

PENDERGRATS HISTORIC FARM - REZONING APPLICATION INTENT SUBMITTAL - 3.7.19

LETTER OF APPLICATION

Pendergrast Farm LLC is requesting that the subject 8.7 acre property be rezoned from R100 to RSM - USF/ site plan specific in order to allow a 21-unit development of single-family detached and 0 lot homes with a base density of 2.5 units per acre. The intent of the rezoning is to develop a conservation community, clustering 20 of the 21 dwelling units onto a maximum of 40% of the buildable area of the site (2.47 acres) preserving a total of 6.23 acres of the overall site.

Existing Property Use

The 8.7 acre property currently is zoned R100 and is occupied by a single family residence. The property is a remnant of the historic Pendergrast Farm of which 3 generations of Pendergrasts are living today. Two of those generations worked on the historic farm and their desire is to leave a legacy of the original farm - to preserve the majority of the buildable area of the site protecting woodlands and maintaining a substantial garden.

Proposed Property Use

The proposed use is to remove the single family residence and build 20 market rate DU's and 1 affordable DU for the resident gardener.

The 8.7 acre parcel is comprised of 2.23 acres of non-buildable area (stream buffer and flood plain) and 6.23 acres of buildable area. The 20 market rate DU's will be developed as a conservation cluster on a maximum of 2.47 acres (40% of the buildable area) preserving the remainder of the buildable area (4 acres) as open space for woodlands, gardens and expanded stream protection. Combined with the 2.23 acres of non buildable flood plain and stream buffer area, a total of 6.23 acres will be preserved as open space.

The 20 DU conservation cluster will be used for residential purposes for residents and their guests and includes 20 DU's, a clubhouse and an activity green. The market for these units is initially oriented to senior residents living in the surrounding neighborhoods that are interested in downsizing their homes and yards and in having shared activities around the woodlands and gardens. A resident gardener and caretaker will manage the gardens and grounds.

Detailed Characteristics

The 20 DU conservation cluster is comprised of 1600 sf to 3000 sf 2 - 4 bedroom homes built on 2000 to 4000 sf lots with accessory dwelling units. Homes on the periphery will have a maximum height of 35ft with the ability and the other homes will have a maximum building height of 45ft. Parking will accommodate 2 cars at each house and .75 separate parking spaces per unit in clustered parking for guests. The commons areas (clubhouse, activity green, gardens and natural woodland trails are for residents and their guests.

In addition to the 20 DU cluster, the 6.23 acre preserved area will contain a 1/2 to 1 acre garden area and accessory structures (greenhouse, shed for equipment and garden storage, etc.), one affordable DU for the resident gardener family (no minimum size) and woodland natural trails.

The HOA in conjunction with a conservation entity will be responsible for the ongoing maintenance of the commons and open space. A perpetual conservation easement will be placed on the open space.

PROJECT ANALYSIS

The subject property is an 8.7-acre site located on the north side of Briarcliff Road approximately 450 feet east of Branch Bend Road at 3398 Briarcliff Road in Atlanta Georgia, in **Commission District 2** and **Super District: 6**. The land use is Suburban and the Parcel ID is 18-195-09-002

The Topography of the property gently slopes downward from the eastern edge of the property to the stream at the western edge of the property with a moderate slope from the northeast corner of the property to the north west corner of the property. The property is predominantly wooded with a mixed age forest and a large meadow at the center of the property.

The character of the area that surrounds the subject property is residential zoned R100 To the north, east,, west and south. The property is approximately .75 miles to the closest commercial area at the intersection of Briarcliff Road and Claremont Avenue.

The applicant proposes to demolish the single-family residence on the project site and construct 21 single-family detached and o lot homes.

Access and Transportation Considerations:

The southern edge of the property is bound by Briarcliff Road and the northern edge of the property connects to Continental Drive.

Access to the development would be provided by a private drive extended from Continental Drive. The single residence access from Briarcliff Road would be maintained to only access the gardener/caretaker residence at the south end of the property.

The driveway access from Briarcliff will be maintained as is to access a single family dwelling for the gardener/caretaker on the south end of the property. The portion of the existing driveway extending to the north side of the property beyond the proposed gardener residence will be removed. Only the gardener and pedestrian access will be permitted between the 20 DU conservation Cluster and the south side of the property.

LAND USE AND ZONING ANALYSIS

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

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

The zoning proposal is consistent with the following policies and strategies of the 2025 Comprehensive Plan: “Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density.” (SCAP1), “Ensure that new development and redevelopment is compatible with existing residential areas.” (LUP6)

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

Adjacent and nearby properties will benefit from this conservation community development. The residential character will be enhanced by the preservation of the woodlands and meadow and substantially increased stream buffer. The vast majority of the peripheral properties will have a much larger green space buffer than if the property were developed as an R100 development and the minimum peripheral buffer will be equal to the back yard buffer requirement for R100 (40ft).

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

As currently zoned the entirety of the property can be subdivided with minimum conservation of green space. This would not be an optimal economic use as the proposed conservation community will increase the economic value of the neighborhood due to its majority preservation of green space and equivalent economic revenue from development of homes.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. Preserving approximately 60% of the buildable area of the property and 71% of the overall property will protect the long term quality of life for nearby residents as well as enhance the value of the nearby properties .

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

There are no other existing or changing conditions affecting the use and development of the property, The surrounding neighborhood is stable with good schools. The development of a conservation community in one of the last remaining larger undeveloped sites in the neighborhood will help further stabilize the residential character of the surrounding area by preserve wildlife habitats, water quality and scenic views.

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

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources.

The proposed zoning will leave the majority of the site open so that in the future there will be greater possibility for researching and commemorating the history of the site.

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 which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The impact of the development on infrastructure will be reduced and the majority of the potential buyers are seniors from the surrounding neighborhoods looking to downsize. This will reduce stress on traffic as well as schools.

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

The proposed conservation community is designed to substantively protect the surrounding natural resources - protecting 60% of the buildable area of the site and 71% of the overall site that would otherwise be substantially graded under the present R-100 district - increasing the woodland protection, expanding the stream buffers and bringing urban agricultural gardens to the neighborhood.

Compliance with District Standards:

Note: The development is subject to sketch plat subdivision requirements.

RSM - USF	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE	Base: 4	2.5 d.u.s/acre	Yes
MIN. OPEN SPACE	20%	75%	Yes
MIN. LOT AREA	1,350 sq. ft.	2000 sq.ft. to 4000 sq. ft.	Yes
MIN. LOT WIDTH	25 ft.	30 – 60 ft.	Yes
MAX. LOT COVERAGE (of total parcel acreage)	70%	30%	Yes

BUILDING SETBACKS	FRONT W/O ALLEY Units 15, 17, 18, 19 &20	Min. 20 ft.	15 feet	No - Variance RQD
	FRONT W/ALLEY	Min. 10ft	10 feet	Yes
	INTERIOR SIDE	0 or 3 feet	0 or 3 feet	Yes
	REAR W/O ALLEY Units 15, 17, 18, 19 &20	20 feet	20 feet	Yes
	REAR W/ALLEY	10 feet	12 feet	Yes
BUILDING SPACING	per ICC Code		Yes	
MINIMUM UNIT SIZE	1,100 s.f	1100 s.f.	Yes	
MINIMUM UNIT SIZE Gardener/Caretaker DU		No Min. for Gardener Residence	No - Variance RQD	
MAX. BLDG. HEIGHT	3 stories or 45 ft.	35 ft for peripheral DU's 45 ft for all other units	Yes Yes	
MIN. STREETScape DIMENSIONS - PROPERTY FRONTAGE				
MIN. STREETScape DIMENSIONS - PRIVATE DRIVES	5-ft. landscape strip and 5-ft. sidewalk on each side; street trees for every unit	5ft landscape strip with Sidewalk one side of street with no trees on private drive	No - Variance RQD	
MIN. STREETScape DIMENSIONS - ALLEY	5-ft. landscape strip and 5-ft. sidewalk on each side; street trees for every unit	2 ft landscape strip	No - Variance RQD	
TRANSITIONAL BUFFERS	20-ft. buffer & screening fence required	40-foot buffers & no screening fence	No - Variance RQD	
PARKING	Urban s-f detached – min. 2 per dwelling unit, min. 42 spaces total	Min. 2 per unit at house and .75 spaces per unit clustered for guests - total of 2.75 pkg spaces per unit	Yes	

REZONING APPLICATION



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

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

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: 2-25-2019

CHECK TYPE OF APPLICATION:

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

TO WHOM IT MAY CONCERN:

(1) (WE) W. JEFFERSON PENDERGRAST, JR, WALTER L. PENDERGRAST &
(Name of owner(s)) DAVID P. PENDERGRAST

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

PENDERGRAST FARM, LLC

(Name of Applicant or Agent Representing Owner)

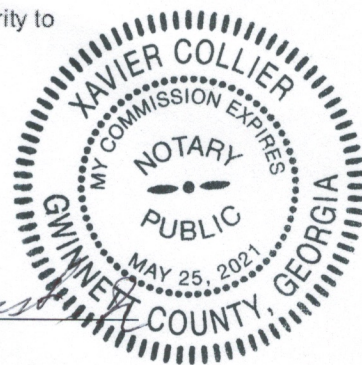
to file an application on (my)/(our) behalf.

Xavier Collier

Notary Public

W. Jefferson Pendergrast

Owner



Notary Public

Owner

Notary Public

Owner

Rezoning Application - Owner Exhibit

Walter Pendergrast

- Address: 2806 Park Ave, Wilmington NC 28403

- Phone number: (910)762-3036

-email address: *WaltPender@aol.com*

Jeff Pendergrast

- Address: 2505 Flair Knoll Ct, NE Atlanta Ga, 30345

- Phone number: (404) 636-2332

-email address: *wjp333@gmail.com*

David Pendergrast

- Address: 1706 Governors Lane, Griffin, Ga, 30223

- Phone number: (678)588-3807

-email address: *Dpp53@bellsouth.net*

EXHIBIT "A"
(LEGAL DESCRIPTION)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 194 & 195, OF THE 18th DISTRICT, OF DeKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

TO LOCATE THE TRUE POINT OF BEGINNING, BEGIN AT A 1 INCH OPEN TOP PIPE FOUND ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIARCLIFF ROAD, SAID PIPE BEING 30 FEET (PERPENDICULAR) IN A NORTHWESTERLY DIRECTION OFF THE CENTERLINE OF BRIARCLIFF ROAD AND 350 FEET ALONG THE CENTERLINE OF BRIARCLIFF ROAD IN A SOUTHWESTERLY DIRECTION FROM THE INTERSECTION OF THE CENTERLINE OF CHRYSLER DRIVE AND THE CENTERLINE OF BRIARCLIFF ROAD; THENCE RUNNING ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BRIARCLIFF ROAD (HAVING A VARIABLE RIGHT-OF-WAY WIDTH) SOUTH 56 DEGREES 02 MINUTES 13 SECONDS WEST A DISTANCE OF 247.56 FEET TO A 1 INCH OPEN TOP PIPE FOUND; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 56 DEGREES 07 MINUTES 44 SECONDS WEST A DISTANCE OF 165.84 FEET TO A ½" REBAR SET AT THE TRUE POINT OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED CONTINUING ALONG SAID RIGHT-OF-WAY LINE SOUTH 56 DEGREES 07 MINUTES 44 SECONDS WEST A DISTANCE OF 502.60 FEET TO A ½" REBAR SET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUNNING ALONG THE PROPERTY LINE OF THE "BRANCH BEND" SUBDIVISION, LOTS 5, 4 AND 3, RECORDED IN PLAT BOOK 68, PAGE 163, DeKALB COUNTY RECORDS, NORTH 48 DEGREES 28 MINUTES 20 SECONDS WEST A DISTANCE OF 150.77 FEET TO A ¼" REBAR SET; THENCE NORTH 38 DEGREES 37 MINUTES 20 SECONDS WEST A DISTANCE OF 245.10 FEET TO A ½" REBAR FOUND; THENCE NORTH 38 DEGREES 35 MINUTES 11 SECONDS WEST A DISTANCE OF 60.00 FEET TO A POINT LOCATED IN THE CENTER OF A SANITARY SEWER MANHOLE; THENCE SOUTH 85 DEGREES 02 MINUTES 34 SECONDS WEST A DISTANCE OF 169.10 FEET TO A 1 INCH REBAR FOUND; THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG THE PROPERTY LINE OF THE "BRIARCLIFF WOODS", SUBDIVISION, UNIT 3, LOTS 6 & 7, RECORDED IN PLAT BOOK 26, PAGE 31, AFORESAID RECORDS, NORTH 00 DEGREES 09 SECONDS 44 MINUTES EAST A DISTANCE OF 230.71 FEET TO A 1 INCH OPEN TOP PIPE FOUND; THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG THE PROPERTY LINE OF THE "BRIARCLIFF WOODS" SUBDIVISION, UNIT 9, BLOCK "D", LOT 33, RECORDED IN PLAT BOOK 36, PAGE 84 AND ALSO RUNNING TO THE SOUTH A VARIABLE DISTANCE FROM THE PROPERTY LINE (BASED ON EXISTING MONUMENTATION FOUND) OF THE "BRIARCLIFF WOODS" SUBDIVISION, UNIT 15, BLOCK "U", LOT 5, INCLUDING A PORTION OF CONTINENTAL DRIVE, RECORDED IN PLAT BOOK 44, PAGE 40, NORTH 69 DEGREES 49 MINUTES 12 SECONDS EAST A DISTANCE OF 443.85 FEET TO A ½" REBAR FOUND; THENCE NORTH 70 DEGREES 17 MINUTES 40 SECONDS EAST A DISTANCE OF 158.31 FEET TO A ¼" REBAR SET; THENCE DEPARTING SAID PROPERTY LINE RUNNING ALONG THE PROPOSED COMMON PROPERTY LINE BETWEEN TRACT "C" AND TRACT "D" SOUTH 33 DEGREES 52 MINUTES 16 SECONDS EAST A DISTANCE OF 579.11 FEET TO SAID ½" REBAR SET AT THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 379,021 SQUARE FEET, BEING 8.701 ACRES.