



Land Use Petition: RZ-17-001

Date of Staff Recommendation Preparation: May 15, 2017

Community Council: April 12, 2017

Planning Commission: May 25, 2017

Mayor and City Council, 1st Read: June 12, 2017

Mayor and City Council, 2nd Read: June 28, 2017

| | |
|---|--|
| PROJECT LOCATION: | 2157 Saren Court, 4513 Lavista Road, 3634 Lawrenceville Highway, 3614 Lawrenceville Highway |
| DISTRICT//LANDLOT(S): | Land District 18, Land Lot 211 |
| ACREAGE: | 6.75 acres |
| EXISTING ZONING | R-85 (Residential Medium Lot – 85) |
| EXISTING LAND USE | Vacant land |
| FUTURE LAND USE MAP DESIGNATION: | SUB (Suburban) |
| OVERLAY DISTRICT: | NA |
| APPLICANT: | STS Development Group, LLC (Contract Purchaser) |
| OWNER: | Arrow Communications LTD; Frederick W. Henderson; Robert Fanning Eaves, Jr; Chester B. Parker Estate |
| PROPOSED DEVELOPMENT: | Rezoning to R-60 (Residential Small Lot – 60) for a 19-unit single-family detached development (2.81 units per acre) |
| STAFF RECOMMENDATION: | Approval with Conditions of RZ-17-001 |

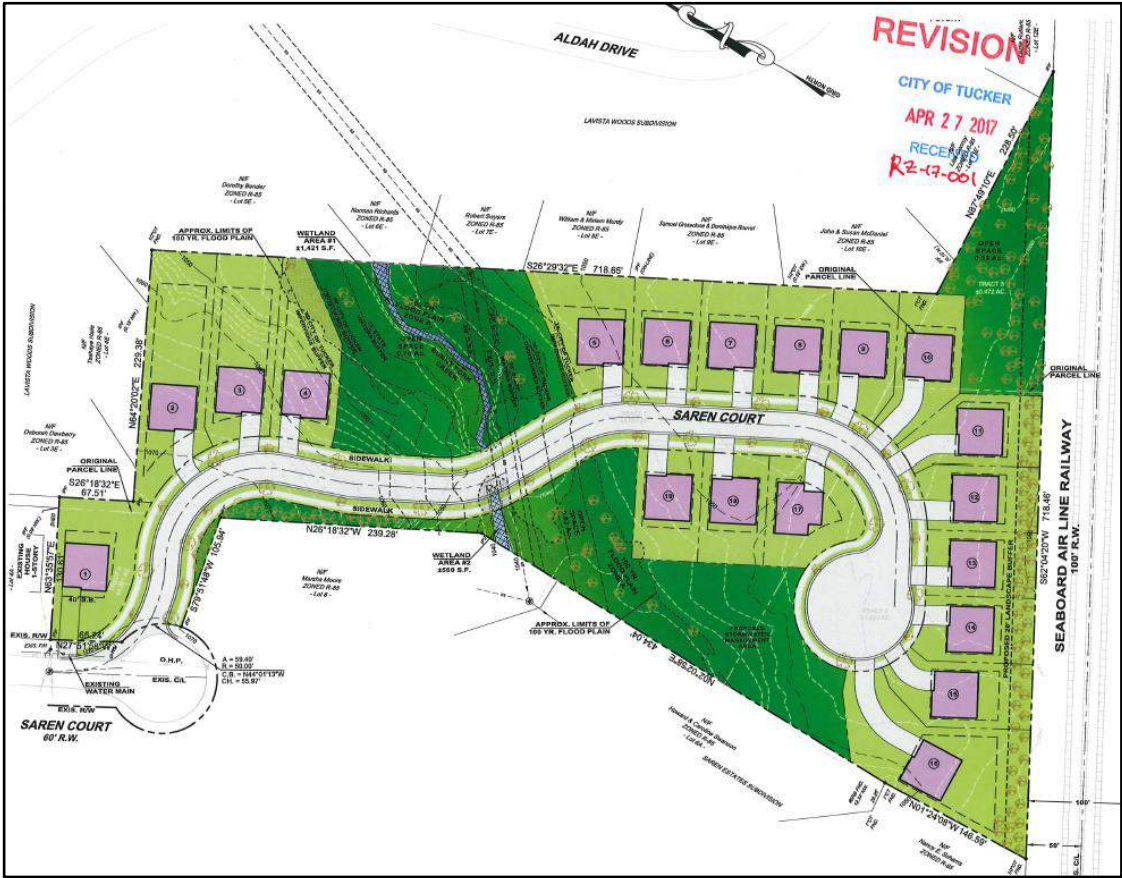
PROJECT DATA

The applicant requests to rezone four vacant parcels off of Saren Court from R-85 (Residential Medium Lot-85) to R-60 (Residential Small Lot-60) for the development of a 19-unit single-family detached development on 6.75 acres (2.81 units per acre). The existing site contains a stream, wetlands, and for the most part, is heavily wooded. The site is located at the end of Saren Estates, a residential subdivision of eleven homes that was developed in the 1960s. Along the rear of the site is an active railway.

The R-60 zoning district requires 6,000-square foot lots with a minimum house size of 1,200-square feet. The proposal includes 19-single family detached units that are a minimum of 1,800-square feet on lot sizes varying from approximately 6,000-square feet to approximately 15,000-square feet. In addition to the 19-units, the plan includes 29% open space (1.97 acres), the majority of which runs along the stream and into the flood plain. However, .39 acres of open space is reserved at the eastern corner of the proposed development. The site plan shows sidewalks along both sides of the Saren Court extension and the detention pond is shown at the rear of the site, right outside of the 100-year flood plain. Photographs submitted by the applicant show the intention to build two-story homes in a mix of materials such as fiber cement siding, stone, cedar, and brick.

Revisions to the site plan were submitted on April 27, 2017 to address issues with the initial plan not meeting the minimum centerline horizontal curve radius.

The site plan complies with the City of Tucker Zoning Ordinance; however, Staff will note that the United States Postal Service will require a mail kiosk, with designated parking, within the development. No stream buffer variances will be needed based on the proposed layout.



April 27, 2017 Site Plan

COMMUNITY COUNCIL REVIEW

The Community Council reviewed the proposed application on April 12, 2017. Discussions included the proximity to the railroad, stream erosion, setbacks and buffer, traffic, and road improvements. The Community Council supported the project moving forward, but wanted the developer/staff to look into the state of the pavement on the existing portion of Saren Court.

NEARBY/SURROUNDING LAND ANALYSIS

| Adjacent & Surrounding Properties | Zoning (Petition Number) | Existing Land Use |
|-----------------------------------|--|---------------------------|
| Adjacent: North | R-85 (Residential Medium Lot – 85) | Saren Estates |
| Nearby: North (across Lavista) | R-60 (Residential Medium Lot – 60) CZ-93086 | Whitfield Subdivision |
| Adjacent: East | R-85 (Residential Medium Lot – 85) | Lavista Woods Subdivision |
| Nearby: East | C-2 (General Commercial) | Warehouses |
| Adjacent: South | NA | Railway |
| Nearby: South (across railway) | M (Light Industrial) | Warehouses |
| Adjacent: West | R-85 (Residential Medium Lot – 85) | Sturbridge Square |



Zoning and Aerial Exhibits showing surrounding land uses.

REZONING - CRITERIA TO BE APPLIED:

Criteria (standards and factors) for rezoning decisions are provided in Section 7.3.5 of the City of Tucker Zoning Ordinance. The applicant is required to address these criteria (see application); below are staff's findings which are independent of the applicant's responses to these criteria.

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

The subject properties are currently located within the Suburban (SUB) Character Area which supports single family detached residential and townhomes at up to eight (8) units per acre. The proposal of 19 single-family detached dwellings at 2.81 units per acre complies with the character area. In addition, the quality community objectives of environmental protection and open space preservation are met by not encroaching into the stream buffer and by providing 29% (1.97 acres) of open space.

2. 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.

Rezoning to R-60 will permit a use that is suitable in view of the use and development of adjacent and nearby properties. While the majority of surrounding neighborhoods are zoned R-85, the area is near several high intensity zoning districts. Rezoning to R-60 would allow a transition between the Light Industrial (M) and General Commercial (C-2) zoning districts, as well as the railway. Staff has encouraged the applicant to place a twenty-foot (20') planted buffer along the south property line to ensure extra spacing from the railway.

While the proposed development is at the end of a residential street with R-85 zoning, the proposed house sizes are compatible with the existing 11 residences on the street. Data from the DeKalb Tax Commissioners website shows that the homes on Saren Court range in size from 1,625-square feet to 2,579-square feet, averaging approximately 1,995-square feet. The minimum house unit size in R-85 is 1,800-square feet. The proposed site plan shows a minimum house size of 1,800-square feet but the applicant's letter of intent states an intention to build a minimum house size of 2,000-square feet. This is between 600-800 square feet larger than the minimum unit size required by the R-60 zoning district (1,200-square feet). Conditioning approval based on a larger unit size than required by the R-60 zoning district would further allow a suitable use.

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

The subject properties have a reasonable economic use as currently zoned.

4. 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 properties. The rezoning will work to create a transition between high intensity commercial/industrial and medium density residential. The proposed layout, which respects the stream and its buffers, protects the environment and those downstream by not encroaching into the buffer/waterways with the exception of the road crossing.

5. 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 existing or changing conditions that affect the use and development of the four parcels that are a part of this rezoning application.

6. Whether the zoning proposal will adversely affect historic buildings, site, districts, or archaeological resources.

There are no known historic buildings, sites, districts or archaeological resources on the subject properties.

7. 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 proposed rezoning will not cause an excessive and burdensome use of existing streets, transportation facilities, utilities, and schools. The proposed unit number did not warrant any kind of traffic impact study as 19 new homes will not create a major impact to the existing residential street. While there are concerns about the quality of the pavement on Saren Court, it should not be used as reasoning to deny the rezoning as it will eventually be repaved based on need (pavement management studies classify repaving based on street classification and the state of the road). Repaving Saren Court as part of the proposed application would be an off-site improvement and cannot be a condition of zoning.

The report from DeKalb County Schools stated that only a minimal impact to the schools, specially Tucker High School, would occur if the development is constructed. The proposed development would add six (6) students to DeKalb schools (2 to Midvale ES, 1 to Tucker MS, 1 to Tucker HS, 1 to "other DSCD schools", and 1 to private school).

If approved, a sewer action plan shall be submitted to the City of Tucker before the proposed development could move forward. It is likely that the current sewer pipes will need to be replaced or temporary underground sewer storage tanks installed in order to not continue to overstress the DeKalb sewer lines.

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

The proposed zoning request will not adversely impact the environment and surrounding natural resources as the proposed development calls for preservation of the stream, wetlands, and some naturally wooded areas. If the property was developed under the current R-85 zoning district, a stream buffer variance would likely be requested in order to maximum the build-out. The current layout does not require a stream buffer variance.

CONCLUSIONS

The proposed development meets the intent of the comprehensive plan (single-family up to 8 units per acre), respects the natural features of the property, and would not affect the existing use or usability of adjacent or nearby properties. Additionally, while the proposed lot size is smaller than the existing lots on Saren Court, the minimum unit size is consistent with the existing pattern of development. Approval of the requested rezoning would add another type of housing option in the area as well as provide a context sensitive design, both of which are discussed within the Suburban Character area, along with environmental protection and open space preservation.

STAFF RECOMMENDATION

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **RZ-17-001**.

1. Use of the subject property shall be limited to a 19-unit single family detached development (2.81 units per acre)
2. The property should be developed in general conformance with the site plan submitted on April 27, 2017 to the Community Development Department, with revisions to meet these conditions
3. Dwellings shall have a minimum heated floor area of 1,800-square feet.
4. A 20' planted buffer shall be recorded along the southern property line on the final plat.
5. Each unit shall provide a minimum two-car garage that meets the garage standards in Article 5 of the City of Tucker Zoning Ordinance.
6. Unit 1 shall be compatible in height and material to the adjacent homes on Saren Court.
7. Owner/Developer shall have a maximum of one (1) full access driveway on Saren Court. Curb cut locations shall meet the minimum requirements for road design and sight distance and are subject to approval by the City of Tucker and DeKalb County.
8. Owner/Developer shall construct a five foot (5') wide sidewalk along the entire frontage of the proposed Saren Court extension.
9. Owner/Developer shall provide detention, water quality, and channel protection in accordance with the Georgia Stormwater Manual. Detention shall be provided for the 1 thru 100-year storm events with no increased runoff. For the purpose of these calculations, the existing runoff rate shall be considered to be a wooded, predeveloped condition.
10. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection. A minimum tree density of 15 units/acre shall be required.
11. The development of the project is contingent on approval from DeKalb County Watershed Management.

DEPARTMENT COMMENTS**ARBORIST**

1. Site must meet approval of the city of Tucker tree ordinance.

DEKALB COUNTY DEPARTMENT OF WATERSHED MANAGEMENT

No comments provide. A sewer capacity evaluation form and sewer action plan are required.

DEKALB COUNTY FIRE MARSHAL OFFICE

It appears to be in compliance for Fire department access and turn around dimensions.

DEKALB COUNTY SCHOOL SYSTEM

If approved, this development would add 6 students to DeKalb schools. Of those, 2 would attend Midvale ES, 1 would attend Tucker MS and 1 would attend Tucker HS. This development will impact Tucker HS and Tucker MS, which are overcrowded, but the impact will be minimal.

| Schools | Total Capacity | Current Enrollment | Students generated from proposed development |
|----------------|-----------------------|---------------------------|---|
| Midvale ES | 508 | 425 | 2 |
| Tucker MS | 1,312 | 1,257 | 1 |
| Tucker HS | 1,747 | 1,703 | 1 |

LAND DEVELOPMENT

1. Curb cut locations and alignments are subject to an approved sight distance plan and the approval of the City of Tucker.
 - a. Ensure that the R/W is cleared of all obstructions that may limit the sight-distance of the driver. This includes at a minimum all trees and/or shrubs and fencing. Coordinate all improvements in the R/W with the City of Tucker and DeKalb County.
 - b. Line of sight must remain entirely in the right-of-way. Additional right-of-way or a permanent easement may need to be dedicated to meet this requirement.
2. Curb cut locations shall meet the minimum requirements for spacing and sight distance and are subject to approval by the City of Tucker and DeKalb County.
3. Obtain all permits from the Environmental Protection Division and the Corps of Engineer required for wetlands disturbance and stream crossing.
4. All finished floor elevations must be at least 3' above the 100 year floodplain elevation.
5. No additional fill is allowed in the floodplain.
6. Note if the road is to be public or private.
7. Road centerline radii shall be a minimum of 90' in accordance with the City of Tucker Development Regulations.

8. All stormwater detention, water quality, and channel protection shall comply with the Georgia Stormwater Manual.
9. Development plans shall meet all the requirements of the City of Tucker Development Regulations, Tree Protection, Erosion & Sedimentation Control, Floodplain, and Stream Buffer Ordinances prior to the issuance of a Land Disturbance Permit.
10. Water and sewer approval is required by the DeKalb County Department of Watershed Management.