

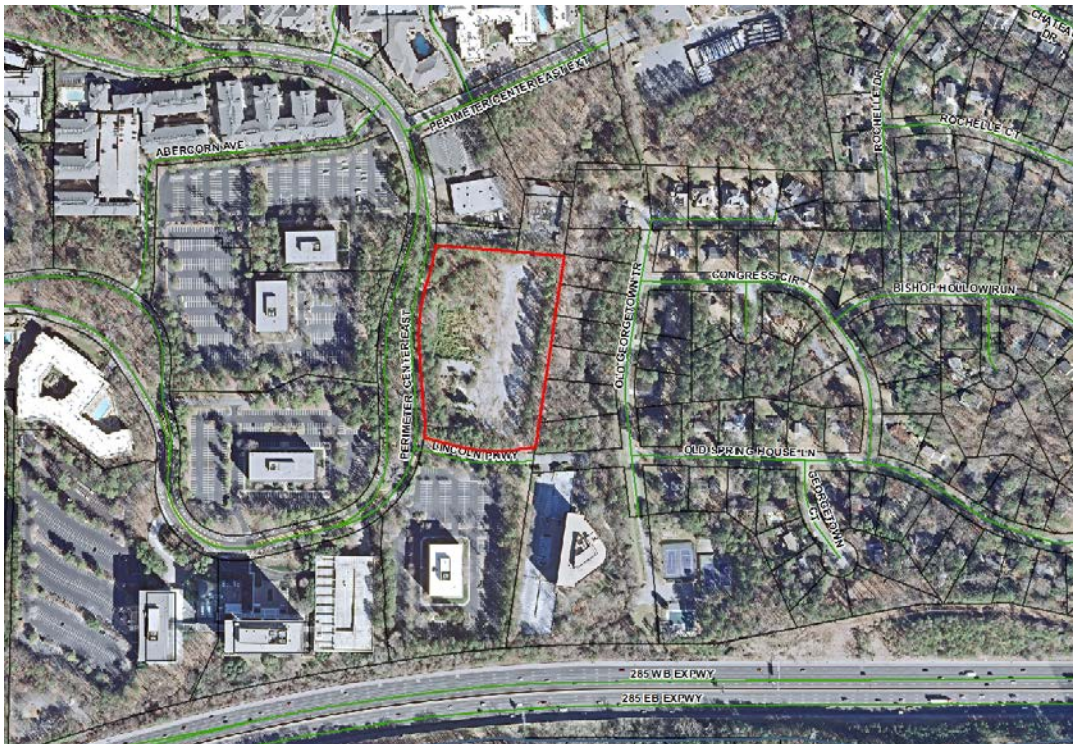
MEMORANDUM

To: Planning Commission

From: Rebecca Keefer, AICP

Date: June 9, 2015

Subject: **RZ 15-071:** Applicant, Acadia Homes & Neighborhoods c/o Smith, Gambrell & Russell, LLP on behalf of CR V Perimeter LLC, seeks permission to rezone property currently zoned Office-Institution (O-I) District to Multi-dwelling Residential-85 (RM-85) District to allow for construction of an 81-unit, fee simple townhome development. The subject property is located at 54 Perimeter Center East, Dunwoody, GA 30346. The tax parcel is 18-347-01-008.



BACKGROUND

The site is located at 54 Perimeter Center East, Dunwoody, GA 30346, on the eastern side of Perimeter Center East, just north of Lincoln Parkway (private). The property consists of approximately 6 acres of land. No structures exist on the parcel, except for minor debris and a small portion of a building foundation toward the center of the lot.

The applicant seeks permission to rezone the property from Office-Institution (O-I) District, to Multi-dwelling Residential-85 (RM-85) District, to construct an 81-unit, fee simple townhome development. As a concurrent request, the applicant also seeks to amend the

land use classification in the Comprehensive Plan, through companion application CP 15-071, from “Perimeter Center Transitional Sub-Area” to “High-Density Mixed-Use Sub-Area,” each a sub-area of the Perimeter Center Character Area. The current designation, Perimeter Center Transitional, limits the density to 12 units an acre, and the applicant has proposed construction at a density of 13.5 units an acre.

According to the conceptual site plan dated April 7, 2015, the applicant proposes to construct fifteen multi-dwelling buildings ranging from three dwelling units per building to seven dwelling units per building. Each dwelling unit is approximately 24 feet wide. A common area building and pool are included in the site plan. As part of the City’s vision for a connected trail system, the applicant is proposing to dedicate and construct a twelve foot concrete path that runs parallel to the eastern lot line. This path would eventually become part of the trail that extends from Brook Run Park thru the Georgetown area. Staff is recommending that an internal sidewalk be provided on one side of the internal road. This would run along the road. The plans do not currently reflect this feature.

Parking consists of four spaces for each unit, two in a driveway and two in a garage. Guest parking is also provided to meet code. This development is not within a comprehensive plan area designated for Senior Housing and no elevator is proposed with these units.

Staff recommends the applicant retain as many mature trees as possible along both sides of the path to preserve the natural corridor; however, a tree preservation plan has not been submitted to determine the impact on the existing canopy. A tree preservation plan identifies the new trees proposed, but it does not account for the potential recompense for removing specimen trees; therefore, the required replacement density may be greater than calculated on the plan.

Direction	Zoning	Use	Current Land Use
N	O-Ic	Commercial	Office
S	O-I	Commercial	Office
E	R-100	Single-dwelling Residential	Vacant
W	O-I	Commercial	Office

Dunwoody’s residential zoning districts are primarily intended to create, maintain and promote a variety of housing and living opportunities for individual households and to help ensure consistency with the comprehensive plan. When the zoning ordinance refers to “RM” zoning districts, it is referring to the multi-dwelling zoning districts: RM-150, RM-100, RM-85, RM-75 and RM-HD. The primary purposes of the RM, multi-dwelling zoning districts are as follows:

- a. To accommodate the development of multi-dwelling residential development in areas designated for such development by the comprehensive plan;
- b. To accommodate infill development that is in keeping with the physical character of existing neighborhoods; and
- c. To accommodate uses and structures designed to serve the housing, recreational, educational, religious and social needs of the neighborhood.

The applicant has submitted for seven variances, which are scheduled to be heard by the ZBA at their regularly scheduled July meeting. The variance requests are as follows:

1. 27-58(c): To reduce the front yard setback from 35' to 0' to allow units to front directly upon Perimeter Center East;
2. 27-58(c): To reduce the side yard setback (interior) on the northern boundary from 20' to 10';
3. 27-58(c): To reduce the side yard setback (street) on the southern boundary from 35' to 10';
4. 27-142(2): To reduce rear-to-rear building separation requirement from 60' to 28';
5. 27-142(3): To reduce side-to-rear building separation requirement from 40' to 27';
6. 27-208(b)(1)(b): To reduce the required driveway depth from 20' to a minimum of 12'.
7. 16-237(s)(4): To reduce the number of required access points from two to one.

In particular, the request for the reduction in the number of access points is supported by staff because the one access point is in compliance with Fire Code; the applicant is accommodating for a second entrance via a drive isle and access easement adjacent to the private road, Lincoln Parkway; the threshold to require a second entrance is prompted by the development of more than 75 units, and the proposed development is on the low end of that threshold; and the configuration of the single drive and proposed future drive is preferable from a safety and access management perspective to the addition of two curb cuts along Perimeter Center East that would be too close and would not offer any additional transportation benefit. Staff does not support the request to reduce the driveway depth.

ANALYSIS

Comprehensive Plan Analysis

The Comprehensive Plan is created from public input and lays out the community's vision for how to grow and develop today, and in the future. The Dunwoody Comprehensive Plan is organized primarily by regions, delineated as 'character areas'. The subject parcel is located in the 'Perimeter Center Character Area,' summarized on the attached excerpt from the Comprehensive Plan. The intent of this area is to create a "livable" regional center with first-class office, retail, and high-end restaurants in a pedestrian- and bicycle-oriented environment that serves as a regional example of high quality design standards.

The Perimeter Center Character Area adopted the three distinct sub-areas that were identified in the 2000 LCI study—transitional, high-density, and transit village—in order to guide development and design standards effectively as the commercial center moves towards residential neighborhoods. The development should demonstrate conformance with the development principles of the applicable sub-area. The character area calls for high quality design standards and building materials and best practices on energy efficiency, where possible.

Review and Approval Criteria

In accordance with Georgia and local law, the following review and approval criteria shall be used in reviewing the respective amendment applications:

Section 27-335. Review and approval criteria.

- a. *Zoning Map Amendments*. The following review and approval criteria must be used in reviewing and taking action on all zoning map amendments:
1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;
The proposal is consistent with the spirit of the Comprehensive Plan, except in regards to density. The Plan calls for a maximum of 12 du/acre. The lot is 6 acres. Therefore the Comp Plan calls for 72 maximum units. The applicant proposes to construct 81 units. The applicant has applied for an amendment to the Comprehensive Plan, and if granted, would then be in compliance. Staff has recommended that the Comp Plan amendment consider changing the maximum density from 12 to 14 du/acre, rather than reassigning the lot to another sub-area.
 2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;
Yes, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The adjacent property is zoned R-100, but it is undevelopable due to floodplain and stream buffer regulations. Furthermore, townhomes are an appropriate transitional use between the high-intensity commercial use and very low-intensity single family residential use.
 3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
The property has a reasonable economic use as currently zoned, O-I; however, it has sat vacant for years with that zoning designation
 4. 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 property.
 5. Whether there are other existing or changing conditions affecting the use and development of the property that provide supporting grounds for either approval or disapproval of the zoning proposal;
While the Perimeter Center Zoning Code, in the drafting phase now, will not be effective to be applied to this project, the applicant has made efforts to comply with portions of the proposed code; therefore, this project, as proposed would not be out of context substantially with future development enforced under the pending regulations. Gated developments are prohibited in the proposed text, so the proposal to gate the project is not supported by the text.
 6. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources; and
The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources.
 7. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

The development is not expected to cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The report from DeKalb County School District, dated May 28, 2015, projects the development will contribute 8 students to area schools.

RECOMMENDATION

Community Council

At their Special Called May meeting, the Community Council heard the applicant's request to rezone the property from O-I to RM-85. After some discussion with the applicant and staff related to the nature of the project and the proposed use of the subject property specifically, a motion was made to recommend approval of the request with the following conditions, and the motion was voted and passed (4 – 0).

1. The acceleration of the second access point is encouraged; and
2. The issue of density be left to the Planning and Zoning Department.

Staff Recommendation

Based on the above analysis and findings, staff has determined that the requested amendments to the official zoning map meet the requirements of Chapter 27, §27-335. Therefore, staff recommends the application be **approved** with the following exhibit(s) and condition(s), provided the amendment to the Comprehensive Plan is approved:

Exhibit A: Conceptual Site Plan, dated April 7, 2015

Exhibit B: Tree Replacement Plan, dated April 7, 2015

Exhibit C: Building Elevations (two pages) specifying style and material, undated, submitted June 2, 2015

1. Development shall be in substantial compliance with Exhibits A, B, and C.
2. Access easement for access to Lincoln Parkway shall be recorded prior to issuance of land development permit.
3. Street furniture shall be in compliance with PCIDs standards and shall include a recycling receptacle. The recycling receptacle shall be maintained by the property owner if DeKalb County Sanitation does not service recycling receptacles.
4. Identical elevations shall be separated by a minimum of three other units.
5. Asphalt shingle roofing shall be a minimum three-dimensional Architectural type.

Attachments

- Maps
- Division II – Mixed Use and Nonresidential Zoning Districts
- Comprehensive Plan excerpt
- DeKalb County School District Report
- Application packet

SITE DATA:

SITE AREA 6.002 ACRES
 UNIT FOOTPRINT AREA (NOT INCLUDING CABANNA) 91,925 SF (34.8%)
 TOTAL IMPERVIOUS 176,316 SF (67.3%)
 FLOOD PLAIN NONE
 UNDEVELOPED AND/OR OPEN SPACE 85,131 SF (32.7%)

ZONING:

EXISTING ZONING 0-1 OFFICE INSTITUTIONAL
 PROPOSED ZONING RM-4S MULTI-DWELLING RESIDENTIAL DISTRICT
 ZONING JURISDICTION CITY OF DUNWOODY

DEVELOPMENT TYPE:

FRONT ENTRY TOWNS 62 UNITS
 REAR ENTRY TOWNS 19 UNITS
 TOTAL TOWNHOMES 81 UNITS
 TOTAL DENSITY 13.5 UNITS/ACRE

DEVELOPMENT STANDARDS:

HEIGHT REGULATIONS (MAX):
 FRONT YARD (VARIANCE) 48 FEET
 SIDE YARD (VARIANCE) 48 FEET
 REAR YARD (VARIANCE) 48 FEET
 MINIMUM LOT SIZE 12,000 SQ. FEET
 MINIMUM FRONTAGE 100 FEET
 MAXIMUM DENSITY 14 UNITS/ACRE
 MAXIMUM LOT COVERAGE (BLDG. AND PARKING) 70% OF ENTIRE LAND AREA
 BUILDING COVERAGE (INCLUDING CABANNA) 29,176 SF
 DRIVEWAY COVERAGE 40,011 SF
 STREET/PARKING COVERAGE 40,011 SF
 SIDEWALK COVERAGE 6,388 SF
 TRAIL COVERAGE 8,003 SF
 TOTAL LOT COVERAGE 176,316 SF (67.3%)
 MINIMUM BUILDING SEPARATION AS SPECIFIED BY INTERNATIONAL BUILDING CODE

BUFFERS:

SIDE NONE
 REAR 50' TRANSITIONAL BUFFER

PARKING:

GARAGE 162 SPACES
 DRIVEWAY 154 SPACES
 SPACES 7 SPACES
 TOTAL 323 SPACES (3.90 UNITS/100)

UTILITY NOTES:

1. WATER SERVICE WILL BE PROVIDED BY DEKALB COUNTY. TAP TO BE MADE ON PERIMETER CENTER EAST.
2. SANITARY SEWER SERVICE WILL BE PROVIDED BY DEKALB COUNTY. TAP TO BE MADE ON EASTERN PORTION OF THE SITE.

NOTES:

1. SPEED LIMIT ON PERIMETER CENTER EAST IS 35 MPH.
2. According to the US Fish and Wildlife Service National Wetlands Inventory, wetlands are located on this property.
3. According to the FEMA Flood Insurance Rate Map for DeKalb County, Georgia and updated areas, Community Panel Number 1308920012, Panel 12 of 201, effective date May 16, 2015 the property does not fall within a designated flood zone. X (less of 500-year flood).
4. Waters of the State are within 200' of this property.
5. The Chattahoochee River is not within 2000' of this property.
6. Sidewalks are as shown.
7. Driveways are a minimum of 20' measured from face of curb to garage door or as indicated otherwise.
8. DeKalb County Fire Department shall approve road layout and entrances.

ENGINEERING CONTACT:
 KENNETH J. WOOD, PE, LEED AP
 PLANNERS AND ENGINEERS
 COLLABORATIVE
 350 RESEARCH COURT
 NORCROSS, GEORGIA 30092
 PHONE: 678-684-6200
 FAX: 678-684-6206
 EMAIL: ken@pecatl.com
DEVELOPER CONTACT:
 THE ARDENT COMPANIES
 NVILLE, ALISSON
 2100 POWERS FERRY ROAD
 SUITE 300
 ATLANTA, GEORGIA 30339
 PHONE: 770-450-8796



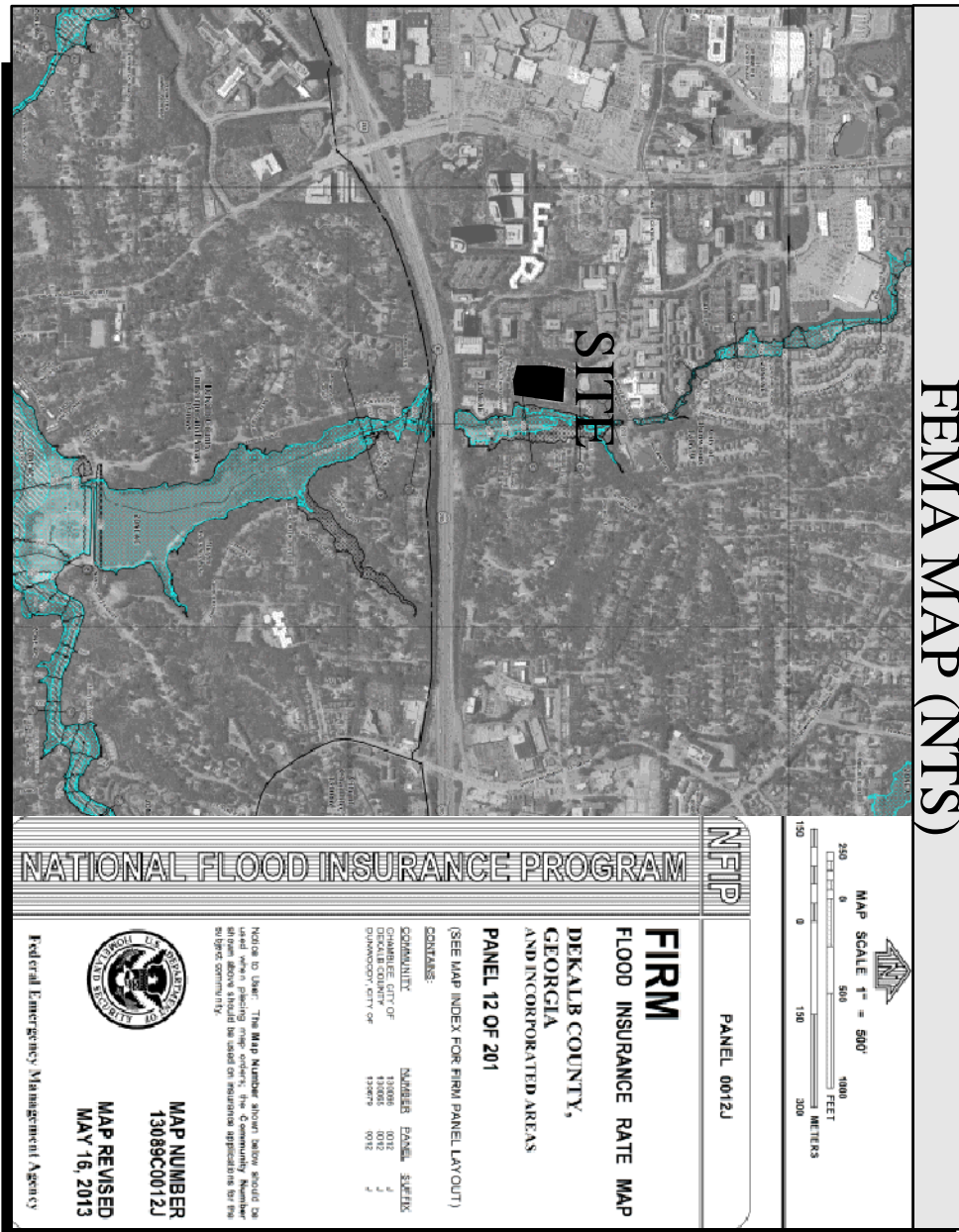
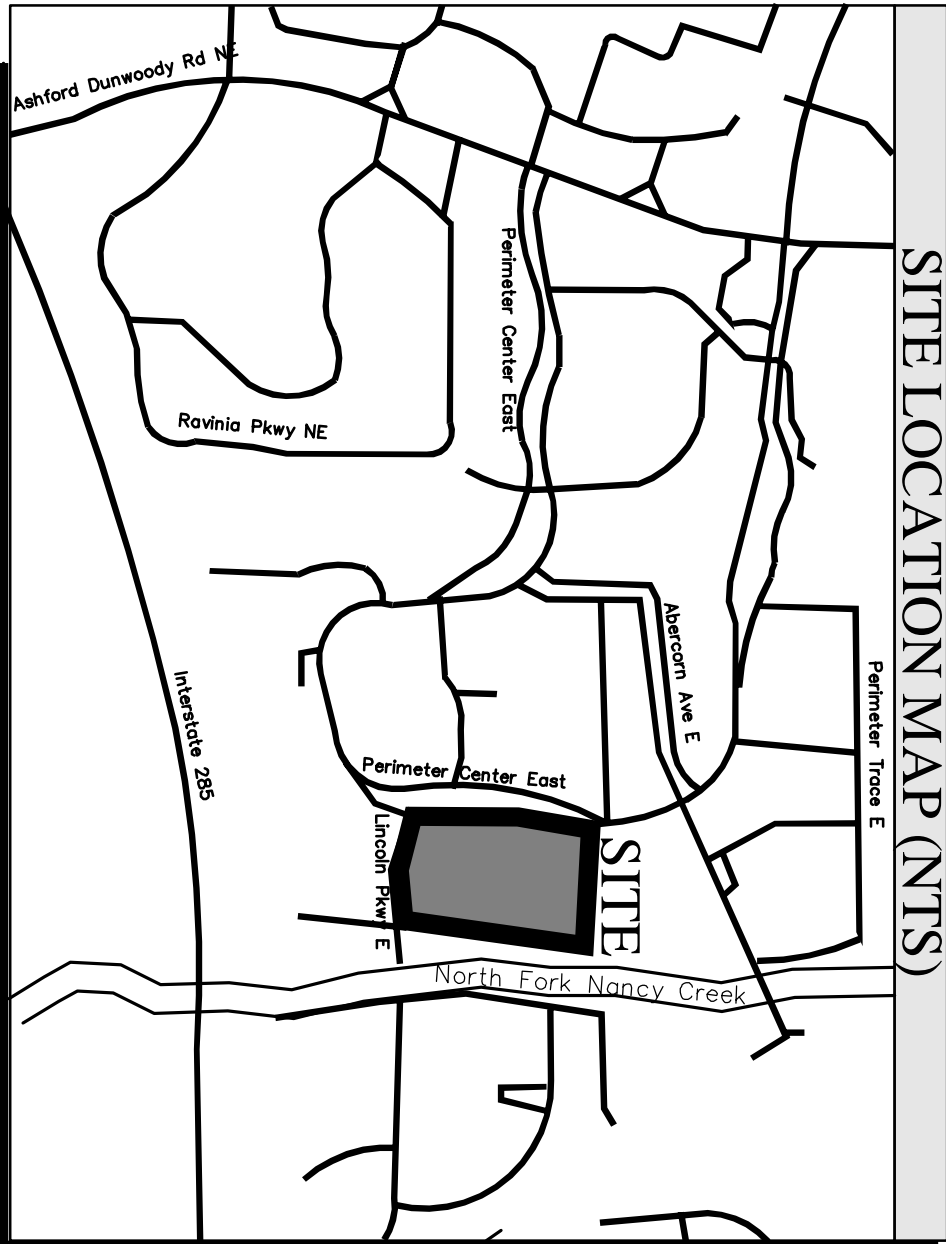
VARIANCES:

BUILDING SEPARATION:
 REQUIRED BACK TO BACK SEPARATION: 40 FT.
 PROPOSED BACK TO BACK SEPARATION: 34 FT.
 REQUIRED SIDE TO BACK SEPARATION: 34 FT.
 PROPOSED SIDE TO BACK SEPARATION: 27 FT.

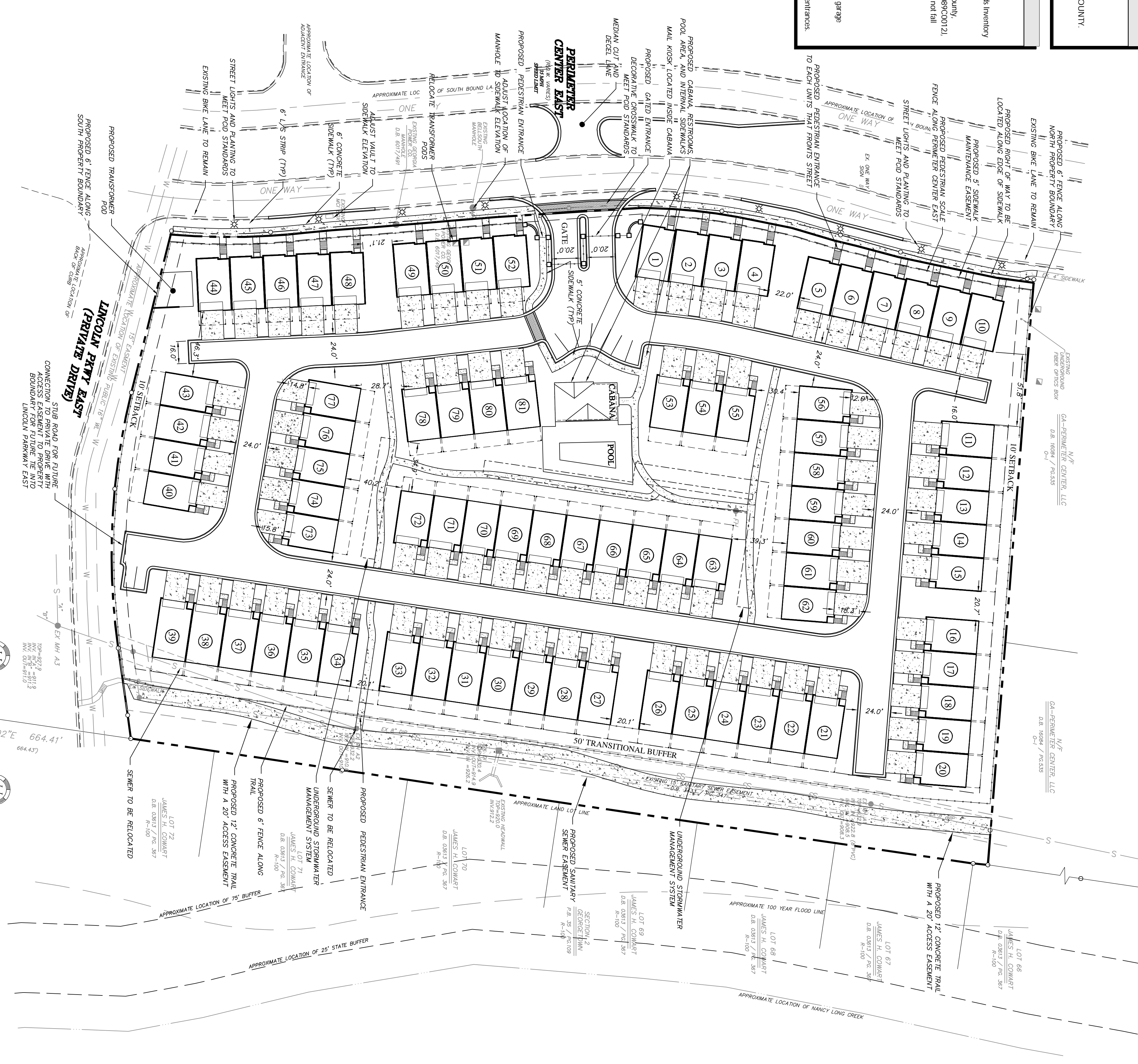
BUILDING SETBACK:
 REQUIRED FRONT YARD BUILDING SETBACK @ R.E.: 35 FT.
 PROPOSED FRONT YARD BUILDING SETBACK @ R.E.: 0 FT.
 REQUIRED EXTERIOR SIDE YARD BUILDING SETBACK ALONG NORTH PROPERTY LINE: 30 FT.
 PROPOSED EXTERIOR SIDE YARD BUILDING SETBACK ALONG NORTH PROPERTY LINE: 10 FT.
 REQUIRED EXTERIOR SIDE YARD BUILDING SETBACK ALONG SOUTH PROPERTY LINE: 35 FT.
 PROPOSED EXTERIOR SIDE YARD BUILDING SETBACK ALONG SOUTH PROPERTY LINE: 10 FT.

ACCESS POINTS:
 REQUIRED ACCESS POINTS IS TWO.
 PROPOSED ACCESS POINTS IS ONE.

DRIVEWAY DEPTH:
 REQUIRED DRIVEWAY DEPTH IS 20 FT.
 PROPOSED DRIVEWAY DEPTH IS 12 FT.



24 HOUR CONTACT:
 CLINT WALTERS @ 404-274-4492



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 FOR
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 2100 POWERS FERRY ROAD
 SUITE 300
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REVISIONS:

NO.	DATE	BY	DESCRIPTION

CONCEPTUAL SITE PLAN

SCALE: 1" = 40'
 DATE: APRIL 7, 2015
 PROJECT: 05129.000

THIS SEAL IS ONLY VALID IF COPIER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

Professional Engineer Seal for Kenneth J. Wood, State of Georgia, License No. 35800.

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7-1
 SHEET

TREE DENSITY CALCULATIONS									
SYMBOL	KEY	QUANTITY	PERCENTAGE	BOTANICAL / COMMON	CAL	MIN. HT	SPACING	UNITS	TOTAL UNITS
⊙	AR-R	28	16.3%	Acer rubrum "October Glory" TM / October Glory Maple	4"Cal	16'-18"	24' O.C.	0.7	19.6
⊙	AH	24	14.0%	Ilex opaca / American Holly	N/A	10'-12"	10' O.C.	0.7	16.8
⊙	NR	28	16.3%	Ilex x "Nellie R Stevens" / Nellie Stevens Holly	N/A	10'-12"	10' O.C.	0.7	19.6
⊙	HSC	9	5.2%	Juniperus virginiana "High Shoals" / High Shoals Red Cedar	N/A	12'-14"	12' O.C.	0.7	6.3
⊙	MCB	7	4.1%	Magnolia grandiflora "Brackens Brown Beauty" / Bracken's Brown Beauty Magnolia	N/A	12'-14"	12' O.C.	0.7	4.9
⊙	BCG	6	3.5%	Nyssa sylvatica "Black Tupelo" / Black Gum	4"Cal	16'-18"	30' O.C.	0.7	4.2
⊙	QN-R	8	4.7%	Quercus nuttallii / Nuttall Oak	4"Cal	16'-18"	AS SHOWN	0.7	5.6
⊙	TD-R	9	5.2%	Taxodium distichum / Bald Cypress	4"Cal	16'-18"	20' O.C.	0.7	6.3
⊙	CGA	20	11.6%	Thuja plicata "Green Giant" / Green Giant Arborvitae	N/A	12'-14"	12' O.C.	0.7	14
⊙	UE-P	33	19.2%	Ulmus parvifolia "Everclear" / Everclear Lacebark Elm	4"Cal	10'-12"	AS SHOWN	0.7	23.1
TOTAL									120.4

TREE DENSITY CALCULATIONS

SITE DATA:
TOTAL SITE AREA: 6.002 ACRES

TREE REPLACEMENT REQUIREMENTS:
20 UNITS PER ACRE
6.002 AC X 20 UNITS = 120.04 UNITS REQUIRED (SDF)

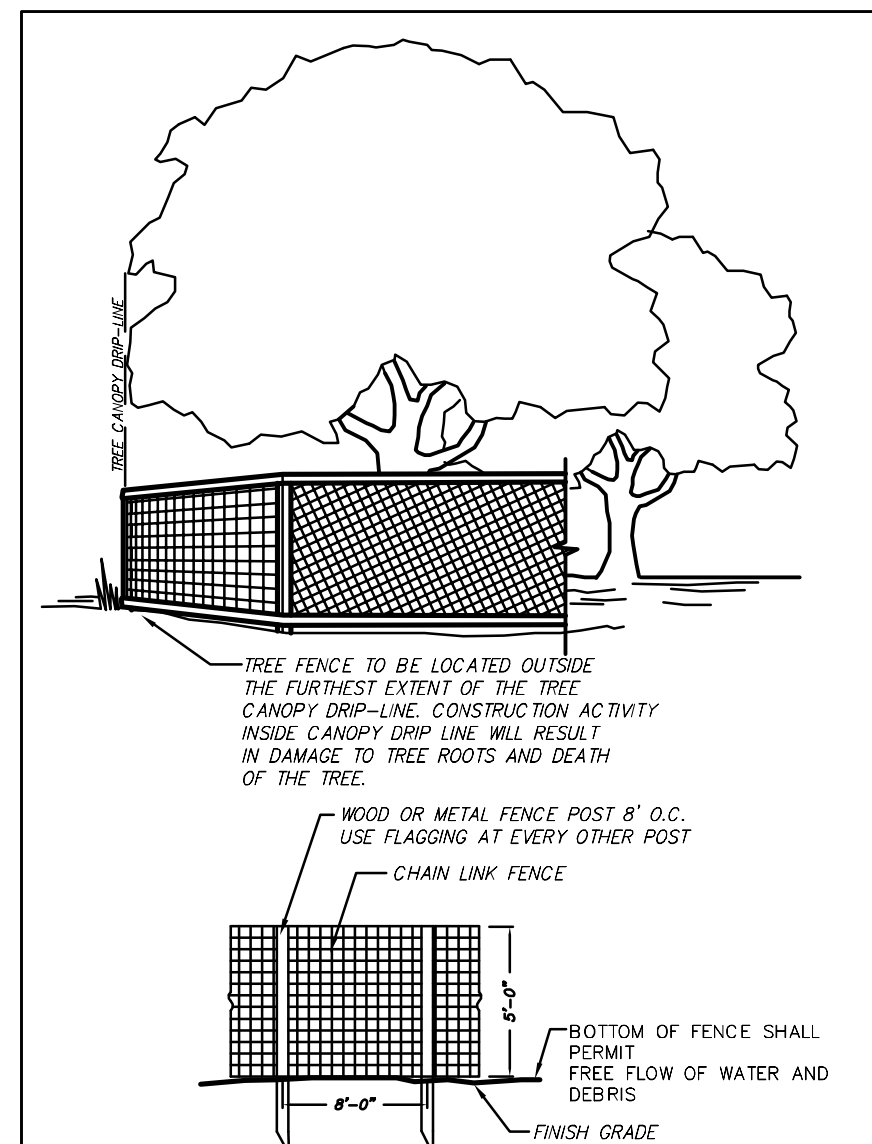
ADJUSTED REPLACEMENT DENSITY FACTOR:
SITE DENSITY FACTOR REQUIRED (SDF): 120.04 UNITS
EXISTING DENSITY FACTOR (EDF): 0 UNITS
ADJUSTED DENSITY FACTOR REQUIRED (RDF): 120.04 UNITS

TREE DENSITY COMPLIANCE:
SITE DENSITY FACTOR TO BE PROVIDED: **120.04 UNITS
REPLACEMENT DENSITY FACTOR REQUIRED: 120.04 UNITS

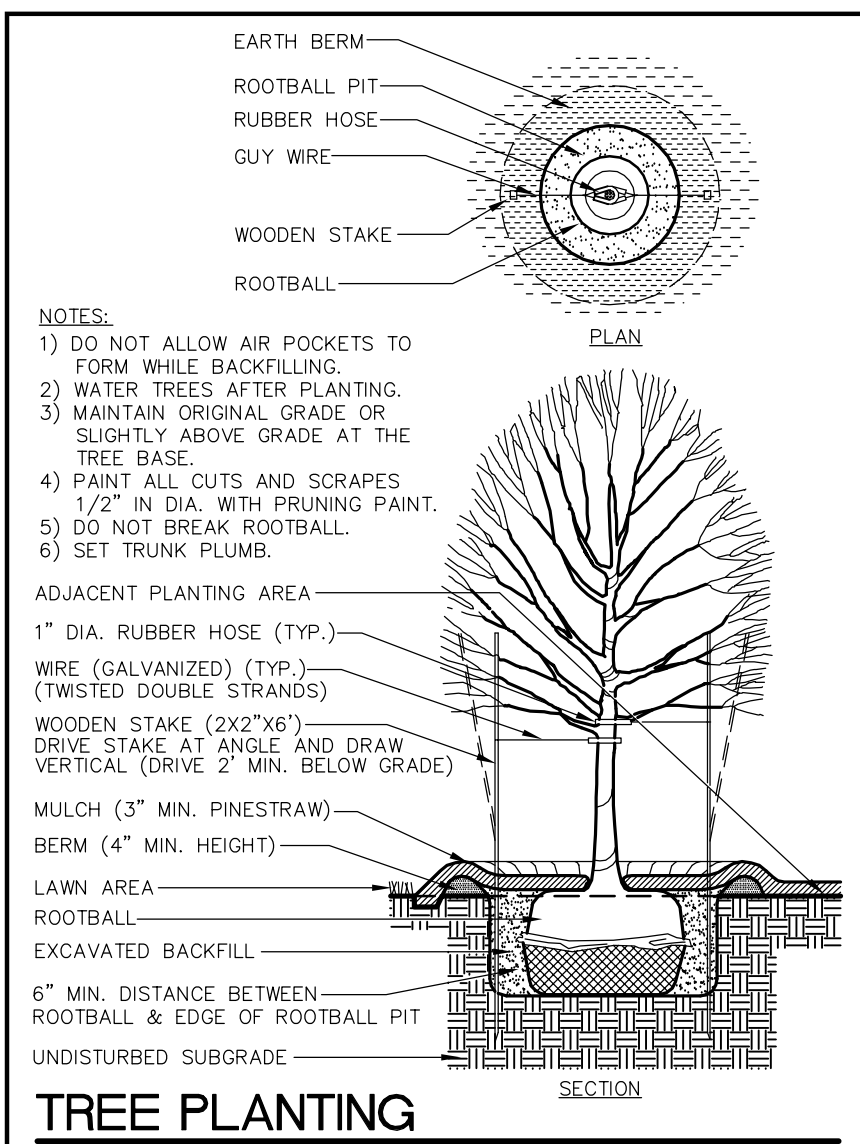
NOTES:
*EXISTING TREE LOCATIONS AND SPECIMEN TREE SURVEY TO BE PERFORMED AT A LATER DATE.
**SITE DENSITY IS MET ON SITE.

CITY OF CHAMBLEE TREE NOTES:

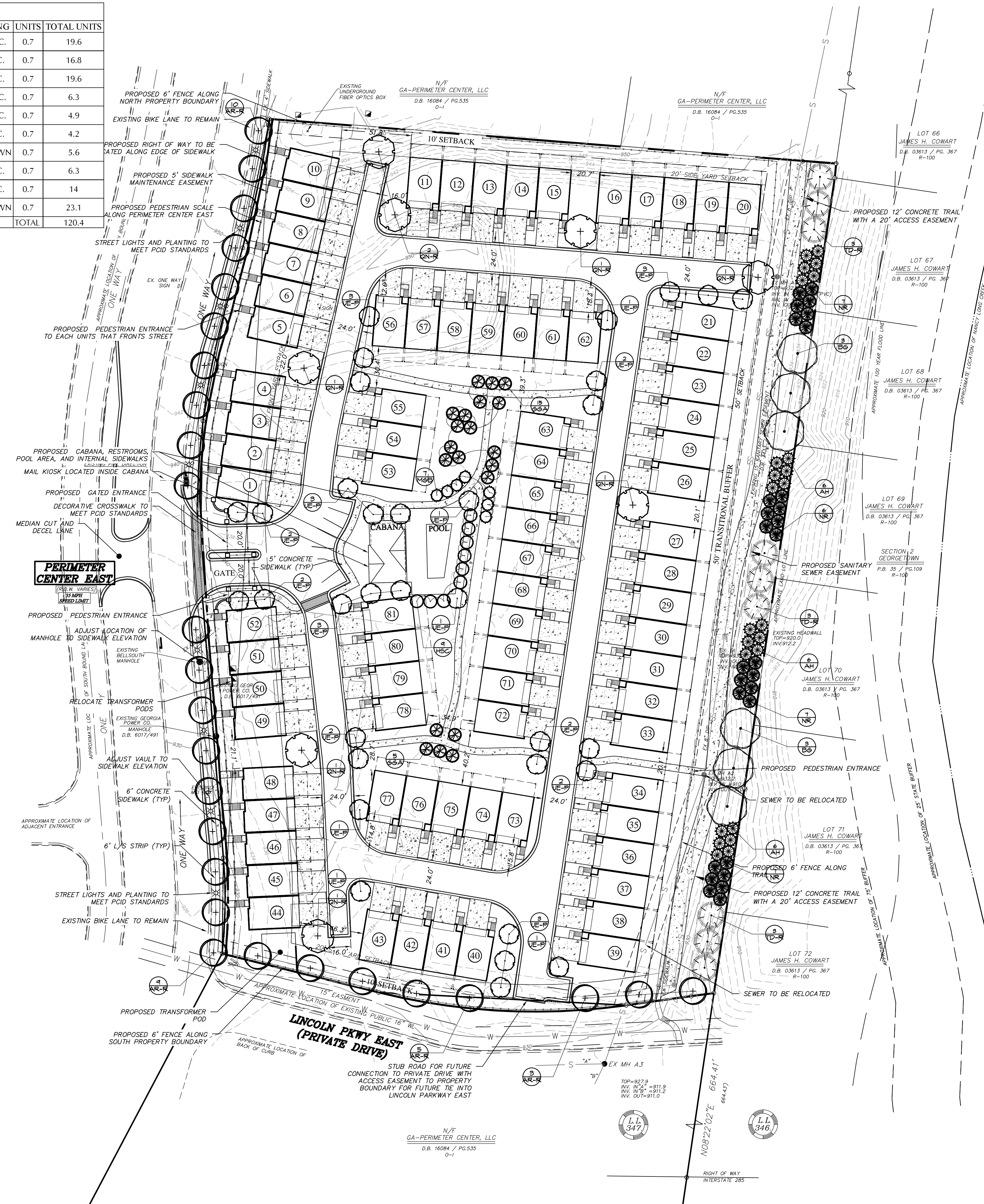
- ALL DEBRIS FROM TREES CUT OR SUBSTANTIALLY DAMAGED SHOULD BE REMOVED FROM THE SITE IN A TIMELY FASHION INCLUDING THE REMOVAL OF ANY PORTION OF THE TREE STUMP ABOVE THE ORIGINAL NATURAL GRADE OR ELEVATION UNLESS ACCEPTED BY THE CITY TREE CONSULTANT FOR A SPECIFIC REASON.
- ALL TREES AND LANDSCAPE MATERIALS WILL BE PLANTED AT THE PROPER PLANTING TIMES, PREFERABLY IN THE FALL, WINTER OR SPRING AND MAINTAINED IN PERPETUITY. THE CITY MAY REQUIRE PERFORMANCE BONDS BE POSTED IF PLANTING IS DELAYED DUE TO SEASONALITY.
- PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE DEVELOPER OR OWNER SHALL POST A PERFORMANCE BOND OR CASH ESCROW GUARANTEEING ALL LANDSCAPING MATERIALS AND WORK FOR A PERIOD OF TWO YEARS AFTER APPROVAL OR ACCEPTANCE THEREOF BY THE CITY IN A SUM ESTABLISHED BY THE CITY ARBORIST. THE BOND WILL BE IN THE AMOUNT OF 100 PERCENT OF THE ESTIMATED COST OF REPLACING ALL OF THE LANDSCAPING REQUIRED BY THESE SPECIFICATIONS. AT THE END OF TWO YEARS, THE CITY MANAGER SHALL MAKE AN INSPECTION AND NOTIFY THE OWNER OR DEVELOPER AND THE BOND COMPANY OF ANY CORRECTIONS TO BE MADE.



TREE PROTECTION FENCE



TREE PLANTING
N.T.S.



TOWNSEND AT PERIMETER
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54 PERIMETER CENTER EAST
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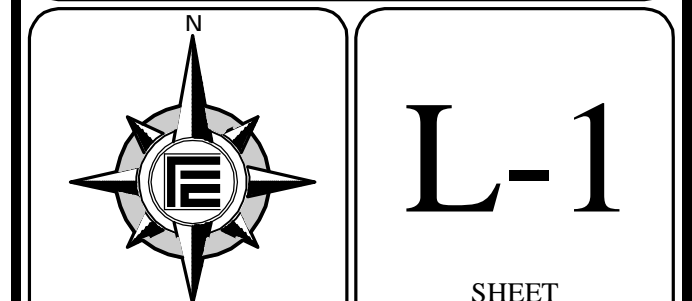
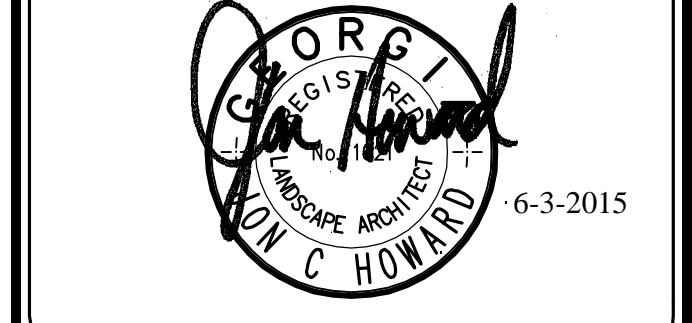
NO.	DATE	BY	DESCRIPTION

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TREE REPLACEMENT PLAN

SCALE: 1" = 40'
DATE: APRIL 7, 2015
PROJECT: 05129.00D

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811
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EXHIBIT C



