hold the pre-submittal community meeting via **ZOOM**. Please utilize the following link to join the meeting:

Location: <https://us02web.zoom.us/j/89778676367>

Date & Time: Tuesday, June 25, 2020 at 7:00PM

If you have any questions or would like us to email you a direct invitation link to the meeting, feel free to reach out to our team at: rigadepo@gmail.com

Thank you so much and hope you and your family stay safe.

Warm wishes,

Aracelis Saladin

6060 Dawson Blvd. Suite J. Norcross GA 30093
Phone: (678) 407-0601 Fax: (678) 407-0677



CONTRACTORS, INC.
EXPERIENCE · QUALITY · DEDICATION

June 20, 2020

Pilar Pedreira
pedreira@apccontractors.us
Aracelis Saladin
risellsaugusta@gmail.com

PUBLIC NOTICE
TO
Request for Rezoning
Filed by APC Contractors, Inc.
Location: 3265, 3229, 3251, 3245, 3237 Memorial Drive
Decatur, Ga 30032

Current Zoning – OI (Office / Institutional)

Current Use – Residential

Proposed Zoning – MR2 (Medium Density Residential 2)

Proposed Use – Single-Family Attached Residences/Townhouses

Dear neighbor,

We wanted to confirm the right date/time for our community meeting. The meeting will be held on Thursday, June 25, 2020 at 7:00 PM, to discuss the new project located at 3265, 3229, 3251, 3245, 3237 Memorial Drive, Decatur GA 30032.

In the interest of the public health and safety, our family at APC Contractors Inc., as per Dekalb County's directive, will hold our community meeting via **ZOOM**. Please utilize the following link to join the meeting:

Location: <https://us02web.zoom.us/j/89778676367>

Date & Time: Thursday June 25, 2020 at 7:00PM

If you have any questions or would like us to email you a link to the meeting, feel free to reach out to our team at: rigadepo@gmail.com.

We apologize for any confusion the previous invitation might have caused.

Warm wishes,

Aracelis Saladin

Valor Tower / APC Contractors
Community Meeting for Rezoning Request

Thursday, June 25, 2020 Time: 7 pm

Attendees Roster

Name	Address
Shelby Kurland	1645 Carter Rd, Decatur GA
Chris Skelley	2770 Amelia Ave.
Alex McLaughlin	1525 Carter Rd
Chris DeBree	1491 Woodfern Dr.
Trey Denckenbacher	1555 Thomas Rd
Christina Moore	2730 Fairlee Dr, Decatur
Mike Tarnower	1542 Carter Rd
Denise Edward	3357 York Place, Decatur
Doug Collins	1524 Carter Rd
Annette Edward	3232 Memorial Dr. Decatur
MARIA	
Kenneth W. Powell	3056 San Juan Dr.
Sandra Benjamin	144 Thomas Dr
Nicole Puvu	
BRIAN	1552 Thomas Dr
MANIF	

ALETHA Edward
 Robison, Mitchell
 Jeannette DUMBAR

Emily Cox
 William HUBBARD



LETTER OF APPLICATION AND IMPACT ANALYSIS

INTRODUCTION

To whomever this may concern,

This Letter of Application and Impact Analysis is intended to comply with the application procedures established by DeKalb County, Georgia for submittal of land use applications, as required by the Zoning Ordinance of DeKalb County, Georgia (“Zoning Ordinance”), DeKalb County Public Hearing Application Requirements, and other DeKalb County Ordinances and Standards.

The Applicant has submitted contemporaneously with this Letter of Application and Impact Analysis the application package for the Proposed Zoning and Proposed Use, as may be amended (the “Application”). With regard to any zoning, special use permit, and variances requested in the Application (as applicable), the Applicant incorporates herein all statements made in the Public Hearing Application.

1. LETTER OF APPLICATION

Applicant:	APC Contractors, Inc.
Subject Property:	2.843 Acres Designated as DeKalb County
	Tax Parcel(s): 15 201 07 007
	15 201 07 005
	15 201 07 004
	15 201 07 003
	15 201 07 001
Current Zoning:	Office-Institutional
Proposed Zoning:	Medium Density Residential - 2
Existing Use:	4 Single-Family Residences/ 1 Vacant Lot
Proposed Use:	Attached Single Family Residences/Townhouses
ROW Access:	Conway Road and Thomas Road

The Applicant submits the Application for the purpose of rezoning the Subject Property from the O-I zoning classification to MR-2 for the purpose of developing 44 Townhouse Units thereon.

Townhome units will be a maximum of 42 feet in height, 22 feet wide, and be constructed with minimum 2,341 square feet of finished area. Elevation Drawings are submitted with the Application and incorporated herein by reference.

2. IMPACT ANALYSIS

Pursuant to Zoning Ordinance § 27-7.3.5, when exercising the County's zoning powers, consideration shall be given to factors associated with the use including, but not limited to, the following. The Applicant's Proposed Use satisfies all of these criteria as described below:

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

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The Subject Property is located in the Memorial Drive Corridor, which identifies MR-2 as a Permitted Zoning and Townhouses as an appropriate Primary Use in this character area. Also, the proposed design for the Townhomes incorporates uniformed front setbacks, rear-entry garage, varied rooflines, and ample open space, all in accordance with the design preferences described in the Comprehensive Plan.

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

The Zoning Proposal will permit Townhouses, a residential use, which is suitable in view of the use and development of the adjacent properties, which are also residential MR-2. Memorial Drive is located to the North of the Subject Property and is a major commercial corridor; to the East is Thomas Rd which is the location of Archbishop Hope Church of Atlanta, a large institutional use currently zoned R-75 . West of the Subject Property is Conway Rd with majority zoned MR-2 , to the South is Julian St which consists of a majority mixture of MR-2 and R-75 As such, the proposed MR-2 zoning will serve as a transitional zoning from high intensity uses along Memorial Drive to the nearby neighborhood .

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

The Subject Property does not have a reasonable economic use as currently zoned as single family residential homes are present in O-I zoning. The comprehensive plan states character areas and permitted zoning districts for O-I zoning district to allows for Suburban, Neighborhood Center, Town Center, Regional Center, Office Park, Institutional, Light Industrial, Commercial Redevelopment Corridor and Highway Corridor.

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

The Zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property or properties because the Zoning Proposal will allow for a residential Proposed Use that is compatible with the surrounding residential areas.

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 shape, size and topography of the Subject Property necessitate rezoning of the Subject Property, as its narrow depth and large width hinder redevelopment using Current Zoning. The increasing population of DeKalb County necessitates more dense development to accommodate projected growth, as contemplated by the Comprehensive Plan.

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

The Zoning Proposal will not adversely affect historic buildings, sites, districts, or archeological resources because there are no historic buildings, sites, districts, or archeological resources on or adjacent to the Subject Property.

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

The Zoning Proposal will not result in a use that will cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The projected impact on schools and utilities will be in keeping with projected growth, and applicable impact fees from the development will fund infrastructure improvements. The number of car trips and need for transportation facilities will be comparable to surrounding uses, the developer will make improvements to surrounding rights-of-way as required by applicable regulations for project improvements.

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

The Zoning Proposal will not adversely impact the environment or surrounding natural resources in fact, because approximately 77% of workers in DeKalb County do not reside in the County, providing additional housing units in the County may lead to more employees residing in the County, potentially decreasing automobile dependency, traffic congestion, and pollution caused by commuters driving through the County to work elsewhere. Also, the Zoning Proposal will not adversely impact the local watershed because there are no streams or stream buffers on the Subject Property and all stormwater will be managed according to the applicable codes and engineering standards. Also, the Proposed Use abutting the Right of Way. Finally, the Subject Property will be planted with numerous trees throughout the site while maintaining some of the existing trees.

CONCLUSION

Because the Proposed Use and site design comply with all criteria appropriate for consideration of the land use application, the Applicant and owners respectfully request that this Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. The Applicant and owners reserve the right to amend and supplement this Letter of Application and Impact Analysis at any time.

Sincerely,

Pilar Pedreira, Applicant



GRAN TERRAZA At Memorial Drive.
3265 Memorial Dr
Owner: Value Tower Inc.

SEAL

PRELIMINARY
Not for construction
Not for permitting
For preview ONLY!

REVISION

No.	Description	Date

PROJECT NUMBER 2020-03

Exterior Views



CONTRACTORS, INC.
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GRAN TERRAZA At Memorial Drive.
3265 Memorial Dr
Owner: Value Tower Inc.

SEAL

PRELIMINARY

**Not for construction
Not for permitting
For preview ONLY!**

REVISION

No.	Description	Date

PROJECT NUMBER 2020-03

Exterior Views

A902





CONTRACTORS, INC.
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GRAN TERRAZA At Memorial Drive.
3265 Memorial Dr
Owner: Value Tower Inc.

SEAL

PRELIMINARY

**Not for construction
Not for permitting
For preview ONLY!**

REVISION

No.	Description	Date

PROJECT NUMBER 2020-03

Exterior Views

A903



PRINTED TO SCALE ON PAPER SIZE 24"X36" ONLY

PROPERTY, C3 COMMERCIAL LOT

CLASS: MEDIUM
 AREA = 2.868 ACRES
 2.868 ACRES

LOADING DATA:

INITIAL UNITS: 44 UNITS
 WINGS: 7
 42'-2 1/2"
 178

UNIT DATA:

PER UNIT =	1 UNIT	44 UNITS
SPACE =	1.00	44
TOTAL =	0.75	33
	1.75	77

INHEATED CALCULATION:

1 UNIT	44 UNITS
2,341 sq ft	103,004 sq ft
1,230 sq ft	54,120 sq ft
3,571 sq ft	157,124 sq ft

HT = 875 sq ft

BUILDING:

1) =	7,072 sq ft
2) =	7,072 sq ft
3) =	4,420 sq ft
4) =	5,304 sq ft
5) =	7,072 sq ft
6) =	3,536 sq ft
7) =	4,420 sq ft
8) =	38,896 sq ft

AREA:

6,064 sq ft	5'-0" WIDTH
8,492 sq ft	

AREAS DATA:

AREA = 24,821 sq ft
 24'-0" WIDTH

AREAS ARTERIALS: Min. 10'-0"
 STREETS: 0

10'-0"

LOT COVERAGE:

MR-2 MAXIMUM LOT COVERAGE 85%

IMPERVIOUS SURFACES PROPOSED RESIDENTIAL UNITS = 44

MAIN LEVEL FLOOR:	875 sq ft X 44 = 38,500 sq ft
FRONT PORCH:	13 sq ft X 44 = 572 sq ft
SIDEWALK EXTERIOR:	2,520 sq ft
SIDEWALK GREEN CENTRAL AREA:	3,544 sq ft
INTERIOR STREETS:	24,821 sq ft
PATH GARAGE:	8,492 sq ft
TOTAL PROPOSED IMPERVIOUS:	78,449 sq ft

CALCULATE LOT COVERAGE = 78,449 sq ft / 124,916 sq ft = 63% < 85%

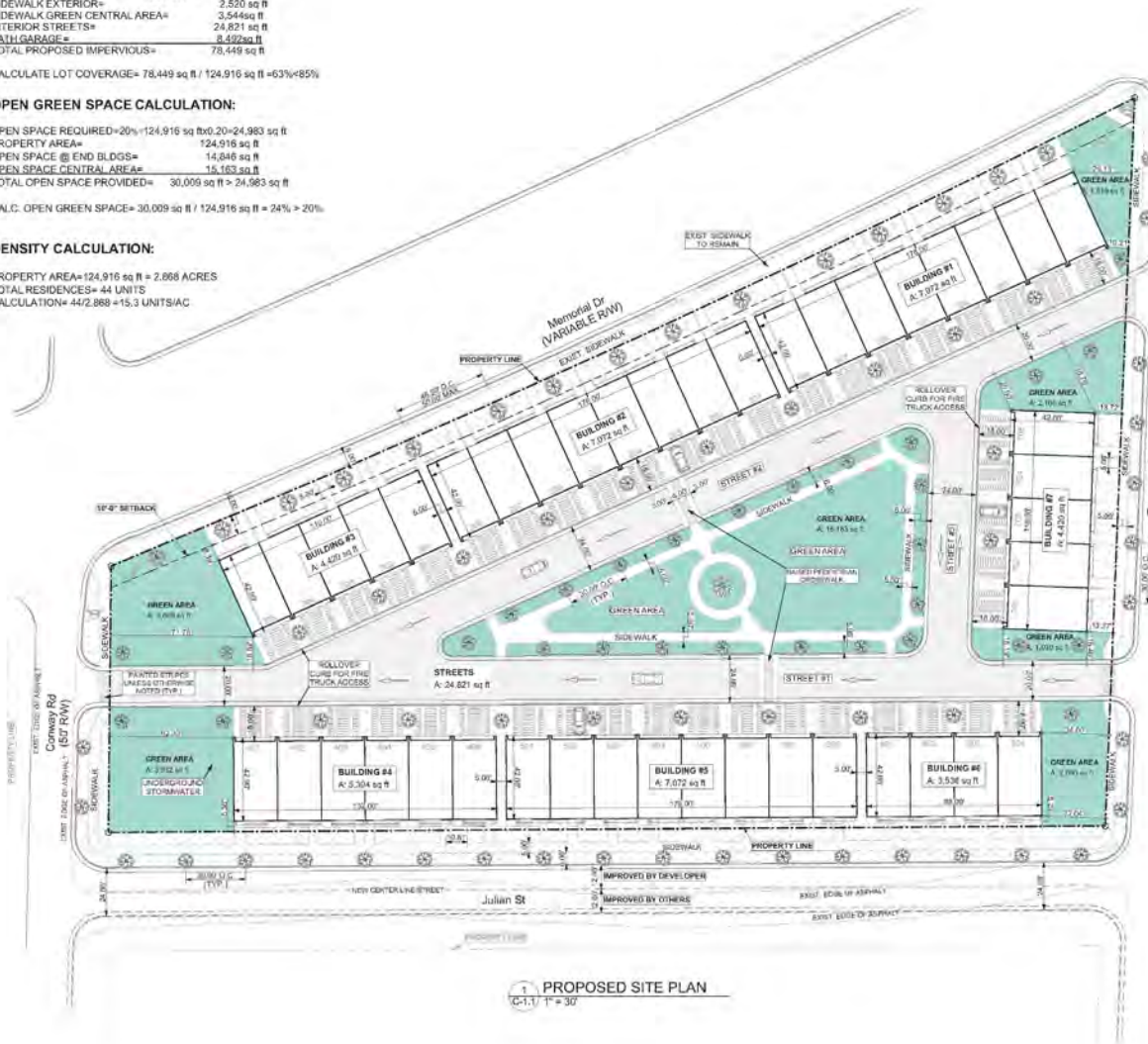
OPEN GREEN SPACE CALCULATION:

OPEN SPACE REQUIRED = 20% =	124,916 sq ft x 0.20 = 24,983 sq ft
PROPERTY AREA =	124,916 sq ft
OPEN SPACE @ END BLDGS =	14,846 sq ft
OPEN SPACE CENTRAL AREA =	15,133 sq ft
TOTAL OPEN SPACE PROVIDED =	30,009 sq ft

CALC. OPEN GREEN SPACE = 30,009 sq ft / 124,916 sq ft = 24% > 20%

DENSITY CALCULATION:

PROPERTY AREA = 124,916 sq ft = 2.868 ACRES
 TOTAL RESIDENCES = 44 UNITS
 CALCULATION = 44 / 2.868 = 15.3 UNITS/AC



1 PROPOSED SITE PLAN
 (C-1.1) 1" = 30'

SCALE: 1" = 30'



VEST
 ENGINEERING INC.

227 SUMAC TRL,
 WOODSTOCK, GA 30188
 404-218-9579
 www.vestengineering.com



THIS DRAWING IS AN INSTRUMENT OF PROFESSIONAL SERVICE FOR USE SOLELY WITH RESPECT TO THE PROJECT SHOWN AND MAY NOT BE REPRODUCED OR USED WITHOUT THE CONSENT OF ENGINEER.

ISSUES & REVISIONS

- REV.01 8-31-20
- REV.02 9-4-20
- REV.03 9-9-20

PROJECT:
 Gran Terraza at Memorial Dr
 3265 Memorial Dr, Decatur GA 30032

CONTENTS:
 PROPOSED SITE PLAN

DATE: 6-30-20

SHEET No:

C-1.1





GRAN TERRAZA At Memorial Drive.
 3265 Memorial Dr
 Owner: Value Tower Inc.

SEAL

PRELIMINARY

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 For preview ONLY!**

REVISION

No.	Description	Date

PROJECT NUMBER: 2020-03

Exterior Views

A902



GRAN TERRAZA At Memorial Drive.
 3265 Memorial Dr
 Owner: Value Tower Inc.

SEAL

PRELIMINARY

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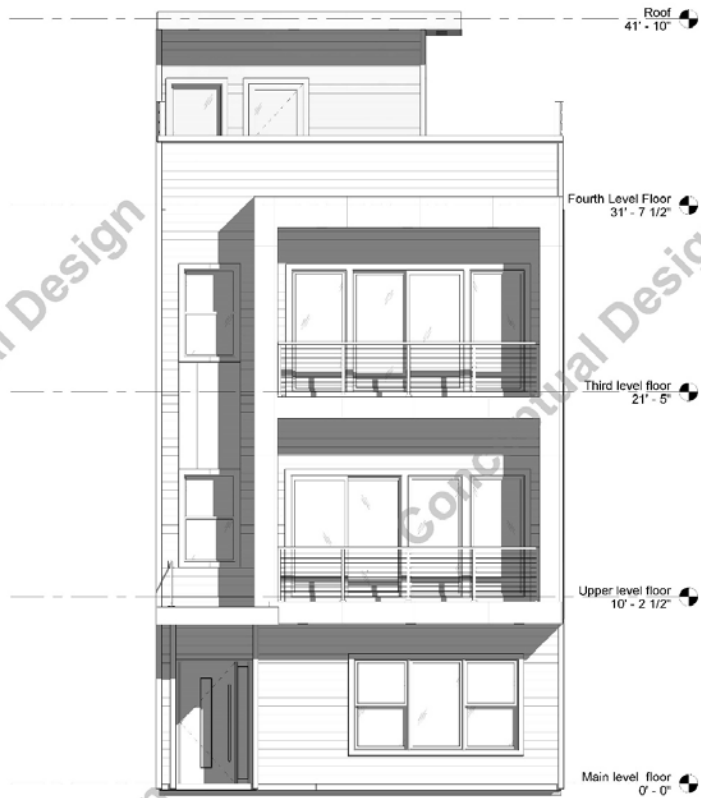
REVISION

No.	Description	Date

PROJECT NUMBER: 2020-03

Exterior Views

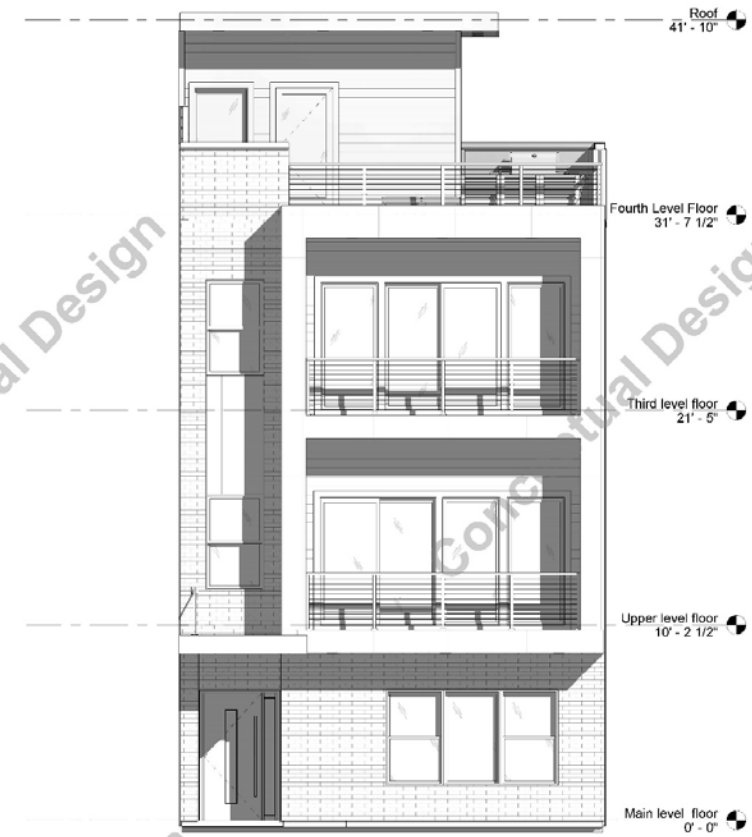
A903



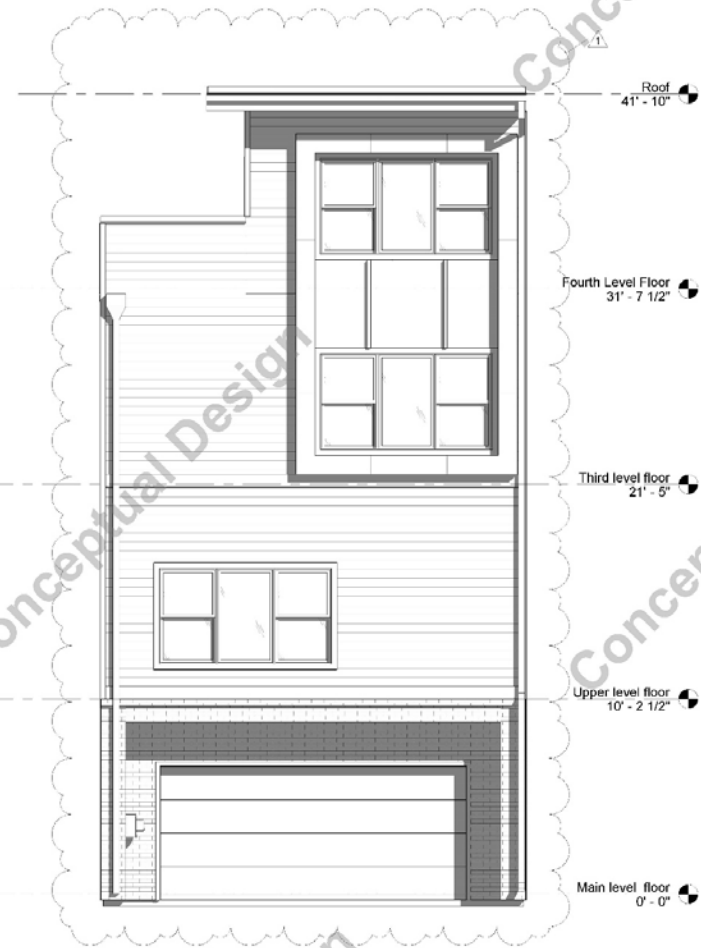
① East elevation
1/4" = 1'-0"



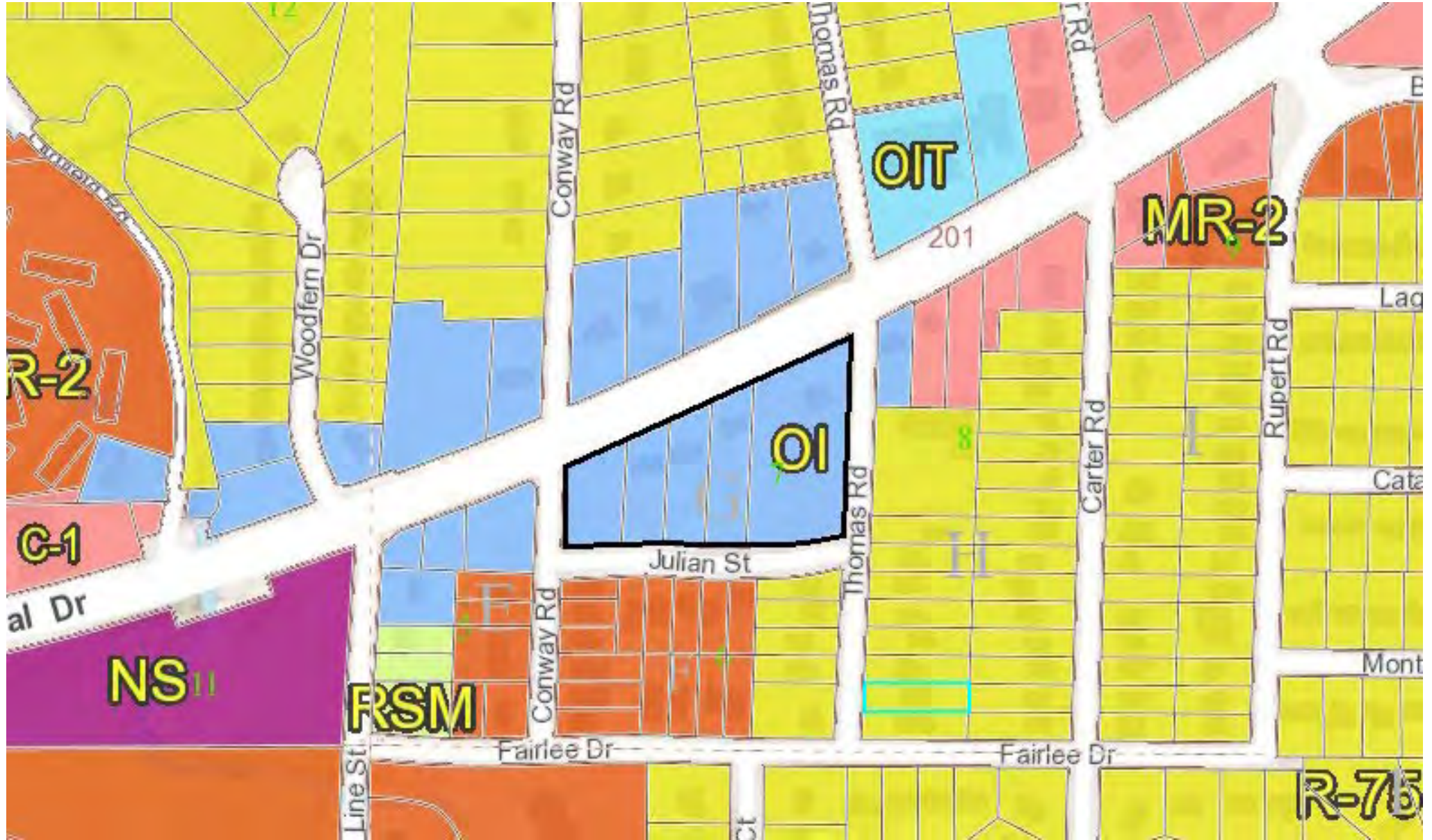
② West elevation
1/4" = 1'-0"



① East elevation
1/4" = 1'-0"

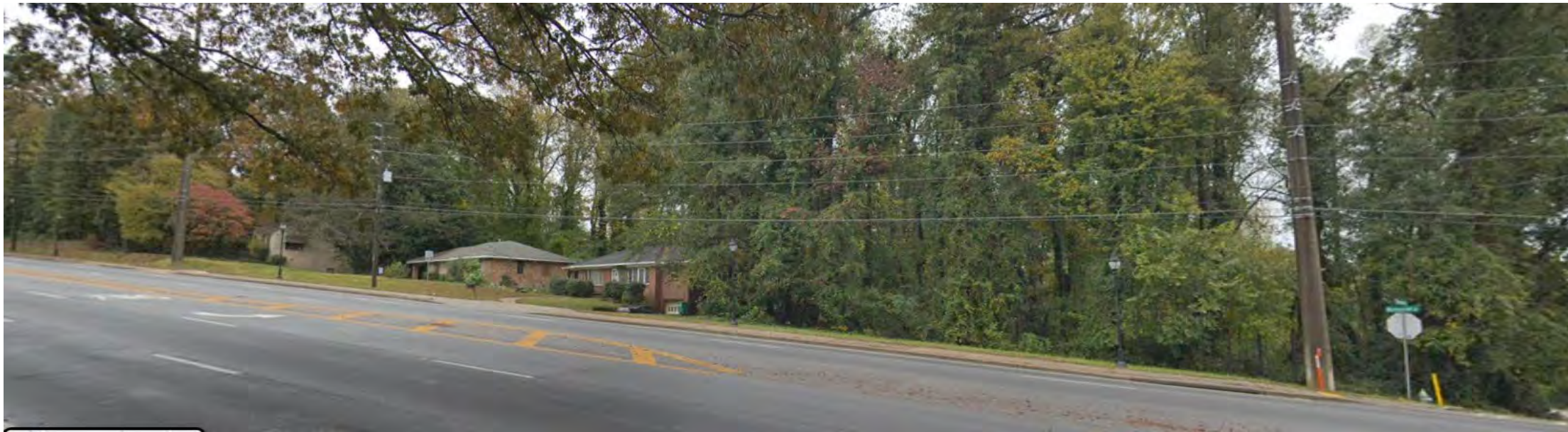


② West elevation
1/4" = 1'-0"









Memorial Drive frontage of parcel.



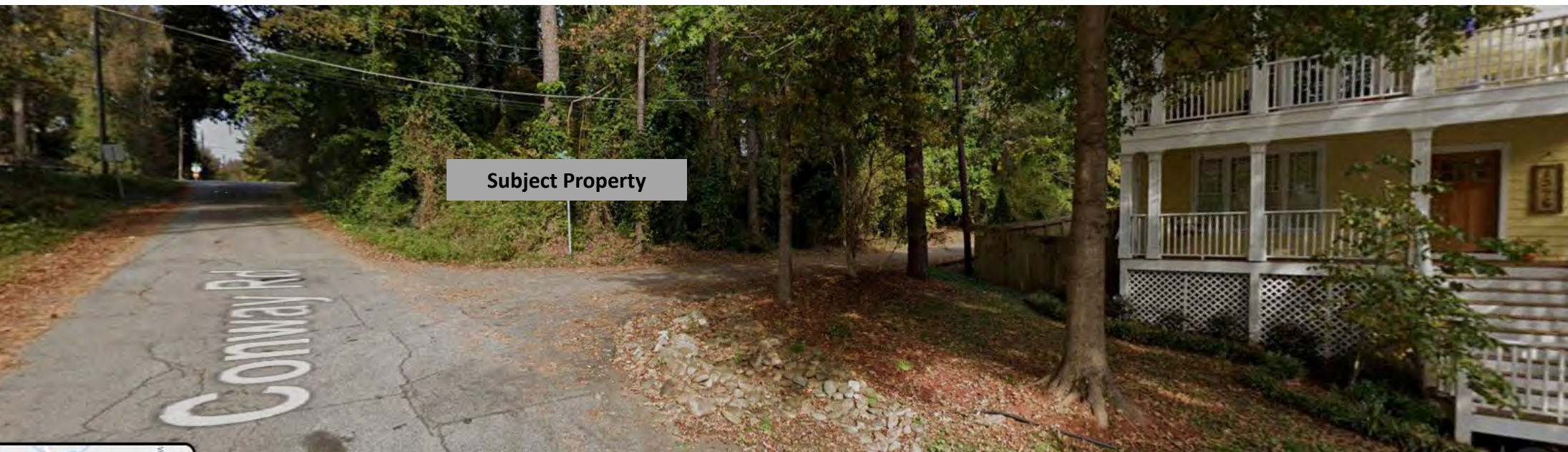
Thomas Road frontage.



Julian Street frontage viewed to the west from the corner of Thomas Street.



Julian Street frontage viewed to the east.



Northeast corner of Conway Road and Julian Street.