

3/13/2014

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DEKALB COUNTY

ITEM NO. D2

BOARD OF COMMISSIONERS

HEARING TYPE:
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE:
ORDINANCE

MEETING DATE: May 27, 2014

SUBJECT: Land Use Amendment – LP-13-18881 – Atlantic Realty

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator

PAGES:

PHONE NUMBER: (404) 371-2155

Deferred full cycle from 2/25/14 and 3/25/14.

PETITION NO: LP-13-18881

PROPOSED USE: Multi-family Development

LOCATION: The northeast corner of Church Street and Milscott Drive at 1653, 1655, and 1657 Church Street and 2636 and 2656 Milscott Drive, Decatur.

PARCEL No.: 18-049-14-001, -002, & -003 and 18-062-04-003

PURPOSE: To amend the 2025 Comprehensive Plan Map from CRC (Commercial Redevelopment Corridor) to TC(Town Center) for a 367-unit, 5-story multifamily residential development with a density of 39 units per acre.

RECOMMENDATIONS:

COMMUNITY COUNCIL: (2/18/14) DENIAL.

PLANNING COMMISSION: (3/4/14) DEFERRAL FULL CYCLE.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING: On March 4, 2014, the Planning Commission recommended full cycle deferral to the May zoning cycle.

PLANNING STAFF ANALYSIS: The proposed amendment from CRC to TC is consistent with the 2025 Comprehensive Plan and will be suitable in view of the surrounding multi-family properties and commercial uses. The surrounding and adjacent multi-family uses are of a similar design and height. The less intense single-family uses are a significant distance away. Existing conditions along the corridor, such as the high number of vacant commercial properties, and the transition of other properties from commercial to multi-family, also support this amendment. The need for a land use map change to accommodate the proposed density of the development is an indication that the maximum allowed density in the current designation of Commercial Redevelopment Corridor does not align with the market for multifamily residential use on the site under consideration. Staff anticipates that the upcoming Medline LCI study will address this issue and establish a unified vision for future growth and redevelopment for the entire corridor.

FOR USE BY COMMISSION OFFICE/CLERK ONLY

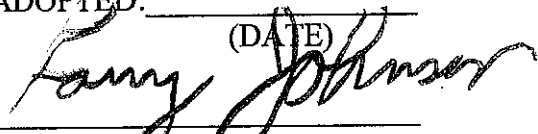
ACTION : 2014-05-27 Item D2 LP 13 18881

Items D.2; D.3; and D.4 were heard together.

MOTION was made by Sharon Barnes Sutton, seconded by Stan Watson and passed 4-0-0-2 to approved with conditions 17 conditions submitted by Kathy Zickert, Application of Atlantic Realty Development, Llc LP-13-18881, to amend the 2025 Comprehensive Plan Map from CRC (Commercial Redevelopment Corridor) to TC (Town Center) for a 5-story, 367-unit multi-family residential building with a density of 39 units per acre. Commissioners Gannon and Rader were absent and not voting.

ADOPTED: MAY 27 2014

(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF
COMMISSIONERS

CERTIFIED: MAY 27 2014

(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

MINUTES:

Kathy Zickert, Suite 3100; 1230 Peachtree Street, Atlanta, Ga. 30309 and Deanne Thomas, 437 Sycamore Drive, Decatur, Ga. 30030, spoke in support.

Rosamond Dewart, 2504 Pineview Drive, Decatur, Ga. 30030, spoke in opposition.

FOR : Elaine Boyer, Larry Johnson, Sharon Barnes Sutton, Stan Watson

AGAINST : None

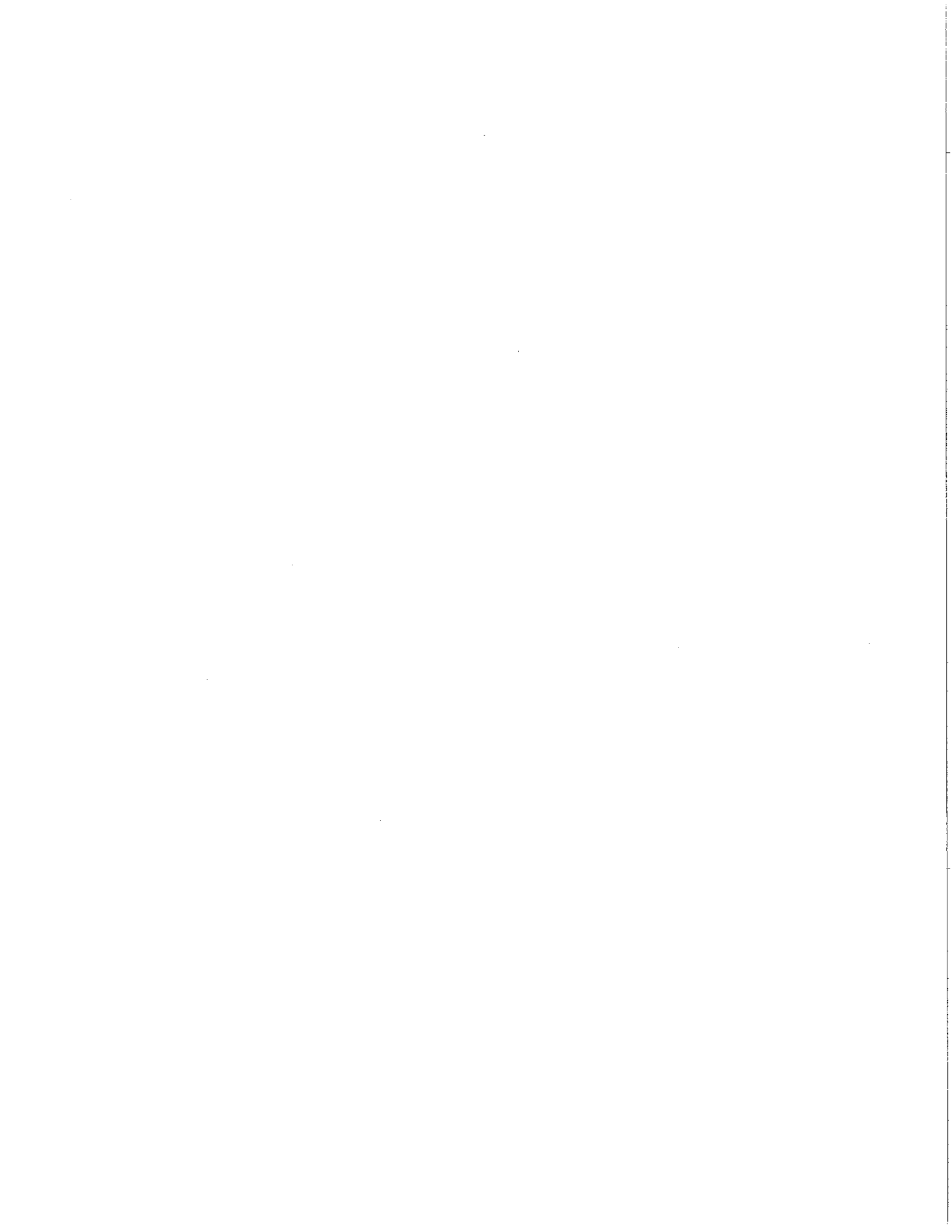
ABSTAIN : None

ABSENT : Jeff Rader, Kathie Gannon

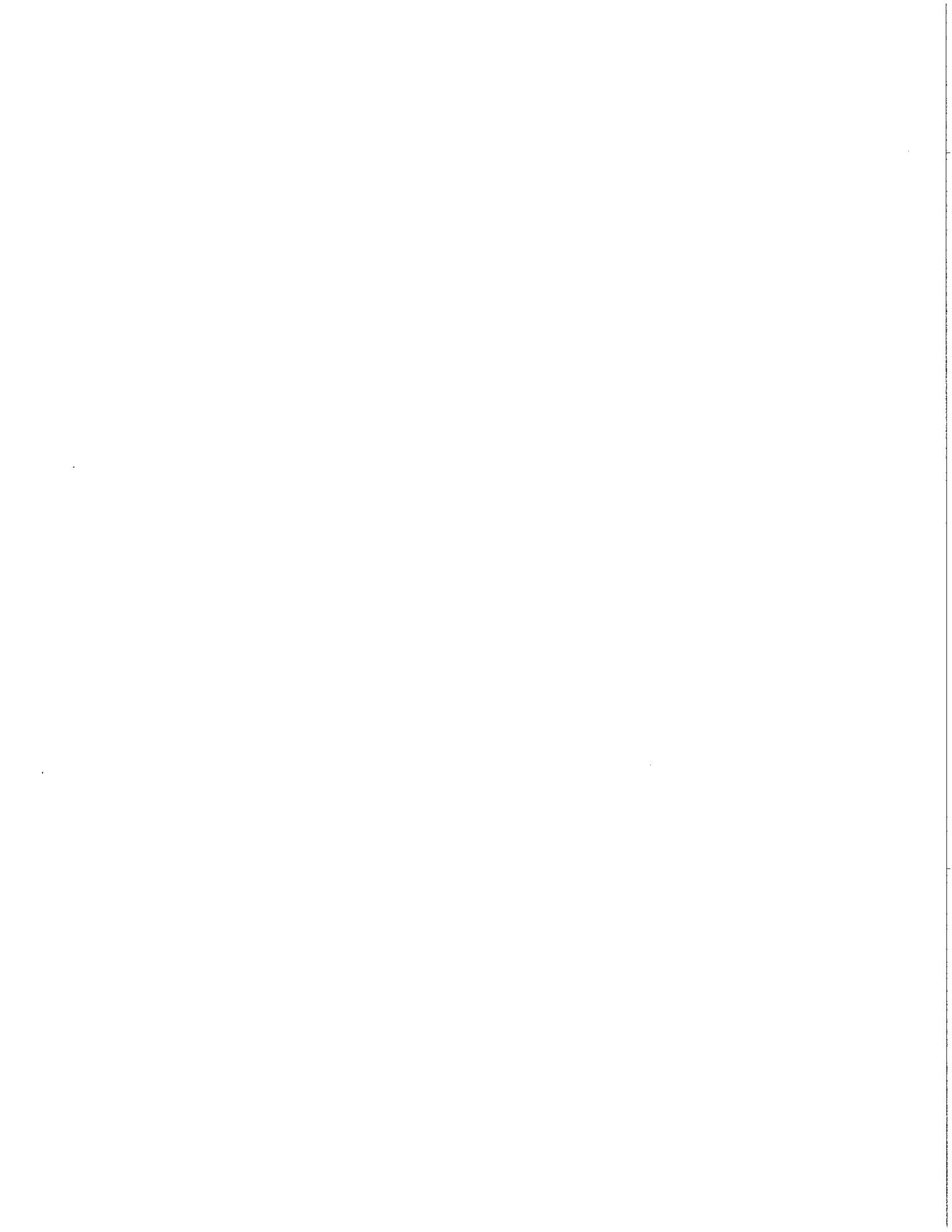
comm. 4/16/2014
Item No. 512114
Clerk's Office
Kathy Zickler

CONDITIONS
Z-13-18447

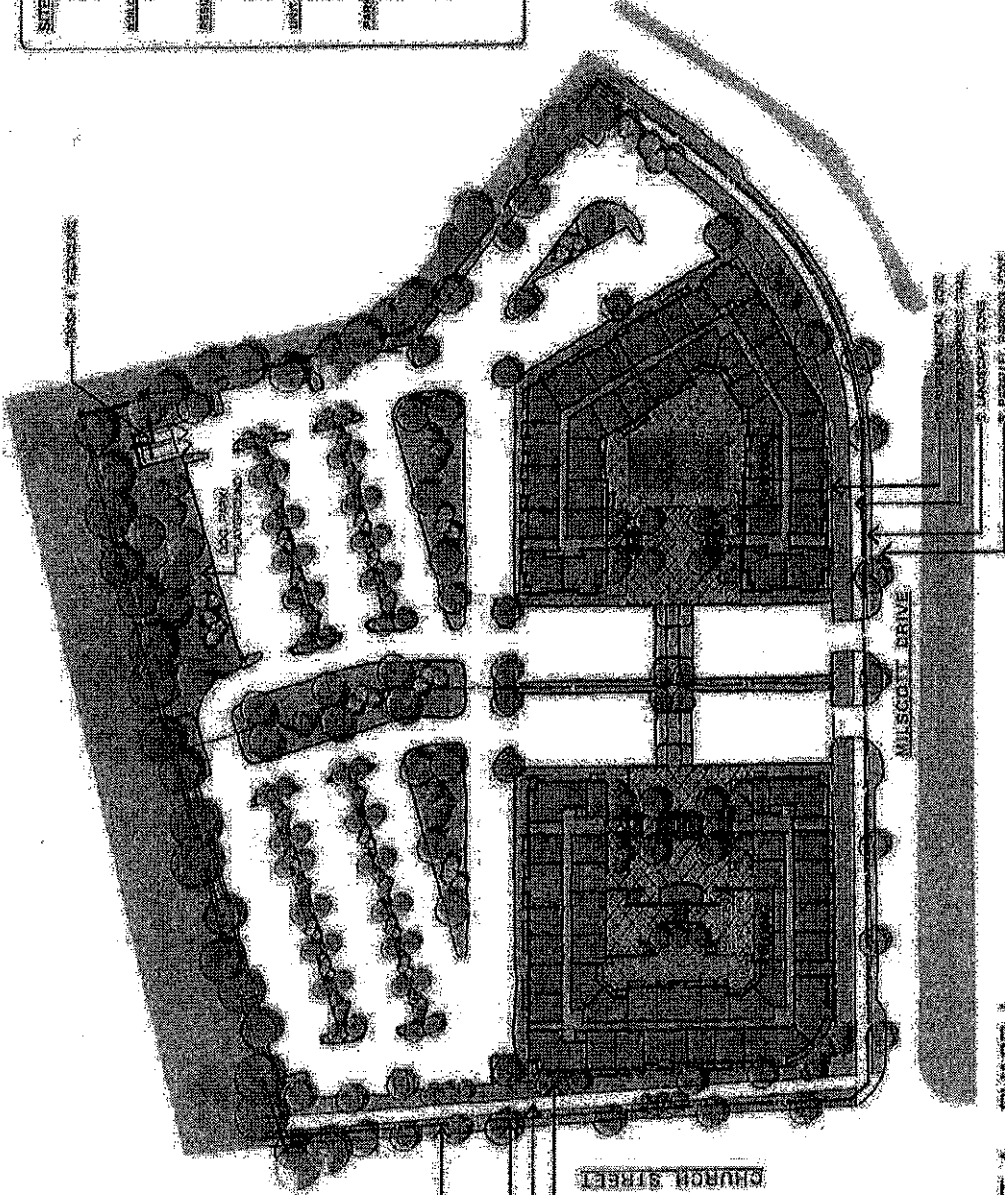
1. The development shall substantially comply with the "Exhibit A - Phase I" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "A" (the "Phase I Site Plan"). Further, the owner may later seek a "Phase II" development as generally reflected on the "Exhibit B - Phase II" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "B" (the "Phase II Site Plan"), but shall be required to seek all necessary rezoning entitlements prior to pursuing the development shown on the Phase II Site Plan.
2. The development shown on the Phase I Site Plan shall contain up to a maximum of 330 dwelling units.
3. The side wall of the development shown on the Phase I Site Plan that faces Church Street shall have a minimum of one window for each unit located behind said side wall.
4. The height of the proposed buildings shown on the Phase I Site Plan shall be no more than five (5) stories and shall not exceed a maximum height of 75' as measured by the Dekalb County Code.
5. The design of the proposed buildings shown on the Phase I Site Plan shall be consistent with the conceptual building elevation attached as Exhibit "C".
6. The development shall contain bike racks and provide bike lockers for seven (7) percent of the dwelling units constructed.
7. Pedestrian and street lighting fixtures shall be provided on Milscott Drive and Church Street.
8. The exterior finishes of the buildings shown on the Phase I Site Plan shall consist of glass, brick, stucco, stacked stone, cementitious siding, or any combination thereof.
9. Contingent on any necessary approvals (including approval from the adjacent land owner), the development shall include pedestrian access to the shopping center on the adjoining property to the north.
10. Flashing, animated, sound emitting or rotating signs are prohibited.
11. Exterior light poles shall be directed inward and downward and have a controlled footprint intended to minimize light spillover.
12. The development shown on the Phase I Site Plan shall provide space and facilities for tenants to recycle paper, glass, metals and plastics.



13. The development shown on the Phase I Site Plan shall be provided with underground utilities for electric, power, phone, cable and internet.
14. Prior to a LDP being issued for the development shown on the Phase I Site Plan, the Developer shall submit to the County Arborist a landscape plan that defines the landscaping for the development shown on the Phase I Site Plan, which shall substantially comply with the Phase I Site Plan (excepting for the provision of detention and other code requirements that may impact final design). The Arborist shall approve the proposed tree selection and placement.
15. Setbacks shall be measured from existing right-of-way, versus any future right-of-way the County may demand incidental to development.
16. Parts of the property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
17. Separate ownership of parts of the property or conveyance of part of the property to different owners shall not create non-conforming uses, shall not require any changes to the newly-created property lines which arise from these conveyances, and the resulting parcels shall not individually be required to observe setback, buffer or other zoning requirements, except as may be reflected on the Phase I Site Plan or the Phase II Site Plan, as applicable.



01 MAY 2014



SITE DATA	
Project Name	Church Street Parking
Project Address	123 Church Street, New York, NY 10001
Project Size	10,000 sq. ft.
Project Start	01/15/2014
Project End	05/31/2014
Project Status	Completed
Project Manager	John Doe
Project Designer	Jane Smith
Project Architect	ABC Architects
Project Engineer	XYZ Engineers
Project Contractor	DEF Contractors
Project Consultant	GHI Consultants
Project Photographer	JKL Photographers
Project Surveyor	MNO Surveyors
Project Planner	PQR Planners
Project Analyst	STU Analysts
Project Writer	VWX Writers
Project Editor	YZA Editors
Project Reviewer	BCD Reviewers
Project Approver	EFG Approvers
Project Signer	HIJ Signers
Project Sealer	KLM Sealers
Project Recorder	NOP Recorders
Project Distributor	QRS Distributors
Project Printer	TUV Printers
Project Binder	WXY Binders
Project Folder	ZAB Folders
Project Box	BCD Boxes
Project Bag	EFG Bags
Project Case	HIJ Cases
Project Cover	KLM Covers
Project Endpaper	NOP Endpapers
Project Spine	QRS Spines
Project Title Page	TUV Title Pages
Project Table of Contents	WXY Tables of Contents
Project Introduction	ZAB Introductions
Project Chapter 1	BCD Chapter 1s
Project Chapter 2	EFG Chapter 2s
Project Chapter 3	HIJ Chapter 3s
Project Chapter 4	KLM Chapter 4s
Project Chapter 5	NOP Chapter 5s
Project Chapter 6	QRS Chapter 6s
Project Chapter 7	TUV Chapter 7s
Project Chapter 8	WXY Chapter 8s
Project Chapter 9	ZAB Chapter 9s
Project Chapter 10	BCD Chapter 10s
Project Conclusion	EFG Conclusions
Project Appendix A	HIJ Appendix A
Project Appendix B	KLM Appendix B
Project Appendix C	NOP Appendix C
Project Appendix D	QRS Appendix D
Project Appendix E	TUV Appendix E
Project Appendix F	WXY Appendix F
Project Appendix G	ZAB Appendix G
Project Appendix H	BCD Appendix H
Project Appendix I	EFG Appendix I
Project Appendix J	HIJ Appendix J
Project Appendix K	KLM Appendix K
Project Appendix L	NOP Appendix L
Project Appendix M	QRS Appendix M
Project Appendix N	TUV Appendix N
Project Appendix O	WXY Appendix O
Project Appendix P	ZAB Appendix P
Project Appendix Q	BCD Appendix Q
Project Appendix R	EFG Appendix R
Project Appendix S	HIJ Appendix S
Project Appendix T	KLM Appendix T
Project Appendix U	NOP Appendix U
Project Appendix V	QRS Appendix V
Project Appendix W	TUV Appendix W
Project Appendix X	WXY Appendix X
Project Appendix Y	ZAB Appendix Y
Project Appendix Z	BCD Appendix Z



dwell

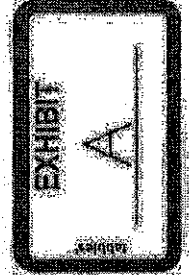


EXHIBIT A - PHASE I

THE RESIDENT

ATLANTIC REALTY PARTNERS

01 MAY 2014

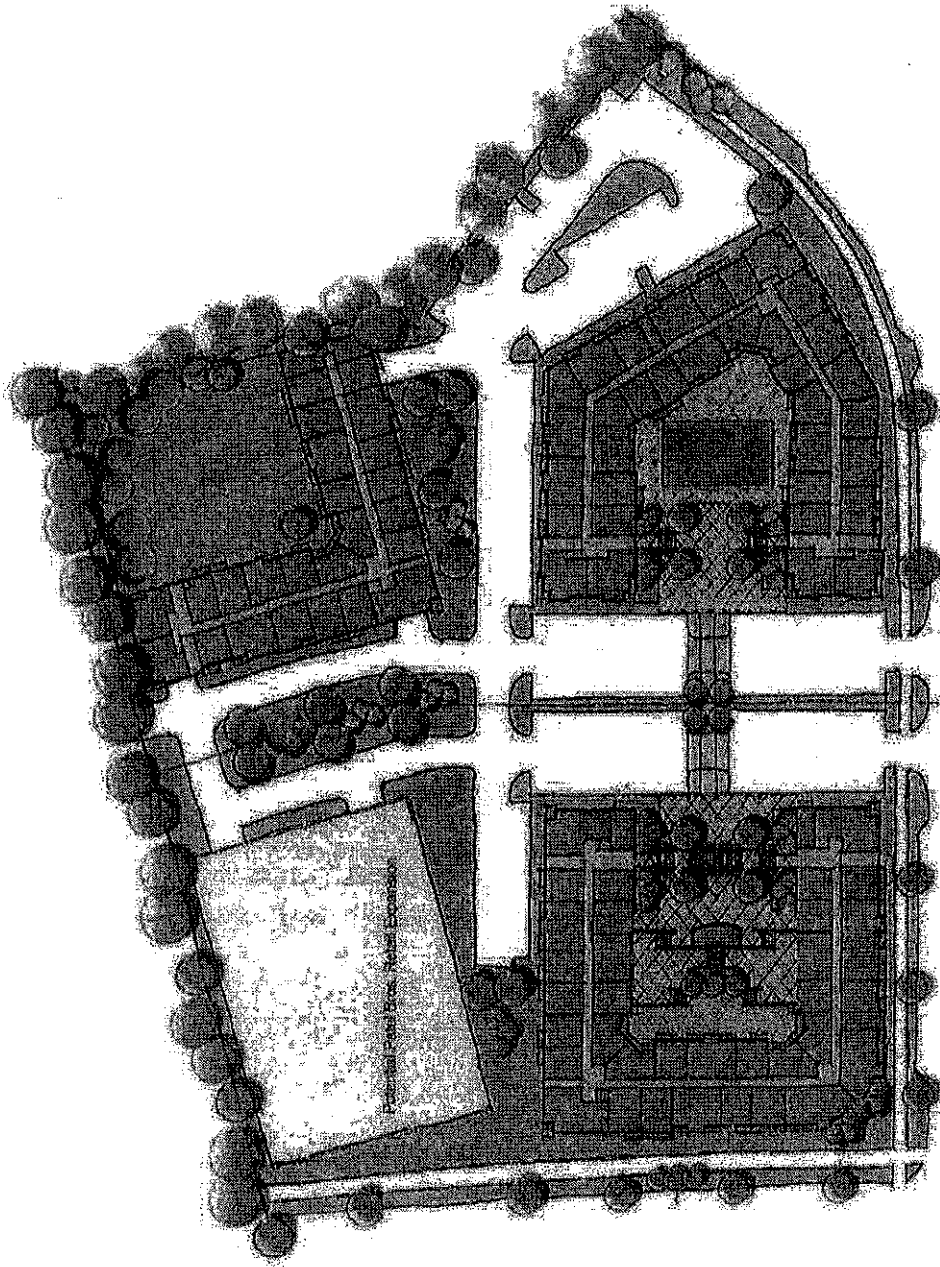
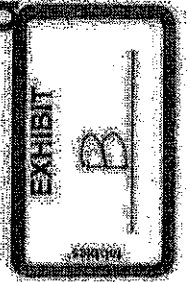


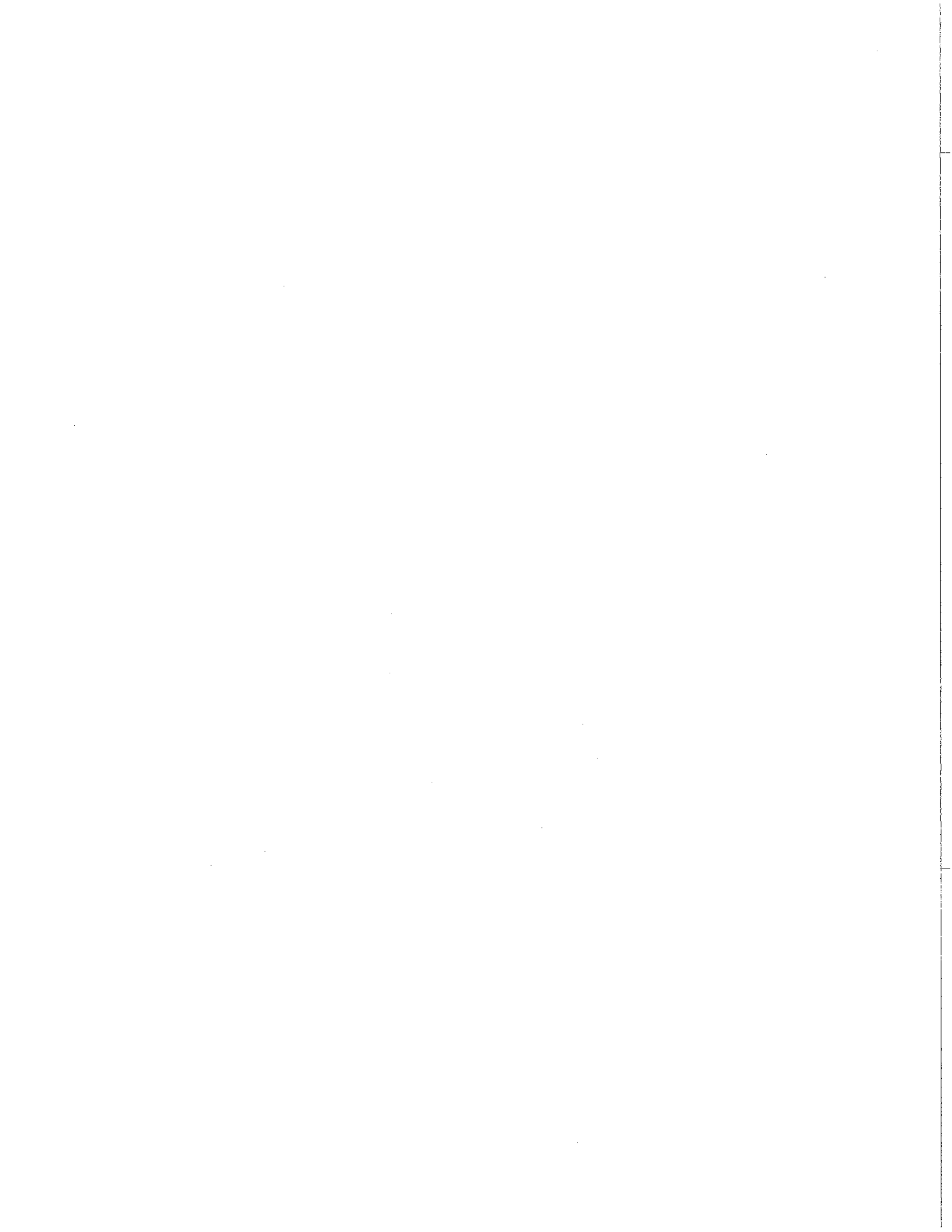
EXHIBIT B - PHASE II

ATLANTIC
BENLY
PARTNERS

THE HOUSE

dwell





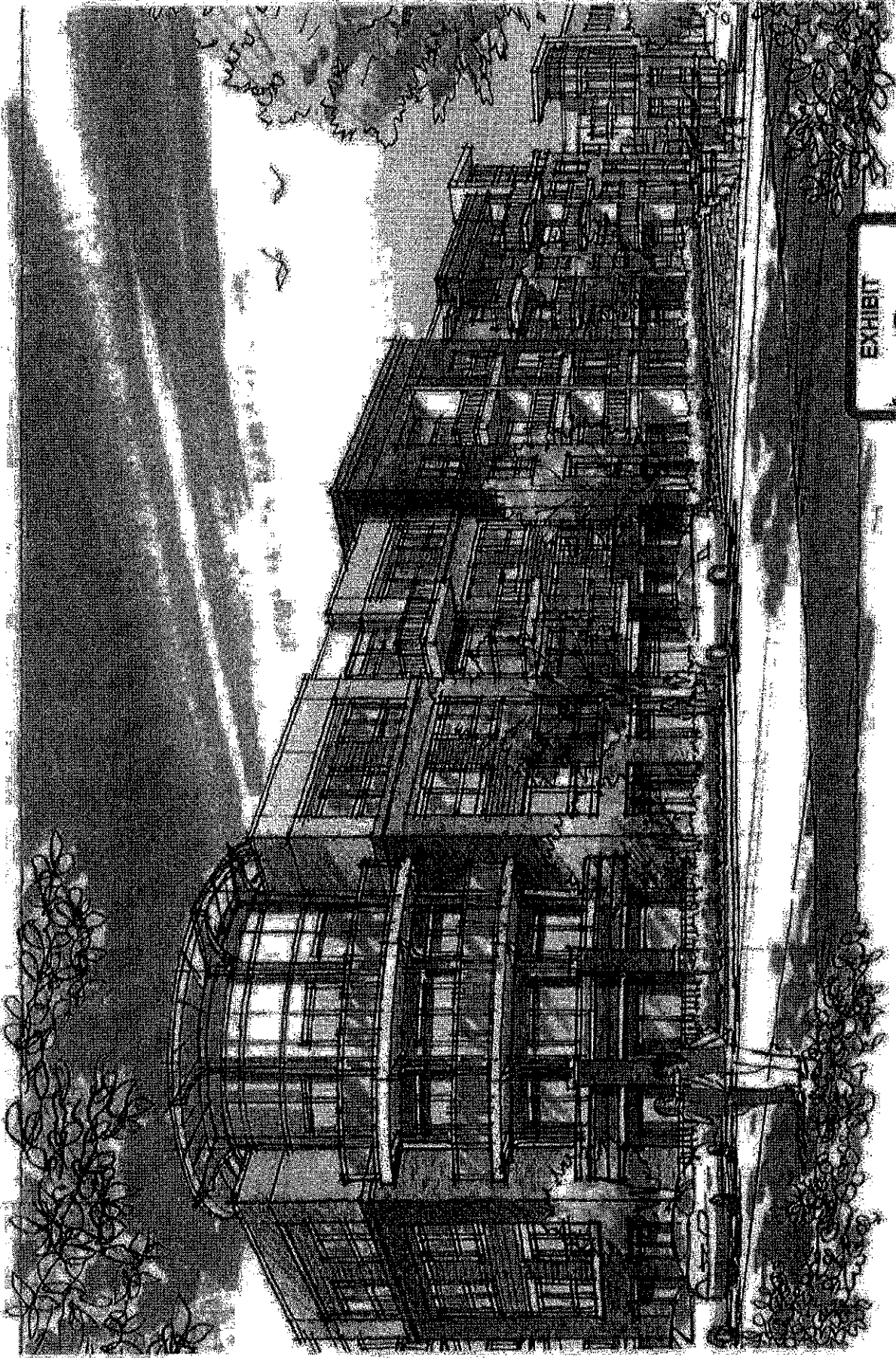


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5/16/14

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DEKALB COUNTY

ITEM NO. D3

BOARD OF COMMISSIONERS

HEARING TYPE:
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE:
ORDINANCE

MEETING DATE: May 27, 2014

SUBJECT Rezoning – Z-13-18846 – Atlantic Realty Development LLC

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES No
PAGES: 27

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator
(404) 371-2155
PHONE NUMBER:

Deferred full cycle from 2/25/14 and 3/25/14.

At the 11/19/2013 BOC, a motion to defer was made and vote was tied at 3-3-0. No further motions were made. Case was held with no action by BOC. The case was moved to the BOC hearing on 2/25/14. At the 2/25/14 hearing, the BOC deferred the case full cycle to May 2014.

PETITION NO: Z-13-18846

PROPOSED USE: Multifamily residential development.

LOCATION: 1653, 1655, and 1657 Church Street and 2636 and 2656 Millscott Drive, Decatur.

PARCEL Nos.: 18-049-14-001, 18-049-14-002, 18-049-14-003, & 18-062-04-003

PURPOSE: Application of Atlantic Realty Development Llc to rezone property from C-2 (General Commercial) to O-I (Office-Institutional) for the construction of a five-story, 367-unit multifamily residential building. The property is located on the northeast corner of Church Street and Millscott Drive at 1653, 1655, and 1657 Church Street and 2636 and 2656 Millscott Drive, Decatur. The property has approximately 475 feet of frontage on Church Street and approximately 920 feet of frontage on Millscott Drive and contains 9.4 acres.

RECOMMENDATIONS:

COMMUNITY COUNCIL: (2/18/14) DENIAL.

PLANNING COMMISSION: (3/4/14) DEFERRAL FULL CYCLE.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING: On March 4, 2014, the Planning Commission recommended full cycle deferral to the May zoning cycle.

PLANNING STAFF ANALYSIS: The following analysis is based on the revised site plan dated 01 May 2014 and stamped as received by the Department of Planning and Sustainability on May 5, 2014. The proposed 330-unit, five-story multifamily residential development is consistent with the following policy of the 2025 Comprehensive Plan for commercial redevelopment corridors: "Cluster high density development at nodes and along major corridors outside of established residential areas" (LUP4). The need for a land use map change to

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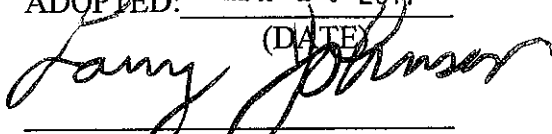
ACTION : 2014-05-27 Item D3 Atlantic Realty Z 13 18846

Items D.2; D.3 and D4 were heard together.

MOTION was made by Sharon Barnes Sutton, seconded by Stan Watson and passed 4-0-0-2 to approved with 17 conditions submitted by Kathy Zickert, Rezoning Application of Atlantic Realty Development, Llc. Z-13-18846. Commissioners Gannon and Rader were absent and not voting.

ADOPTED: MAY 27 2014

(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF
COMMISSIONERS

CERTIFIED: MAY 27 2014

(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

MINUTES:

Kathy Zickert, Suite 3100; 1230 Peachtree Street, Atlanta, Ga. 30309 and Deanne Thomas, 437 Sycamore Drive, Decatur, Ga. 30030, spoke in support.

Rosamond Dewart, 2504 Pineview Drive, Decatur, Ga. 30030, spoke in opposition.

FOR : Elaine Boyer, Larry Johnson, Sharon Barnes Sutton, Stan Watson

AGAINST : None

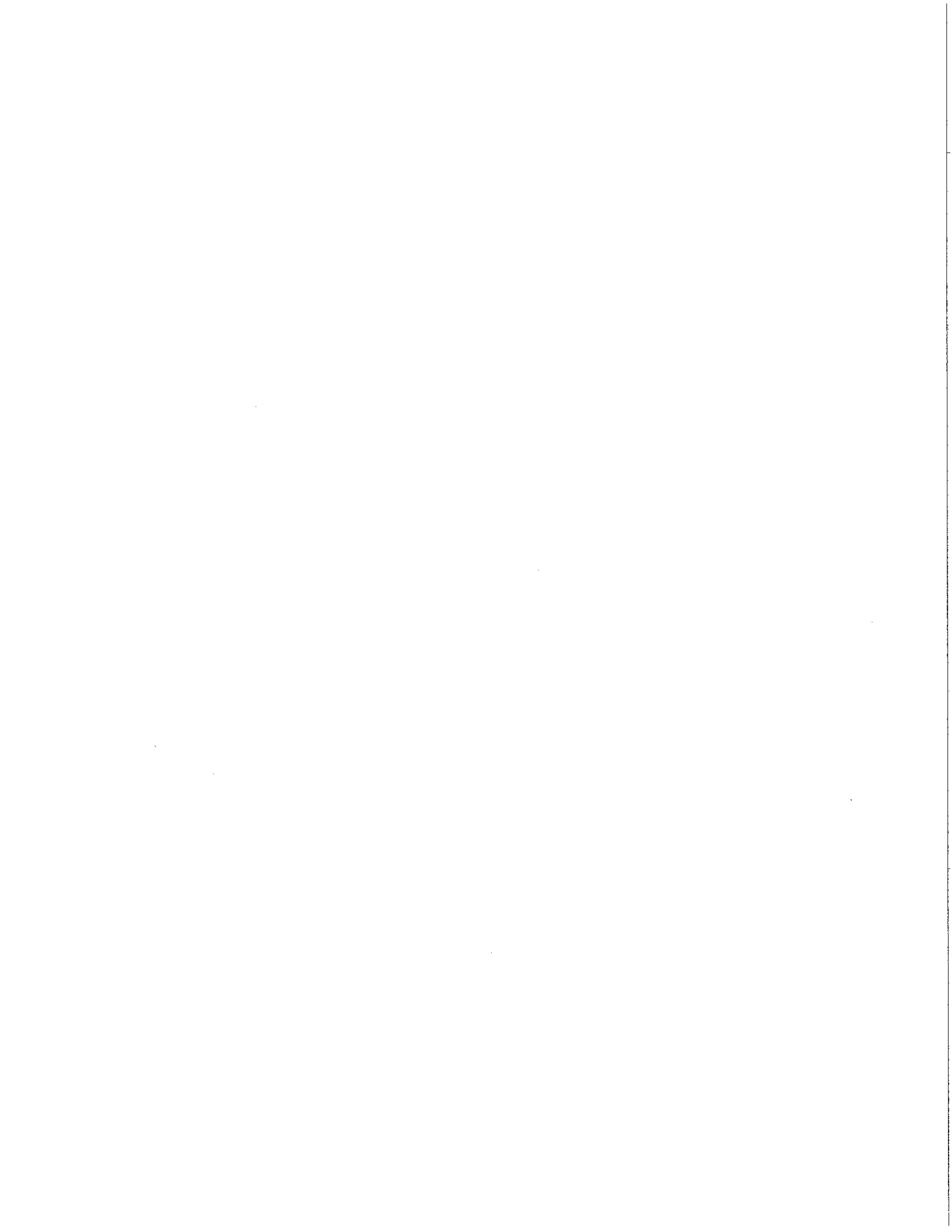
ABSTAIN : None

ABSENT : Jeff Rader, Kathie Gannon

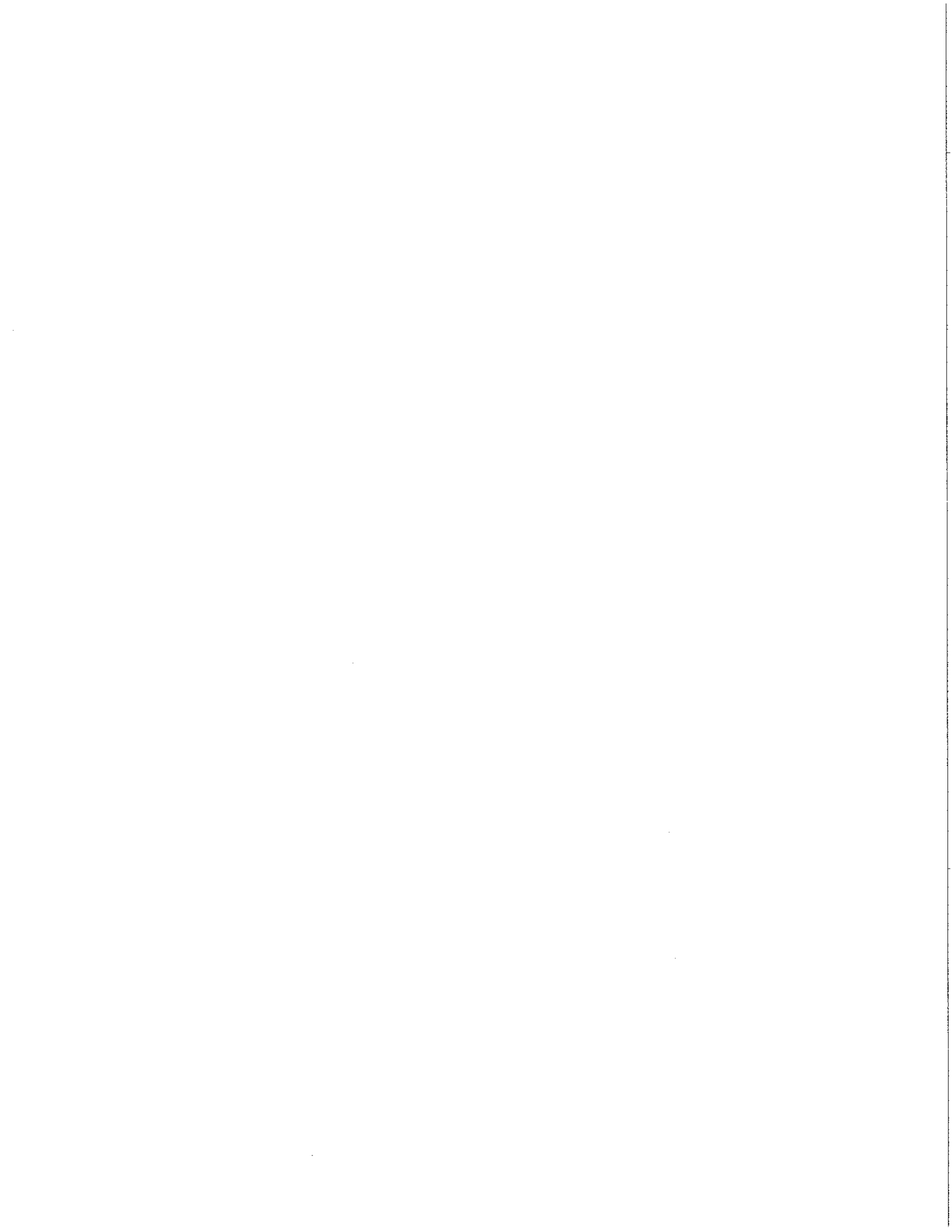
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Item No. D&A 5/2/14
Clerk's Office
Kathy Zickler Zwickler

CONDITIONS
Z-13-18447

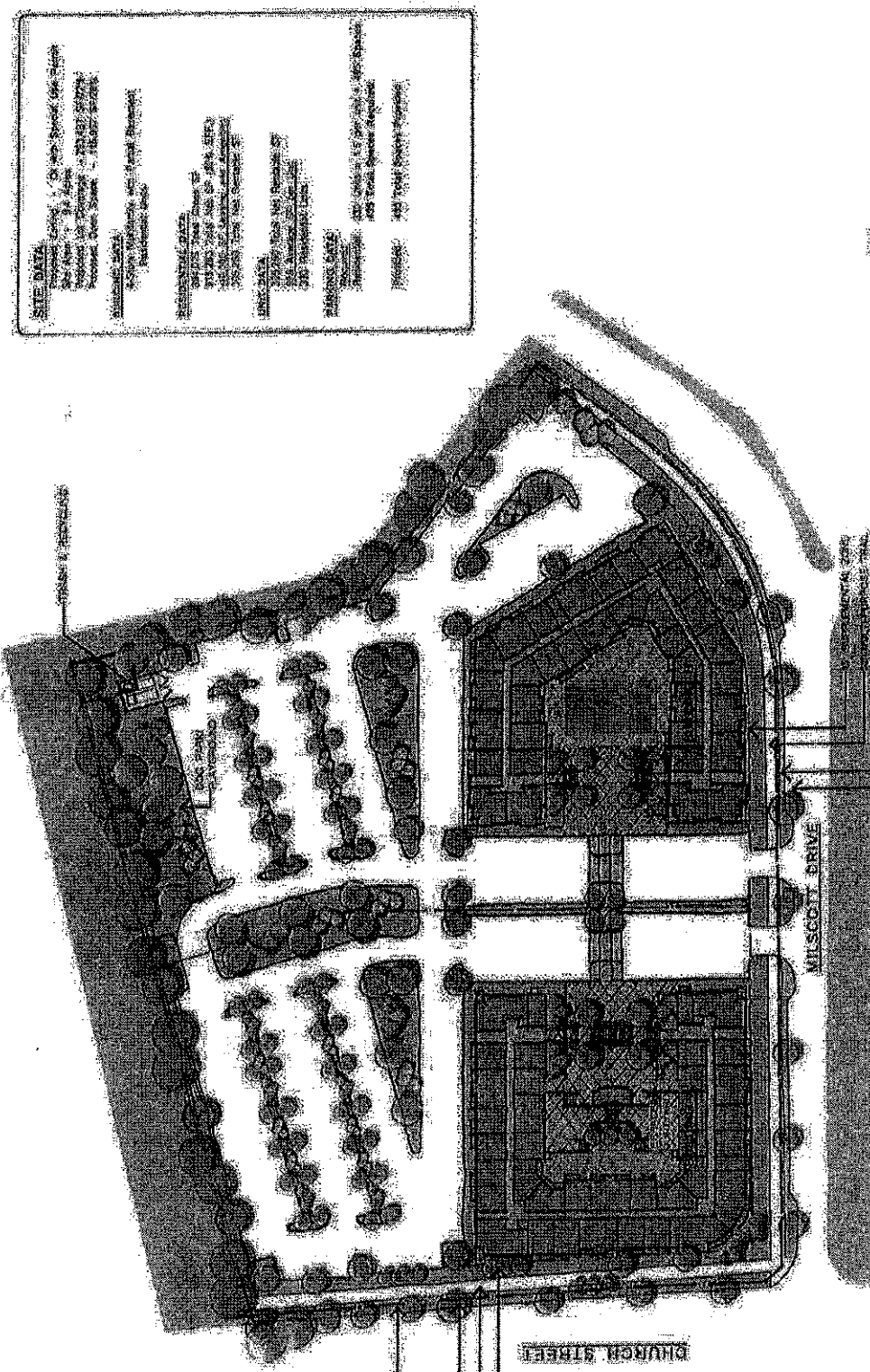
1. The development shall substantially comply with the "Exhibit A - Phase I" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "A" (the "Phase I Site Plan"). Further, the owner may later seek a "Phase II" development as generally reflected on the "Exhibit B - Phase II" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "B" (the "Phase II Site Plan"), but shall be required to seek all necessary rezoning entitlements prior to pursuing the development shown on the Phase II Site Plan.
2. The development shown on the Phase I Site Plan shall contain up to a maximum of 330 dwelling units.
3. The side wall of the development shown on the Phase I Site Plan that faces Church Street shall have a minimum of one window for each unit located behind said side wall.
4. The height of the proposed buildings shown on the Phase I Site Plan shall be no more than five (5) stories and shall not exceed a maximum height of 75' as measured by the Dekalb County Code.
5. The design of the proposed buildings shown on the Phase I Site Plan shall be consistent with the conceptual building elevation attached as Exhibit "C".
6. The development shall contain bike racks and provide bike lockers for seven (7) percent of the dwelling units constructed.
7. Pedestrian and street lighting fixtures shall be provided on Milscott Drive and Church Street.
8. The exterior finishes of the buildings shown on the Phase I Site Plan shall consist of glass, brick, stucco, stacked stone, cementitious siding, or any combination thereof.
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16. Parts of the property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
17. Separate ownership of parts of the property or conveyance of part of the property to different owners shall not create non-conforming uses, shall not require any changes to the newly-created property lines which arise from these conveyances, and the resulting parcels shall not individually be required to observe setback, buffer or other zoning requirements, except as may be reflected on the Phase I Site Plan or the Phase II Site Plan, as applicable.



01 MAY 2014



SITE DATA	
DATE:	01 MAY 2014
PROJECT:	THE RESERVY
CLIENT:	ATLANTIC BEACH PARTNERS
DESIGNER:	[Faint text]
SCALE:	1" = 10'
DATE:	01 MAY 2014
PROJECT:	THE RESERVY
CLIENT:	ATLANTIC BEACH PARTNERS
DESIGNER:	[Faint text]
SCALE:	1" = 10'
DATE:	01 MAY 2014
PROJECT:	THE RESERVY
CLIENT:	ATLANTIC BEACH PARTNERS
DESIGNER:	[Faint text]
SCALE:	1" = 10'
DATE:	01 MAY 2014
PROJECT:	THE RESERVY
CLIENT:	ATLANTIC BEACH PARTNERS
DESIGNER:	[Faint text]
SCALE:	1" = 10'



dwell

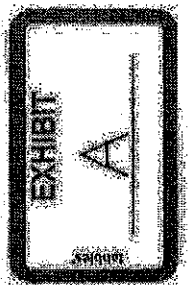
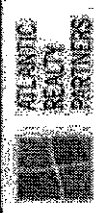
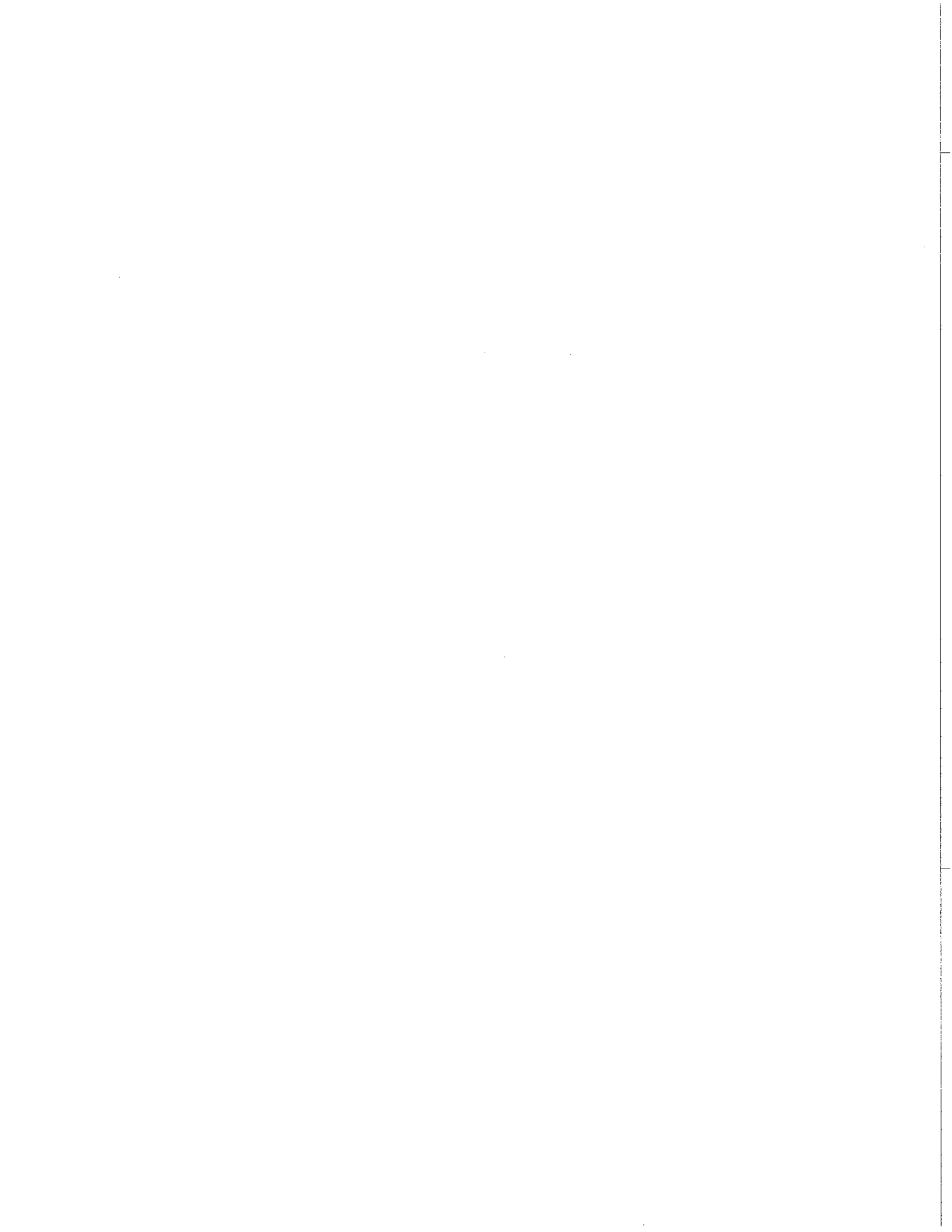


EXHIBIT A - PHASE I

THE RESERVY





01 MAY 2014

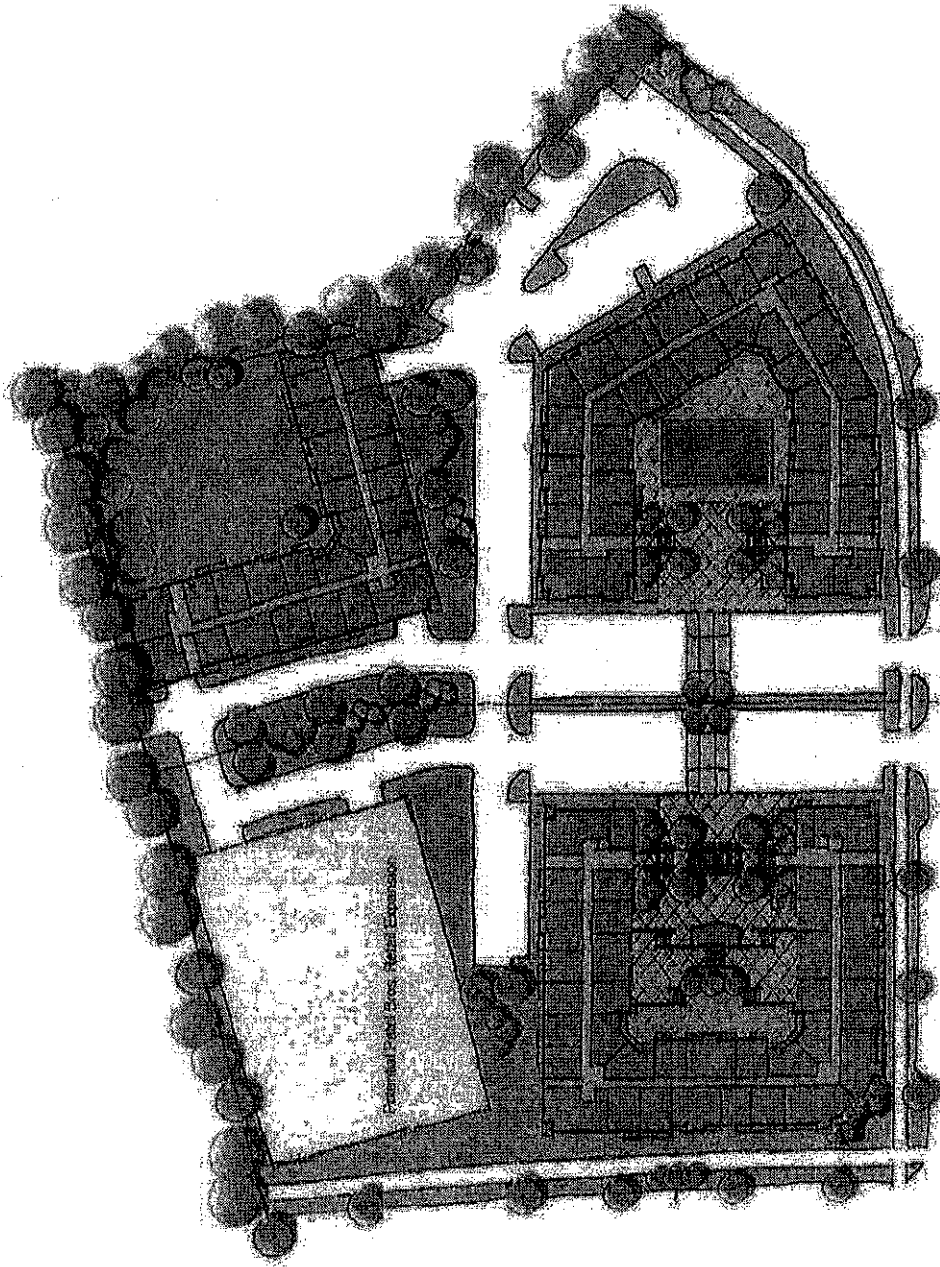
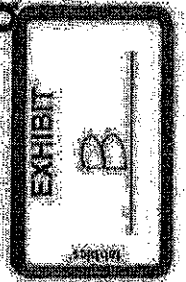


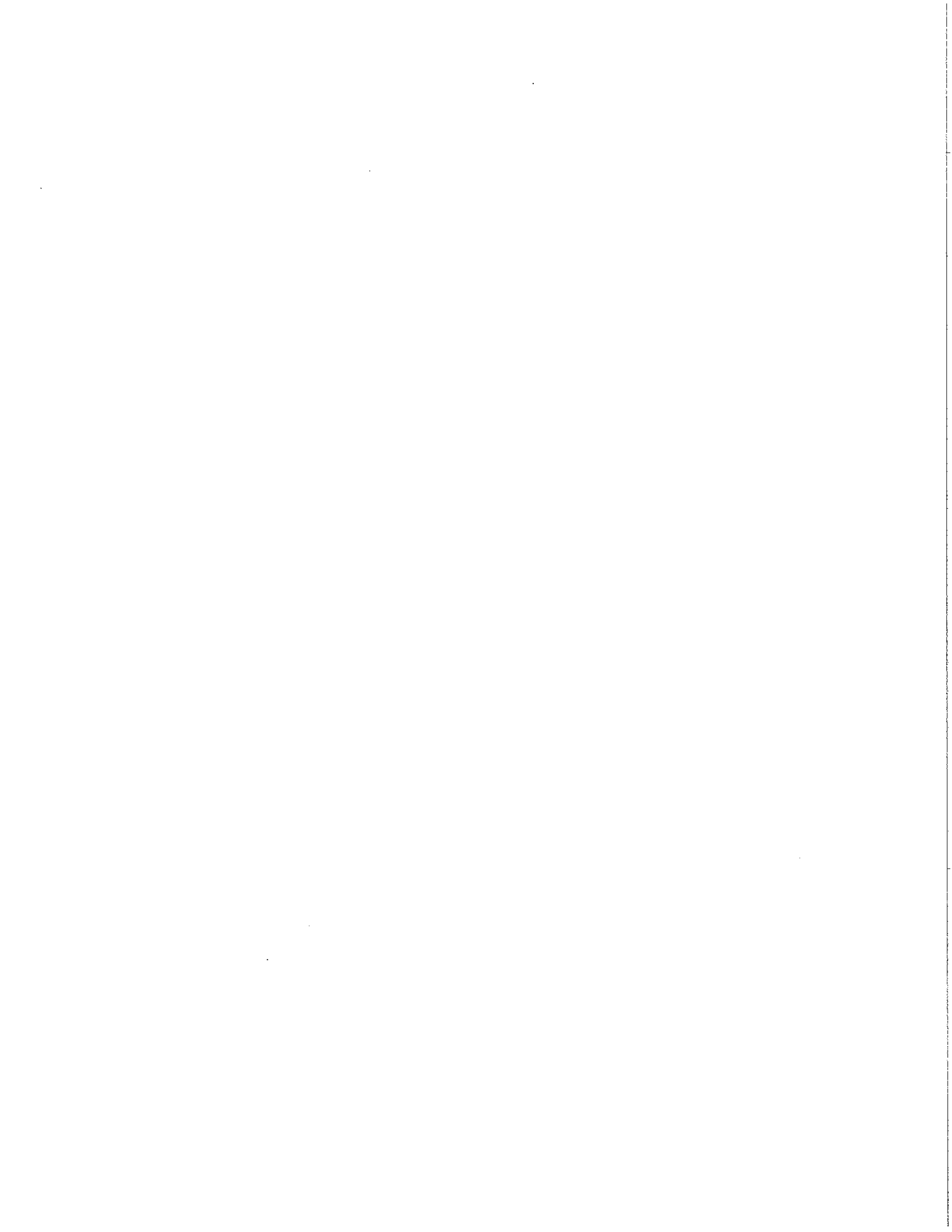
EXHIBIT B - PHASE II

ATLANTIC
BEAUTY
PARTNERS

THE RESERVE

dwell





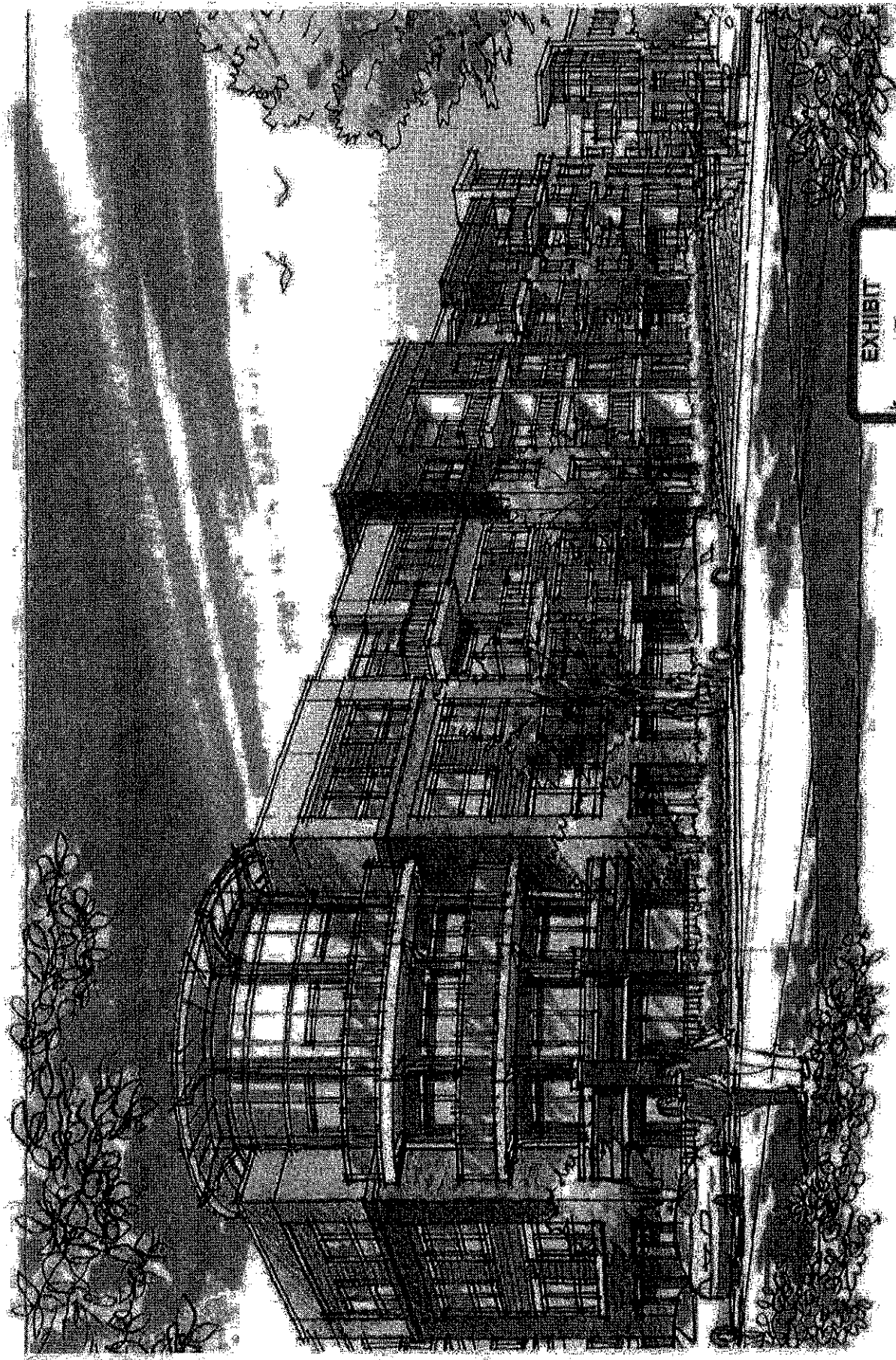
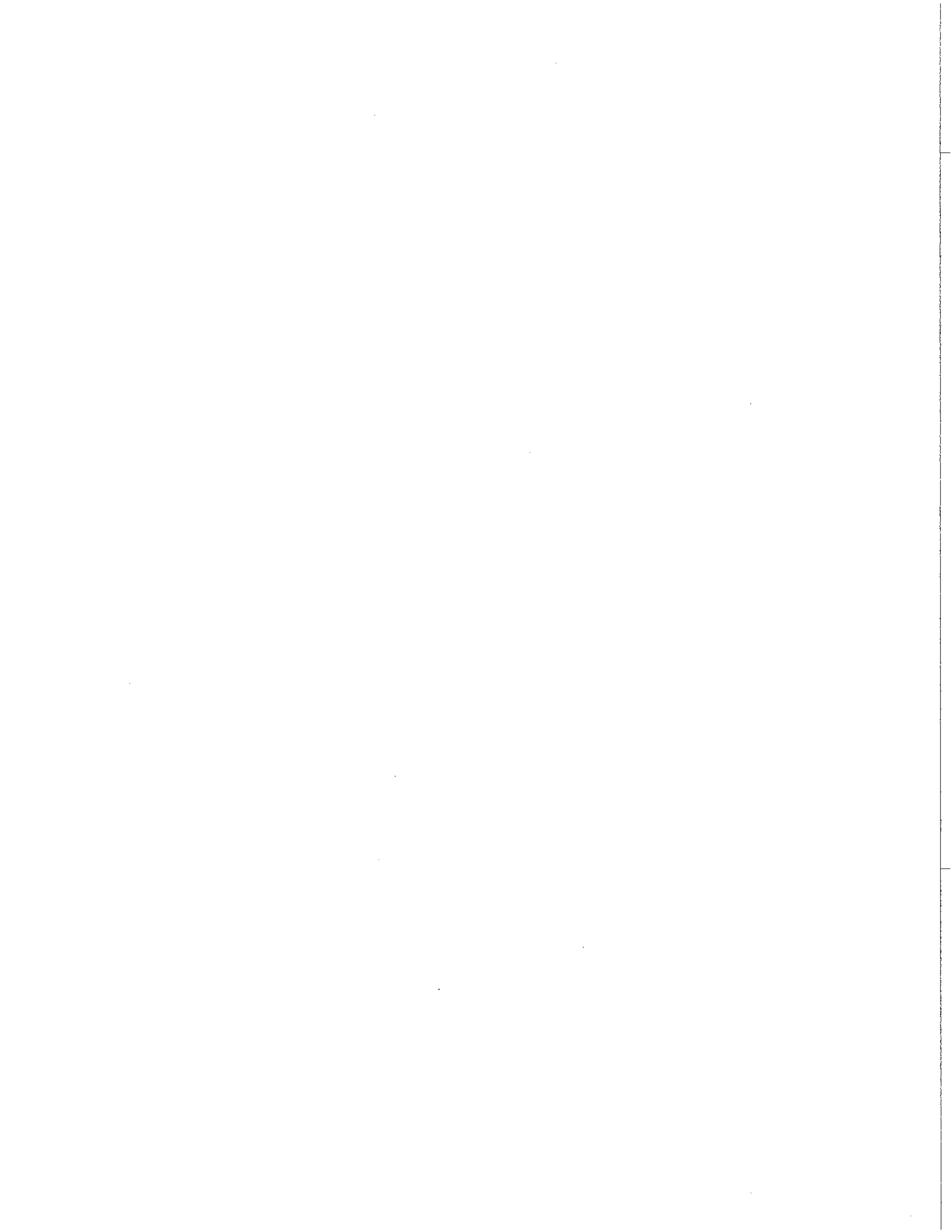


EXHIBIT
C



5/16/14

accommodate the proposed density of the development is an indication that the maximum allowed density in the current designation of Commercial Redevelopment Corridor does not align with the market for multifamily residential use on the site under consideration. The 2008 recession resulted in the closure of three car dealerships in the Church Street corridor between North Decatur Road and Scott Boulevard. The project is an opportunity to move towards restoration of the vitality of the corridor. The land use map amendment is a necessary step to enable the project to go forward.

The proposed project is also desirable because it would help to balance the mixture of land uses in the Church Street corridor, consistent with the Comprehensive Plan policy to: "Promote mixed use and other land use patterns that reduce automobile usage" (TS10). The proposed project would introduce consumers for the types of goods and services offered by the shopping center on the adjoining property to the north, and would enable shorter vehicular trips to nearby retailers than if the same number of residential units were distributed in a low-density development pattern on more distant properties. At the same time, the development would reinforce the viability of the two existing multifamily developments located on properties to the east and south by adding to the critical mass of multifamily residential development near the non-residential land uses in the surrounding area. Therefore, the Department of Planning and Sustainability recommends "Approval with Conditions".

PLANNING COMMISSION VOTE: Deferral Full Cycle, 8-0-0. On 3/4/14, J. West moved and T. Phillips seconded for full cycle deferral to the May zoning cycle.

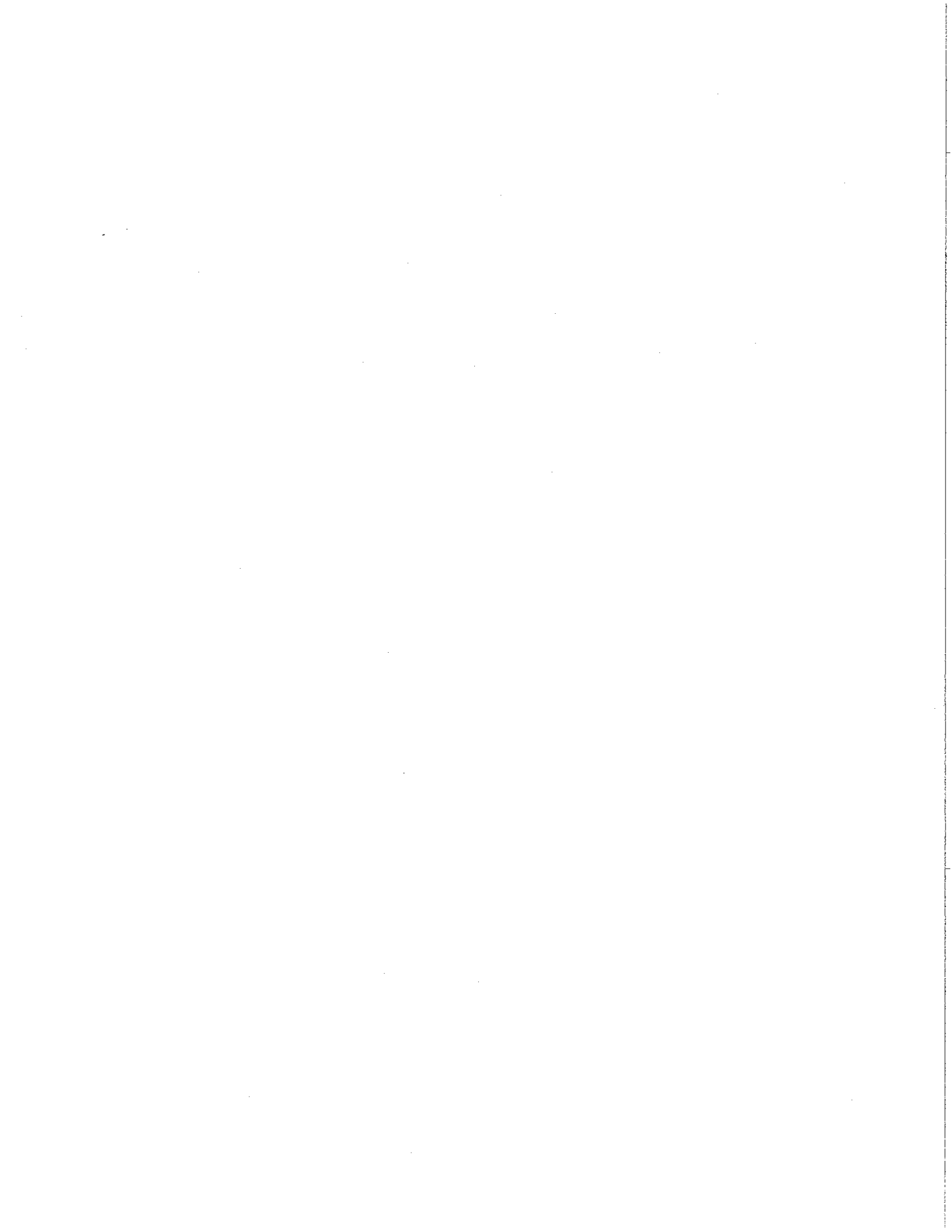
COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial, 7-2-2. On 2/18/14, the Council recommended "Denial" for the following reasons: 1) The proposal doesn't meet the Town Center requirements for mixed use development; 2) The density is too high; 3) A Livable Centers Initiative study is underway to be completed in May and any changes in this area should be delayed until the LCI is completed; and 4) the proposal is inconsistent with the Comprehensive Land Use Plan.

RECOMMENDED CONDITIONS
Z-13-18846

1. The development shall be in substantial compliance with the site plan titled, "The Reserve Church Street" by "dwell design studio", dated May 1, 2014 and stamped as received by the Department of Planning and Sustainability on May 5, 2014. Specifically, the development shall be as follows:
 - a. Building A shall be located no further from the Church Street frontage than 25 feet and no further from the Milscott Drive frontage than 20 feet.
 - b. The south wall of Building B shall be located no further from the Milscott Drive frontage than 20 feet, and the southeast wall shall be located no further from the Milscott Drive frontage than 45 feet.
 - c. Streetscaping treatment along the Milscott and Church Street frontages of the property shall be as follows: a minimum five-foot landscape zone shall be provided next to the street curb; a minimum 12-foot paved multi-purpose trail shall be provided next to the landscape zone; and a minimum 15-foot landscaped "Supplemental Zone" shall be provided next to the building. Street trees shall be planted in the landscape zone, subject to approval by the County Arborist. A minimum 8-foot parallel parking zone shall be provided along the street frontages, subject to approval by GDOT and the County Department of Public Works.
 - d. The development shall provide access by residents to the adjoining shopping center to the north, via a paved pedestrian path across any intervening green space and a staircase to compensate for the grade change between the subject property and the shopping center. The pedestrian path shall be kept clear and unobstructed at all times. A gate shall be provided in any fence or wall that is constructed along the property line shared by the subject property and the adjoining shopping center property.
 - e. A landscaped dog park/play area of at least 12,000 square feet shall be provided on the site.
 - f. The dumpster shall be screened so that it is not visible from parking or pedestrian areas, and shall be enclosed with brick or a material colored in earth tones.
 - g. Side and rear yard setbacks shall be landscaped with a vegetative screen consisting of a mixture of shade trees, understory trees, shrubs, and ground cover, subject to approval by the County Arborist.
2. The proposed development shall have a maximum of 330 residential units and a maximum height of five stories.
3. The architectural design of the side wall that faces Church Street shall incorporate features that convey a pedestrian-scale residential character, subject to approval by the Director of Planning or designee. At a minimum, the following features shall be incorporated into the design:
 - a. Window and/or door openings that total at least 30% of the total area of the wall façade;

5/16/14

- b. Façade projections and recesses with a depth of at least two feet, so that no single wall exceeds 25 feet without a change in plane; and
 - c. Delineation of the ground floor of the building consisting of window or door openings that shall reach a height of no more than eight feet above grade, or a cornice line, belt course, change in materials, change in the plane of the façade, or similar architectural feature. Each story above the ground floor shall be delineated with a cornice line, belt course, change in materials, change in the plane of the façade, or similar architectural feature.
4. At least 60% of exterior wall materials shall consist of one or a combination of the following: brick masonry, stone masonry, cement wood or fiber cement siding, hard coat stucco, textured face concrete block, architectural concrete, glass, or another material that shall be approved by the Director of Planning or designee as contributing to green construction for the purpose of obtaining LEED certification. Common concrete block or Oriented Strand Board (OSB) shall be prohibited.
5. The parking lot shall comply with the parking lot landscaping standards of Section 27-753 of the DeKalb County Code. In addition, the following shall be provided as shown on the site plan referenced in Condition No. 1, dated May 1, 20114:
- a. a minimum of 10 landscaped islands or island in combination with landscape strips shall be provided in the interior of the parking lot or driveway, and shall be planted with trees and other vegetation, subject to approval by the County Arborist; and
 - b. A minimum of 12 landscaped bump-outs shall be provided at the edges of the parking lot and at the edges of the landscape strips that adjoin the buildings and the parking lot, and shall be planted with trees and other vegetation, subject to approval by the County Arborist.



5/16/14

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**DEKALB COUNTY
BOARD OF COMMISSIONERS**

ITEM NO. *D4*

HEARING TYPE:
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE:
ORDINANCE

MEETING DATE: May 27, 2014

SUBJECT Special Land Use Permit – SLUP-13-18847 – Atlantic Realty Development LLC

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning & Sustainability

PUBLIC HEARING: YES NO

ATTACHMENT: YES No
PAGES:

INFORMATION CONTACT: Marian Eisenberg, Zoning Administrator
(404) 371-2155
PHONE NUMBER:

At the 11/19/2013 BOC, a motion to defer was made and vote was tied at 3-3-0. No further motions were made. Case was held with no action by BOC. The case was moved to the BOC hearing on 2/25/14. At the 2/25/14 hearing, the BOC deferred the case full cycle to May 2014.

PETITION NO: SLUP-13-18847

PROPOSED USE: Increased height in a multifamily residential development.

LOCATION: 1653, 1655, and 1657 Church Street and 2636 and 2656 Millscott Drive, Decatur.

PARCEL Nos.: 18-049-14-001, 18-049-14-002, 18-049-14-003, & 18-062-04-003

PURPOSE: A Special Land Use Permit to increase the height of a 367-unit multifamily residential building from the allowed maximum of two stories to a maximum of five stories in an O-I (Office-Institutional) District. The property is located on the northeast corner of Church Street and Millscott Drive at 1653, 1655, and 1657 Church Street and 2636 and 2656 Millscott Drive, Decatur. The property has approximately 475 feet of frontage on Church Street and approximately 920 feet of frontage on Millscott Drive and contains 9.4 acres.

RECOMMENDATIONS:

COMMUNITY COUNCIL: (2/18/14) DENIAL.

PLANNING COMMISSION: (3/4/14) DEFERRAL FULL CYCLE.

PLANNING STAFF: APPROVAL WITH CONDITIONS.

PLANNING COMMISSION MEETING: On March 4, 2014, the Planning Commission recommended full cycle deferral to the May zoning cycle.

PLANNING STAFF ANALYSIS: The following analysis is based on the revised site plan dated 01 May 2014 and stamped as received by the Department of Planning and Sustainability on May 5, 2014. The height of the proposed development is compatible with the heights of two existing multifamily residential developments located adjacent to, and across the street from, the subject property. It is proposed to be one story higher than the four-story building on the adjoining property and two stories higher than the building across Millscott Drive. The

FOR USE BY COMMISSION OFFICE/CLERK ONLY

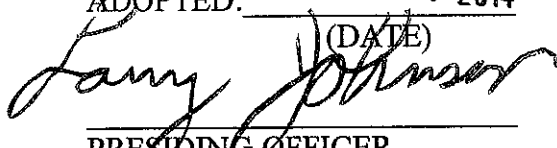
ACTION : 2014-05-27 Item D4 Atlantic Realty SLUP 13 18847

Items D.2; D.3 and D.4 were heard together.

MOTION was made by Sharon Barnes Sutton, seconded by Stan Watson and passed 4-0-0-2 to approved with 17 conditions submitted by Kathy Zickert. Application of Atlantic Realty Development, Llc for a Special Land Use Permit, SLUP-13-18847. Commissioners Gannon and Rader were absent and not voting.

ADOPTED: MAY 27 2014

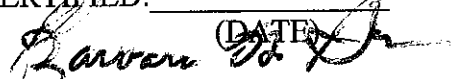
(DATE)



PRESIDING OFFICER
DEKALB COUNTY BOARD OF
COMMISSIONERS

CERTIFIED: MAY 27 2014

(DATE)



CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

MINUTES:

Kathy Zickert, Suite 3100; 1230 Peachtree Street, Atlanta, Ga. 30309 and Deanne Thomas, 437 Sycamore Drive, Decatur, Ga. 30030, spoke in support.

Rosamond Dewart, 2504 Pineview Drive, Decatur, Ga. 30030, spoke in opposition.

FOR : Elaine Boyer, Larry Johnson, Sharon Barnes Sutton, Stan Watson

AGAINST : None

ABSTAIN : None

ABSENT : Jeff Rader, Kathie Gannon

comm: 416 237
Item No. D&A 5/27/14
Clerk's Office
Kathy Zickler Zumbly

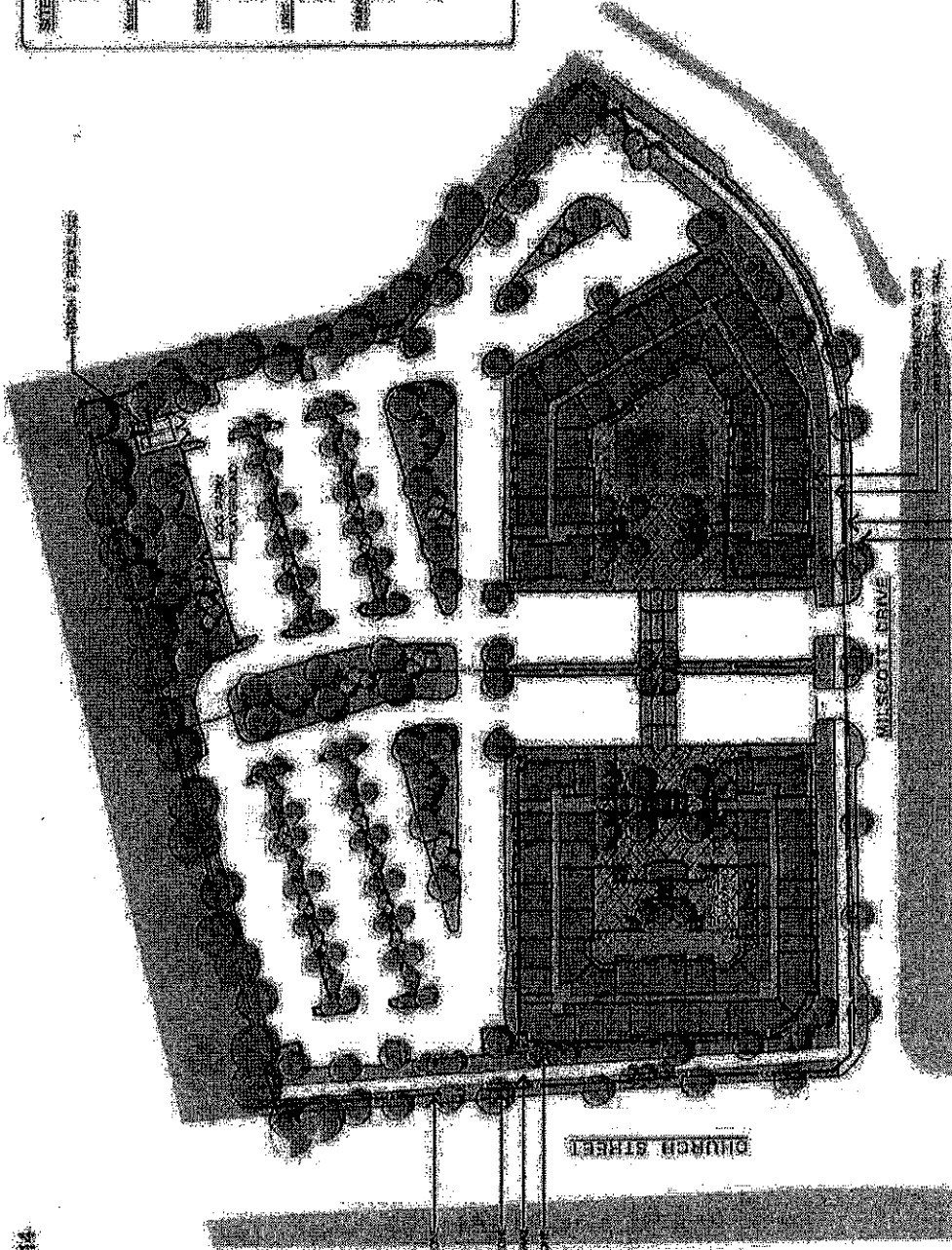
CONDITIONS
Z-13-18447

1. The development shall substantially comply with the "Exhibit A - Phase I" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "A" (the "Phase I Site Plan"). Further, the owner may later seek a "Phase II" development as generally reflected on the "Exhibit B - Phase II" site plan dated May 1, 2014, prepared by Dwell Design Studio and attached as Exhibit "B" (the "Phase II Site Plan"), but shall be required to seek all necessary rezoning entitlements prior to pursuing the development shown on the Phase II Site Plan.
2. The development shown on the Phase I Site Plan shall contain up to a maximum of 330 dwelling units.
3. The side wall of the development shown on the Phase I Site Plan that faces Church Street shall have a minimum of one window for each unit located behind said side wall.
4. The height of the proposed buildings shown on the Phase I Site Plan shall be no more than five (5) stories and shall not exceed a maximum height of 75' as measured by the Dekalb County Code.
5. The design of the proposed buildings shown on the Phase I Site Plan shall be consistent with the conceptual building elevation attached as Exhibit "C".
6. The development shall contain bike racks and provide bike lockers for seven (7) percent of the dwelling units constructed.
7. Pedestrian and street lighting fixtures shall be provided on Milscott Drive and Church Street.
8. The exterior finishes of the buildings shown on the Phase I Site Plan shall consist of glass, brick, stucco, stacked stone, cementitious siding, or any combination thereof.
9. Contingent on any necessary approvals (including approval from the adjacent land owner), the development shall include pedestrian access to the shopping center on the adjoining property to the north.
10. Flashing, animated, sound emitting or rotating signs are prohibited.
11. Exterior light poles shall be directed inward and downward and have a controlled footprint intended to minimize light spillover.
12. The development shown on the Phase I Site Plan shall provide space and facilities for tenants to recycle paper, glass, metals and plastics.

13. The development shown on the Phase I Site Plan shall be provided with underground utilities for electric, power, phone, cable and internet.
14. Prior to a LDP being issued for the development shown on the Phase I Site Plan, the Developer shall submit to the County Arborist a landscape plan that defines the landscaping for the development shown on the Phase I Site Plan, which shall substantially comply with the Phase I Site Plan (excepting for the provision of detention and other code requirements that may impact final design). The Arborist shall approve the proposed tree selection and placement.
15. Setbacks shall be measured from existing right-of-way, versus any future right-of-way the County may demand incidental to development.
16. Parts of the property may be owned separately and/or conveyed as separate tracts and to separate owners with different ownership structures.
17. Separate ownership of parts of the property or conveyance of part of the property to different owners shall not create non-conforming uses, shall not require any changes to the newly-created property lines which arise from these conveyances, and the resulting parcels shall not individually be required to observe setback, buffer or other zoning requirements, except as may be reflected on the Phase I Site Plan or the Phase II Site Plan, as applicable.

01 MAY 2014

SITE DATA	
Project Name:	Church Street Church
Project Address:	100 Church Street, New York, NY 10002
Project Owner:	Church Street Church
Project Architect:	Architect's Name
Project Engineer:	Engineer's Name
Project Date:	01 MAY 2014
Project Status:	Final
Project Location:	New York, NY
Project Description:	Church Street Church
Project Notes:	Notes



dwell

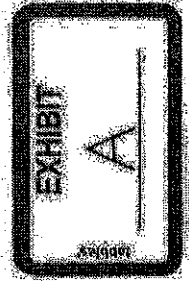


EXHIBIT A - PHASE I

THE GENERAL CONTRACTOR

ATLANTIC REACTY PARTNERS

01 MAY 2014

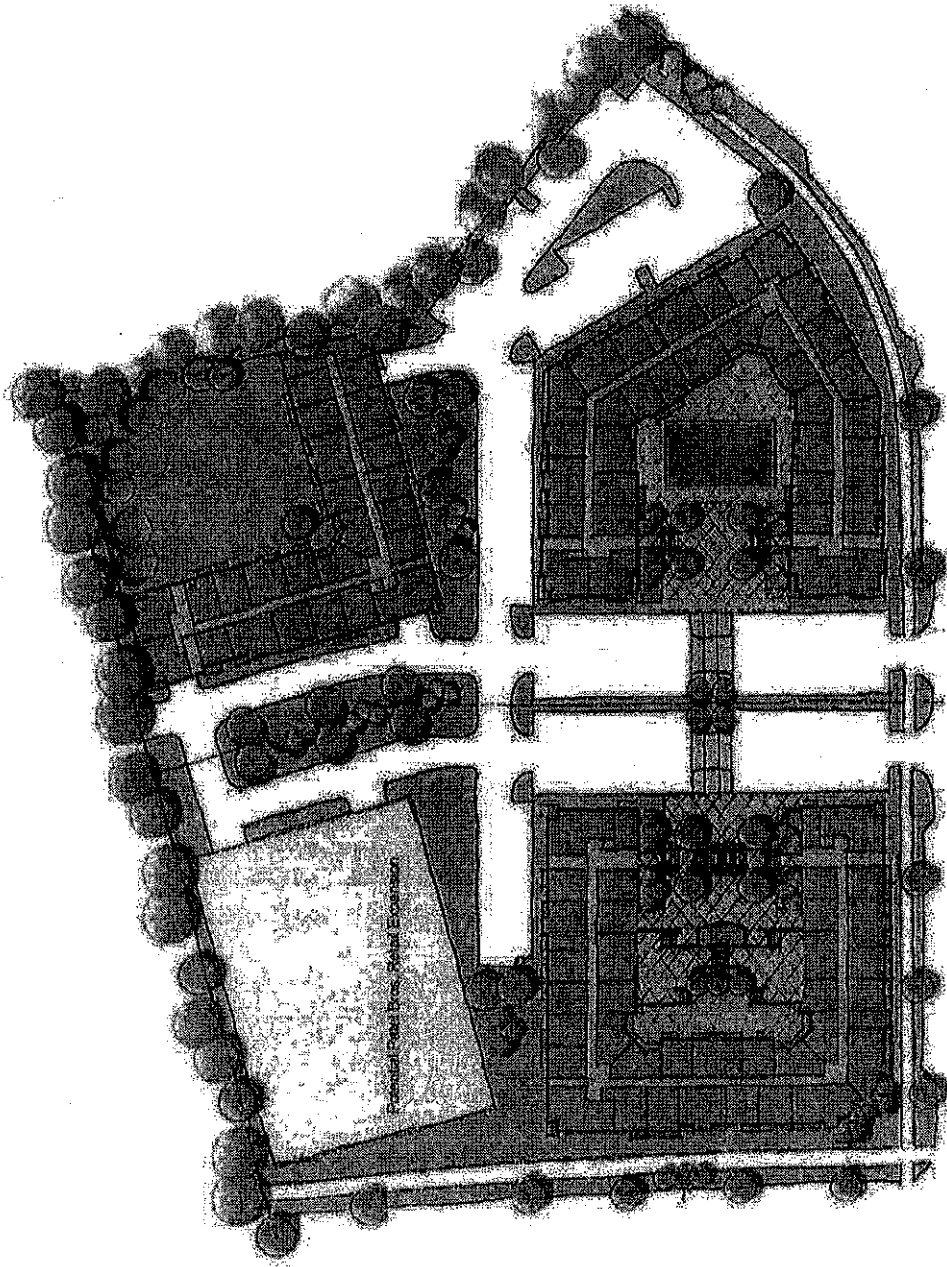


EXHIBIT B - PHASE II

ATLANTIC
REALTY
PARTNERS

THE RESIDENT

of well



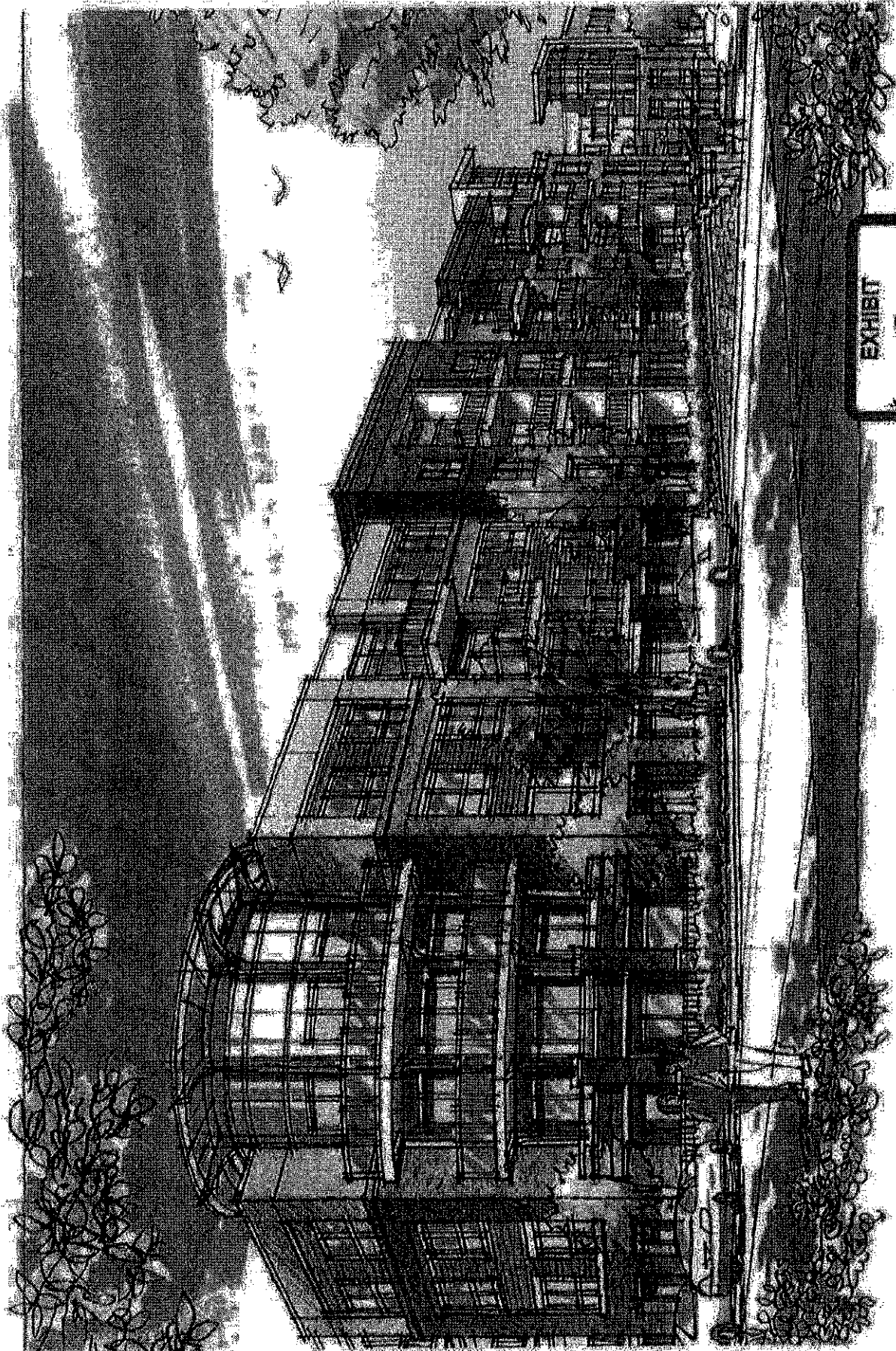
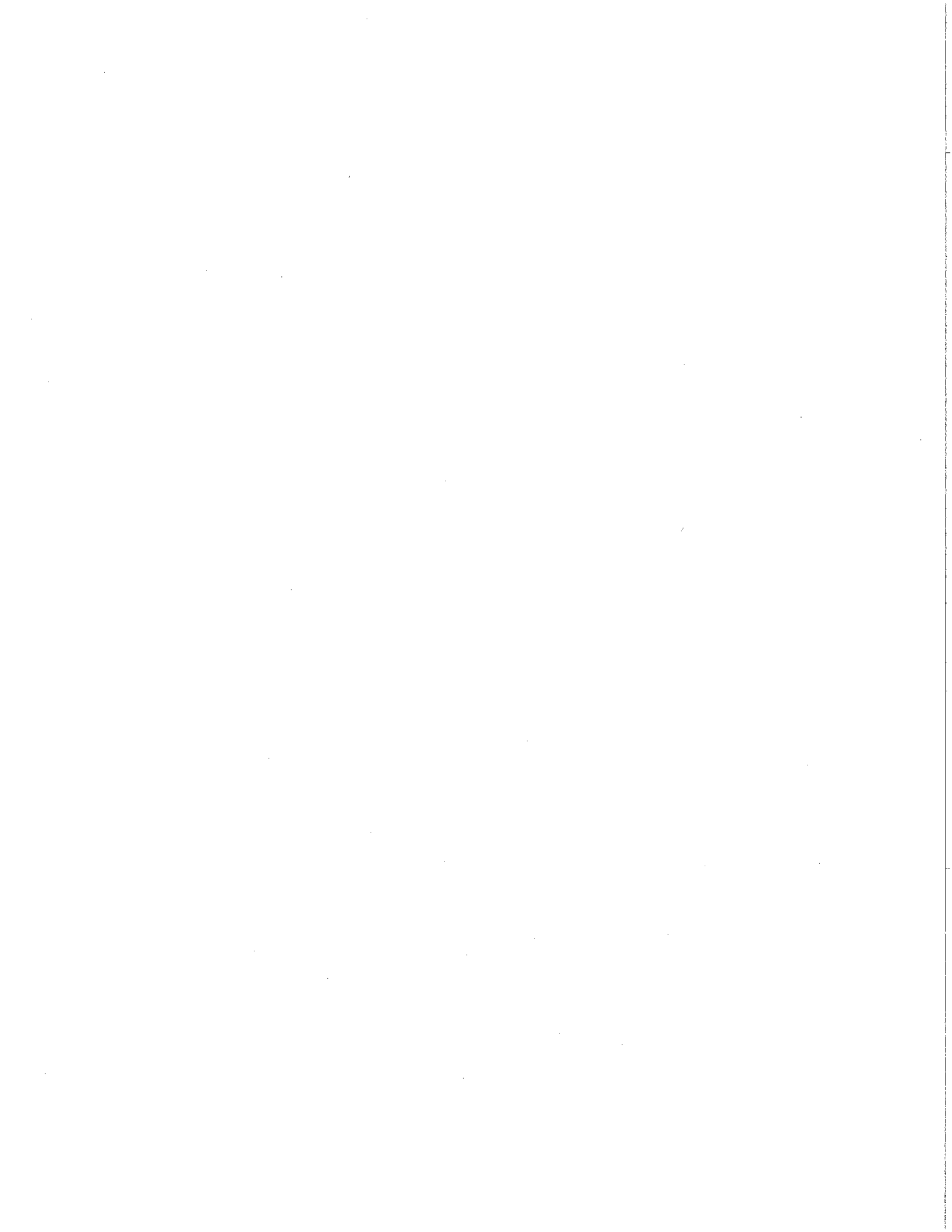


EXHIBIT
C



**RECOMMENDED CONDITIONS
SLUP-13-18847**

1. The development shall be in substantial compliance with the site plan titled, "The Reserve Church Street" by "dwell design studio", dated May 1, 2014 and stamped as received by the Department of Planning and Sustainability on May 5, 2014. Specifically, the development shall be as follows:
 - a. Building A shall be located no further from the Church Street frontage than 25 feet and no further from the Milscott Drive frontage than 20 feet.
 - b. The south wall of Building B shall be located no further from the Milscott Drive frontage than 20 feet, and the southeast wall shall be located no further from the Milscott Drive frontage than 45 feet.
 - c. Streetscaping treatment along the Milscott and Church Street frontages of the property shall be as follows: a minimum five-foot landscape zone shall be provided next to the street curb; a minimum 12-foot paved multi-purpose trail shall be provided next to the landscape zone; and a minimum 15-foot landscaped "Supplemental Zone" shall be provided next to the building. Street trees shall be planted in the landscape zone, subject to approval by the County Arborist. A minimum 8-foot parallel parking zone shall be provided along the street frontages, subject to approval by GDOT and the County Department of Public Works.
 - d. The development shall provide access by residents to the adjoining shopping center to the north, via a paved pedestrian path across any intervening green space and a staircase to compensate for the grade change between the subject property and the shopping center. The pedestrian path shall be kept clear and unobstructed at all times. A gate shall be provided in any fence or wall that is constructed along the property line shared by the subject property and the adjoining shopping center property.
 - e. A landscaped dog park/play area of at least 12,000 square feet shall be provided on the site.
 - f. The dumpster shall be screened so that it is not visible from parking or pedestrian areas, and shall be enclosed with brick or a material colored in earth tones.
 - g. Side and rear yard setbacks shall be landscaped with a vegetative screen consisting of a mixture of shade trees, understory trees, shrubs, and ground cover, subject to approval by the County Arborist.
2. The proposed development shall have a maximum of 330 residential units and a maximum height of five stories.
3. The architectural design of the side wall that faces Church Street shall incorporate features that convey a pedestrian-scale residential character, subject to approval by the Director of Planning or designee. At a minimum, the following features shall be incorporated into the design:
 - a. Window and/or door openings that total at least 30% of the total area of the wall façade;

5/16/14

differences in height among the buildings are not expected to be visually objectionable. The proposed building is not expected to cast shadows that would decrease the usability of adjoining properties.

The proposed development is consistent with the following policies of the 2025 Comprehensive Plan: "Reinforce and promote existing and new mixed use activity centers that serve a regional market." (LUP3) and "Allow increased density to encourage urban lifestyles that support mixed use in activity centers." (LUP4) By introducing residential development in a commercial corridor, the proposed development would help achieve a more balanced mixture of land uses along Church Street between North Decatur Road and the Church Street-Scott Boulevard intersection. Development of the subject property for residential use has the potential to positively affect nearby commercial properties by providing potential consumers of the goods and services they offer. The proposed development would restore a blighted property to active use and support two existing multifamily developments located on properties to the east and south. Therefore, the Department of Planning and Sustainability recommends "Approval with Conditions".

PLANNING COMMISSION VOTE: Deferral Full Cycle, 8-0-0. On 3/4/14, J. West moved and T. Phillips seconded for full cycle deferral to the May cycle.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial, 7-2-2. On 2/18/14, the Council recommended "Denial" for the following reasons: 1) The proposal doesn't meet the Town Center requirements for mixed use development; 2) The density is too high; 3) A Livable Centers Initiative study is underway to be completed in May and any changes in this area should be delayed until the LCI is completed; and 4) The proposal is inconsistent with the Comprehensive Land Use Plan.

5/16/14

- b. Façade projections and recesses with a depth of at least two feet, so that no single wall exceeds 25 feet without a change in plane; and
 - c. Delineation of the ground floor of the building consisting of window or door openings that shall reach a height of no more than eight feet above grade, or a cornice line, belt course, change in materials, change in the plane of the façade, or similar architectural feature. Each story above the ground floor shall be delineated with a cornice line, belt course, change in materials, change in the plane of the façade, or similar architectural feature.
4. At least 60% of exterior wall materials shall consist of one or a combination of the following: brick masonry, stone masonry, cement wood or fiber cement siding, hard coat stucco, textured face concrete block, architectural concrete, glass, or another material that shall be approved by the Director of Planning or designee as contributing to green construction for the purpose of obtaining LEED certification. Common concrete block or Oriented Strand Board (OSB) shall be prohibited.
5. The parking lot shall comply with the parking lot landscaping standards of Section 27-753 of the DeKalb County Code. In addition, the following shall be provided as shown on the site plan referenced in Condition No. 1, dated May 1, 20114:
- a. a minimum of 10 landscaped islands or island in combination with landscape strips shall be provided in the interior of the parking lot or driveway, and shall be planted with trees and other vegetation, subject to approval by the County Arborist; and
 - b. A minimum of 12 landscaped bump-outs shall be provided at the edges of the parking lot and at the edges of the landscape strips that adjoin the buildings and the parking lot, and shall be planted with trees and other vegetation, subject to approval by the County Arborist.

