



City of Tucker

Land Use Petition: RZ-23-0001

Date of Staff Recommendation Preparation: April 10, 2023

Planning Commission: April 20, 2023

Mayor and City Council, 1st Read: May 8, 2023

Mayor and City Council, 2nd Read: June 12, 2023

PROJECT LOCATION:	2022 Brockett Road
APPLICATION NUMBER	RZ-23-0001
DISTRICT/LANDLOT(S):	Land District 18, Land Lot 187
ACREAGE:	1.93 acres
EXISTING ZONING	R-75 (Residential Medium Lot - 75)
EXISTING LAND USE	Single-family home
FUTURE LAND USE MAP DESIGNATION:	Suburban
OVERLAY DISTRICT:	N/A
APPLICANT:	V. Sue Johnson c/o Luiz Qestal (Kaizen Collaborative)
OWNER:	V. Sue Johnson
PROPOSED DEVELOPMENT:	Rezoning from R-75 to R-60 to allow for the development of two single family lots.
STAFF RECOMMENDATION:	APPROVAL WITH CONDITIONS of RZ-23-0001

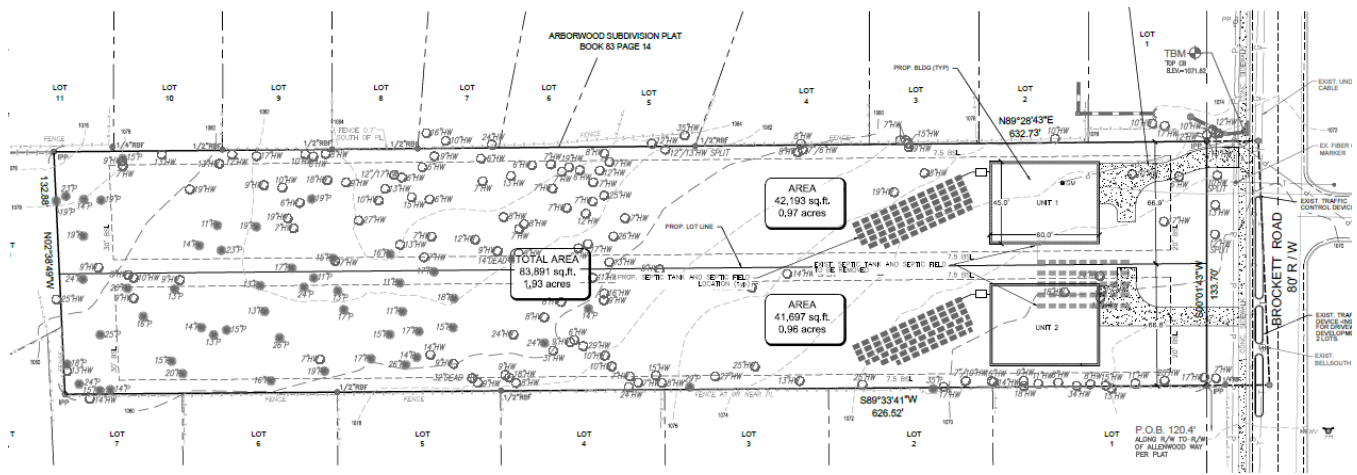
PROJECT DATA

The applicant is requesting to rezone 2022 Brockett Road from R-75 (Residential Medium Lot – 75) to R-60 (Residential Small Lot) in order to subdivide the parcel into two single-family detached lots, which will yield a density of 1.04 units per acre. The existing parcel is 1.93 acres and has a total of 133.70’ of lot frontage. The R-75 zoning district requires 75’ of lot frontage per lot, whereas the R-60 zoning district only requires 60’ of frontage per lot. In order to subdivide and create two lots in the R-75 zoning district, an additional 16.3’ of frontage would be necessary. Therefore, the applicant is proposing to rezone to R-60. If approved, each lot would be just shy of an acre and would have approximately 66’ of lot frontage.

The subject property is located on the west side of Brockett Road, between Arborwood Lane and Allenwood Way. The lot contains one vacant single-family home and mature trees, many of which would remain with the proposed redevelopment.

The submitted site plan shows two driveways, one of which would interfere with the chicanes that were installed as part of the Brockett Road traffic calming project. In order to accommodate this road project, the city would recommend the two lots have one shared driveway.

The applicant is requesting the rezoning in order to subdivide and sell the two lots to a builder. A builder has not been identified at this time.



Proposed site plan for 2022 Brockett Road.

CHARACTER AREA (Future Land Use)

The subject parcels are located within the Suburban Character Area on the Future Land Use Map. Development strategies of the Suburban designation include ensuring that the expansion or improvement of single-family homes are compatible with the existing housing stock, preserving the character of single family neighborhoods by preventing encroachment of higher density residential development within existing neighborhoods, and managing land use transitions along the periphery of residential neighborhoods to ensure that new development does not diminish the character of existing neighborhoods.

Design considerations for the Suburban Character Area include more traditional development patterns with up to four units per acre in the majority of places. However, along major corridors, in areas of commercial development, or with the redevelopment of existing multifamily developments, up to six

units per acre may be allowed. Higher density developments should incorporate suburban-aesthetic of increased greenspace, and transitions should be incorporated from more intense densities and uses to existing residential uses. The design considerations for the Suburban Character Area also note incorporating design features, such as greater setbacks/buffers, to mitigate impacts on adjacent residential properties, and to manage massing, by taking into consideration the smaller footprints and total square footage of existing housing stock.

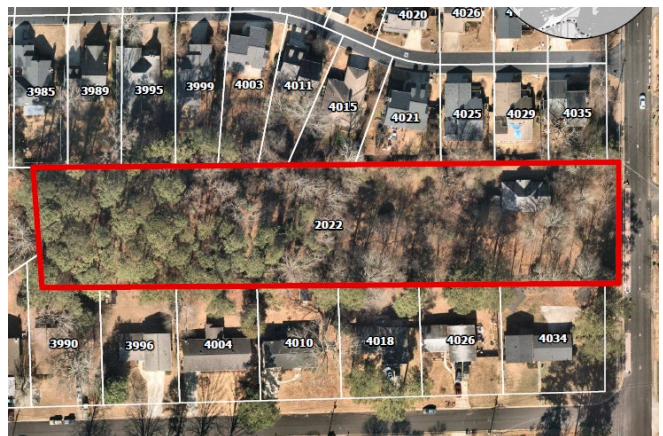
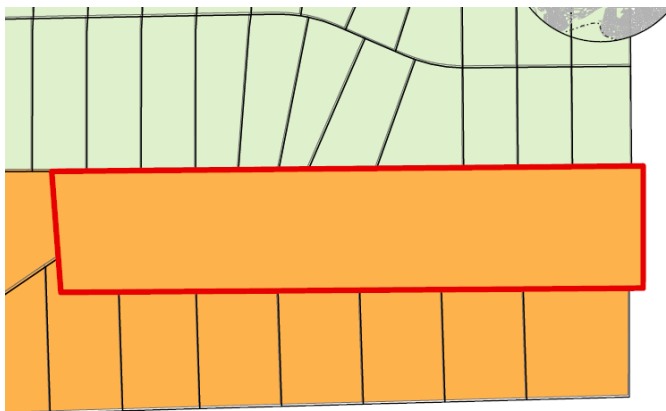
PUBLIC PARTICIPATION PLAN REPORT

The applicant hosted a public participation meeting on November 30, 2022. The meeting was held at Mt. Moriah Baptist Church and lasted approximately two hours. Prior to the meeting, the applicant mailed a letter and site plan explaining the proposed project to all property owners within 500 feet of the subject parcel. 28 people were in attendance.

The majority of the questions and concerns related to setbacks, the accessory dwelling units that were shown on the initial site plan, possible water run-off issues, and what would happen to the wooded area at the back of the lot. As a result of the Public Participation Meeting, the applicant removed the accessory dwelling units from the proposed site plan.

NEARBY/SURROUNDING LAND ANALYSIS

Adjacent & Surrounding Properties	Zoning	Existing Land Use
Adjacent: North	RSM (Small Lot Residential Mix)	Single-family homes on Arborwood Lane
Adjacent: East (across Brockett Road)	RSM (Small Lot Residential Mix) and R-75 (Residential Medium Lot – 75)	Single-family homes along Brownlee Drive
Adjacent: West and South	R-75 (Residential Medium Lot – 75)	Single-family homes along Allenwood Way and Carthage Road



Zoning and Aerial Exhibits showing surrounding land uses.

RZ-23-0001**CRITERIA TO BE APPLIED**

Criteria (standards and factors) for rezoning decisions are provided in Section 46-1560 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 Suburban Character Area allows for single-family homes between four to six units per acre; therefore, the proposed development for two lots (1.04 units/acre) fronting Brockett Road is compatible.

Goal 3 of the Comprehensive Plan calls for new development, in close proximity to neighborhoods, to provide adequate transition through setbacks, buffering and other measures. The proposed plan only proposes development near the front of the lot, with a net increase of one new home. A condition requiring the back of the property to be maintained in its natural state would ensure protection to the surrounding neighborhoods.

Alternatives exist that would yield higher density and less natural area, which would not be as compatible with the Comprehensive Plan. For example, if a road was constructed running east to west along 2022 Brockett, approximately 5 new lots could be created by right. The proposed rezoning to R-60 would only allow for one new lot.

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 for two lots would permit a use that is suitable in view of the use and development of adjacent and nearby properties. The R-60 zoning classification acts as a transition between the RSM to the north and the R-75 to the south. Additionally, the proposal is for a much lower density than the abutting subdivisions.

2022 Brockett is located to the south of the Arborwood subdivision, an RSM development of 36 lots (4.99 units/acre). The Allenwood subdivision abuts the property to the south. Phase 1 includes 18 lots, at 2.93 units/acre. The proposed development has a substantially smaller density and still only provides one lot abutting each existing neighborhood. 11 lots abut 2022 Brockett to the north and 7 lots abut 2022 Brockett to the south.

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 for residential uses.

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

Rezoning the subject parcel to R-60 should not adversely affect the existing use or usability of adjacent or nearby properties. There would be a net increase of one new lot and no new curb cuts. No connections are proposed within existing neighborhoods that could adversely affect them.

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.

2022 Brockett Road is a relatively large lot, extending over 600' west of Brockett Road. While the lot size of 2022 Brockett Road is not consistent with current development patterns, it reflects the more rural development patterns of the early to mid 1900s. The Arborwood development to the north was previously an even larger parcel than 2022 Brockett, but was redeveloped in the 1980s. There are many remaining lots like 2022 Brockett Road that exist between more dense neighborhoods. Redevelopment of these lots can be challenging as they are often long and narrow.



The existing structure at 2022 Brockett Road is outlined in red on an 1968 aerial image.

The applicant has been looking at redevelopment options for this parcel for several years. Developers have repeatedly approached the city about rezoning to RSM for townhomes and/or constructing an internal road for a higher density single-family detached neighborhood.

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 or burdensome use of existing streets, transportation facilities, and utilities. The proposed development is for a net increase of one home.

A condition requiring one shared driveway will ensure the development does not negatively impact the traffic calming measures that were recently installed along Brockett.

The report generated by the DeKalb County School District states that “this development is expected to have no impact on local schools.”

The proposed lots would be on septic, subject to the review and approval of DeKalb Health.

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. The site plan shows two single-family homes near Brockett, with a large, wooded area remaining to the west.

CONCLUSION

The requested land use petition to rezone 2022 Brockett Road from R-75 to R-60 is consistent with the recommendations of the Comprehensive Plan and would be compatible with the surrounding residential neighborhoods at the proposed density of 1.04 units per acre.

Therefore, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **RZ-23-0001**.

Staff Recommendation

Based upon the findings and conclusions herein, Staff recommends **APPROVAL WITH CONDITIONS** of Land Use Petition **RZ-23-0001**.

1. Use of the subject property shall be limited to two single-family detached residential lots.
2. The property shall be developed in general conformance with the site plan submitted on March 18, 2023 to the Community Development Department, with revisions to meet these conditions.
3. The two lots shall comply with the dimensional requirements of the R-75 zoning district, with the exception of lot width (street frontage and building line).
4. No mass clearing or grading shall occur within 200’ from the rear property line. This area shall be left in its natural state as a transitional buffer.
5. All dead trees, as well as invasive shrubs and vines, shall be removed during the development process.
6. Owner/Developer shall install a ten-foot (10’) planted landscape strip along the entire frontage of Brockett Road.

7. Owner/Developer shall dedicate at no cost to the City of Tucker such additional right-of-way to have a minimum of 30' from the centerline of Brockett Road.
8. The two lots shall be limited to a single curb cut on Brockett Road. Said curb cut shall not conflict with the location of the traffic calming islands.
9. Owner/Developer shall provide stormwater management in compliance with Tucker's Post Construction Stormwater Management Ordinance.
10. Owner/Developer shall comply with Section 14-39 of the City of Tucker Code of Ordinances concerning tree protection and replacement. A minimum tree density of fifteen (15) units/acre shall be required.